



WALGETT SHIRE COUNCIL

AGENDA

28 July 2009

RAY KENT
General Manager



16 July 2009

Walgett Shire Council
PO Box 31
WALGETT NSW 2832

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

Note that prior to the Council Meeting there will be a tour of Rowena with a few of the residents, which will commence at 9.15am. Please meet at the Rowena Hall.

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 6

8. Reserve Trust Management Committee Reports Nil

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10. Motions of which Notice has been given 46

Councillor Murray - Quarterly Coordinated Communication Workshop

Councillor Greenaway - Bank Reconciliation Statement

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|--|------------|
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16. Reports of Committees

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DIRECTOR CORPORATE AND COMMUNITY SERVICES

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DIRECTOR URBAN INFRASTRUCTURE SERVICES

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4. Walgett Memorial Swimming Pool Tender11

19. Close of Meeting

3. Apologies

6. Declaration of Pecuniary/Non Pecuniary Interests

7. Confirmation of Minutes



WALGETT SHIRE COUNCIL

MINUTES

23 June 2009

RAY KENT
General Manager

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL HELD AT THE WALGETT COUNCIL CHAMBERS ON TUESDAY 23 JUNE 2009 COMMENCING AT 10:06 am

PRESENT

Clr I Woodcock (Mayor)
Clr R Greenaway
Clr J Keir
Clr K Smith
Clr L Walford
Clr G Murray
Clr D LAne
Mr R Kent (General Manager)
Ms C Medcalf (Director, Corporate and Community Services)
Mr M Goodwin (Director, Planning and Regulatory Services)
Mr I Taylor (Director, Rural Infrastructure & Support Services)
Mr F Coralde (Director, Urban Infrastructure Services)
Miss J Gates (Minute Secretary)
Mrs D Parker (Minute Secretary)

Apologies

| 172/09 | Apologies |
|--------------------|---|
| Resolution: | |
| 1. | That the apologies be received and leave of absence be granted for Councillor Colless and Councillor Martinez for the June Council Meeting. |
| Moved: | Clr Greenaway |
| Seconded: | Clr Walford |
| CARRIED | |

Public Forum Presentations

Mr Jack Baker spoke on the following:

- Letter from the Ratepayers Association not being included in the Business paper, but circulated under separate cover to all the councillors.
- Rating category for less than 40 hectares properties.

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

Declaration of Pecuniary/Non Pecuniary Interests

Clr Lane –declared a minor Non Pecuniary interest in the following:

- item 2 - Netwaste Forum Minutes
- Item 25 – Impact of the Carbon Pollution Reduction Scheme (CPRS) on Landfill Management

Clr Lane declared a Pecuniary interest in item 18 – Budget Submissions (referring to the submission from the Australian Opal Centre)

Clr Keir declared a minor Non Pecuniary interest in item 27– Council Policy AFM - Road Maintenance Policy

| 173/09 | Confirmation of Minutes |
|--|-------------------------|
| <p>Resolution:</p> <p>1. That the minutes of the Council Meeting held 26 May 2009 be confirmed.</p> <p>Moved: Clr Greenaway Seconded: Clr Smith</p> <p>CARRIED</p> | |

| 174/09 | Lightning Ridge Caravan Park – Various Matters |
|---|--|
| <p>Resolution:</p> <p>1. That the report be noted.</p> <p>Moved: Clr Walford Seconded: Clr Greenaway</p> <p>CARRIED</p> | |

| 175/09 | Walgett Shire Council Mayoral Minute - Nomination to Western Lands Advisory Council |
|--|---|
| <p>Resolution:</p> <p>1. That Councillor Murray be nominated by Council to be a Western Division Group nomination to the Minister for Land's Western Lands Advisory Council.</p> <p>Moved: Clr Greenaway Seconded: Clr Lane</p> <p>CARRIED</p> | |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

Presentation of Petitions

| 176/09 | Petition from Lightning Ridge Residents Regarding CCTV |
|---|--|
| Resolution: 1. That the petition be received. Moved: Clr Keir Seconded: Clr Smith CARRIED | |

| 177/09 | Netwaste Forum Minutes |
|--|------------------------|
| Resolution: 1. That Council note and accepts the Minutes of the Meeting on 28 May 2009. 2. That Council asks Bourke Shire council to provide a copy of the 'Village Scrap Metal' Project for reference in promoting its own metal recycling scheme in the future. 3. That Council sends a formal expression of interest to Netwast to host the 'Waste to Art Regional Exhibition' in Walgett in 2012. Moved: Clr Walford Seconded: Clr Smith CARRIED | |

| 178/09 | Camps on Claims Working Group Minutes |
|--|---------------------------------------|
| Resolution: 1. That Council note the draft minutes of the Camps on Claims Working Group meeting held on 27 May 2009. Moved: Clr Walford Seconded: Clr Lane CARRIED | |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

| | |
|--|--|
| 179/09 | Lightning Ridge Precinct Committee Minutes |
| <p>Resolution:</p> <p>1. That the Minutes of the April meeting of the Lightning Ridge Precinct Committee be noted.</p> <p>Moved: Clr Smith Seconded: Clr Walford</p> <p>CARRIED</p> | |
| 180/09 | Fees for Mayor and Councillors |
| <p>Resolution:</p> <p>That:</p> <p>1. the Councillor fee for 2009/10 be \$9,290.</p> <p>2. the Mayoral fee for 2009/10 be \$20,280.</p> <p>3. 25% of the Mayoral fee be allocated to the Councillor who occupies the position of Deputy Mayor.</p> <p>Moved: Clr Lane Seconded: Clr Walford</p> <p>CARRIED</p> | |
| 181/09 | Payment of Expenses and Provision of Facilities for Councillors |
| <p>Resolution:</p> <p>That:</p> <p>1. the existing Council Policy "Payment of Expenses and Provision of Facilities for Councillors" adopted 2 September 2008 be re-adopted.</p> <p>2. the adopted Policy be submitted to the Director General of the Department of Local Government.</p> <p>Moved: Clr Lane Seconded: Clr Keir</p> <p>CARRIED</p> <p>Clr Greenaway requested that it be noted in the minutes that he voted against the motion.</p> | |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

| 182/09 | Sister Cities Australia National Conference |
|--|---|
| Resolution: | |
| That: | |
| <ol style="list-style-type: none">1. Councillor Walford represents Council at the 2009 Sister Cities Australia National Conference in Tamworth.2. Council sponsor a Youth Delegate to the Conference who shall be a member of the Shires Youth Council. | |
| Moved: Clr Keir | |
| Seconded: Clr Lane | |
| CARRIED | |

| 183/09 | Naming of Proposed Park in Collarenebri |
|--|---|
| Resolution: | |
| That: | |
| <ol style="list-style-type: none">1. Council invite suggestions from the Collarenebri community for the naming of the proposed park to be established at Lot 10 DP 758262 Walgett Street Collarenebri.2. A further report on the subject be placed before Council following the deadline for the lodgement of naming suggestions. | |
| Moved: Clr Greenaway | |
| Seconded: Clr Smith | |
| CARRIED | |

| 184/09 | Report of Management Plan 2008/2009-2012/2013 |
|--|---|
| Resolution: | |
| <ol style="list-style-type: none">1. That the Report on the Management Plan 2008/2009 -2012/2013 for the period January 2009-March 2009 be received. | |
| Moved: Clr Lane | |
| Seconded: Clr Smith | |
| CARRIED | |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

| 185/09 | Report on Sewerage and Effluent Systems |
|---|---|
| Resolution: | |
| 1. That the Director Planning and Regulatory Services prepare a report for the August Council Meeting on the sewerage and effluent systems in each town and the options for connection for residents who are not currently connected. | |
| Moved: | Clr Lane |
| Seconded: | Clr Smith |
| CARRIED | |

| 186/09 | Adoption of Youth Strategy – A five year Plan |
|---|---|
| Resolution: | |
| 1. That Council adopt the Walgett Shire Youth Development “Youth Strategy- 2009 to 2014”. | |
| Moved: | Clr Lane |
| Seconded: | Clr Walford |
| CARRIED | |

10:48am Clr Smith left the Meeting
10.50am Clr Smith returned to the Meeting

| 187/09 | Country and Regional Living Expo – Go West |
|--|--|
| Resolution: | |
| That: | |
| 1. Council participate in the Country and Regional Living Expo with a presence at the event. | |
| 2. A recommended marketing strategy be provided for approval at the July 2009 Council meeting. | |
| Moved: | Clr Lane |
| Seconded: | Clr Keir |
| CARRIED | |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

| 188/09 | NAIDOC Celebrations |
|--|---------------------|
| Resolution: | |
| 1. That Council support facilitation, and representatives attend, the NAIDOC celebration breakfast and flag raising ceremony in July 2009. | |
| Moved: | Clr Lane |
| Seconded: | Clr Smith |
| CARRIED | |

| 189/09 | Trevallion Park Welcome Sign |
|---|------------------------------|
| Resolution: | |
| 1. That Council approve the Indigenous welcome sign for production and installation at Trevallion Park, Walgett subject to the concurrence of the Walgett Community Working Park. | |
| Moved: | Clr Lane |
| Seconded: | Clr Walford |
| CARRIED | |

| 190/09 | Community Development and Tourism Quarterly Report – April/June 2009 |
|---|--|
| Resolution: | |
| 1. That the Community Development and Tourism quarterly report (April - June 2009) be accepted. | |
| Moved: | Clr Walford |
| Seconded: | Clr Lane |
| CARRIED | |

| 191/09 | Investment Report as at 31 May 2009 |
|--|-------------------------------------|
| Resolution: | |
| 1. That the investment report as at 30 April 2009 be received. | |
| Moved: | Clr Lane |
| Seconded: | Clr Smith |
| CARRIED | |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

| 192/09 | Lehman Brothers Investment Report |
|--|-----------------------------------|
| Resolution: | |
| 1. That Council continues monitoring its investments with Lehman Brothers (Australia) Limited. | |
| Moved: | Clr Lane |
| Seconded: | Clr Walford |
| CARRIED | |

| 193/09 | Irrigable Land Rates and Rural Assessments Less Than 40 Hectares Report |
|--|---|
| Resolution: | |
| That: | |
| 1. Council adopts the farming irrigable rate proposed in the Draft Management Plan 2009/2010. | |
| 2. Council categorises those lands previously proposed as Rural less than 40 hectares as Other Residential or Other Business depending on the activity conducted on the assessment as proposed in the Draft Management Plan 2009/2010. | |
| 3. A report be presented to Council at the September Meeting regarding moving towards one rural rate over the next three years. | |
| Moved: | Clr Murray |
| Seconded: | Clr Keir |
| CARRIED | |

11.24am Clr Walford left the meeting

11.30am Clr Walford returned to the meeting

| 194/09 | Budget Submissions |
|--|--------------------|
| Resolution: | |
| That the following additional proposals for expenditure be included in the 2009/10 budget: | |
| 1. Item 13 – RARMS; relocation of Walgett Doctor's surgery – physical relocation involving Council staff and vehicles - in kind help | |
| Moved: | Clr Keir |
| Seconded: | Clr Murray |
| CARRIED | |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

| 195/09 | Budget Submissions Additional |
|--------------------|--|
| Resolution: | |
| 1. | That item 6 – Carinda & District Race Club Meeting, Item 8 – Outback Air Race, Item 9 – Women's Legal Services NSW, Item 12 – Rowena Progress Association be considered as part of the Section 356 applications which are due to close in July 2009. |
| Moved: | Clr Greenaway |
| Seconded: | Clr Smith |
| CARRIED | |

196/09

Management Plan and Budget 2009/2010 Report

Resolution:

1.

That Council adopt the Management Plan 2009/2010-2013-2014 as presented with any adopted changes.

2.

That Council adopt a 3.5% increase in the total levy for General Fund Rates.

3.

That the fees and charges 2009/2010 as listed in the Management Plan be adopted with Council reserving the right to vary fees and charges of a commercial nature as circumstances require.

4.

That Council resolves to adopt the rates structure for ordinary rates as follows:

| | 2010 Rate in \$ | 2010 Base Amount | 2010 Minimum |
|-------------------------------------|-----------------|------------------|--------------|
| Walgett Residential | 0.04259 | 170.00 | 0.00 |
| Walgett Business | 0.04737778 | 220.00 | 0.00 |
| L/Ridge Residential | 0.010512 | 170.00 | 0.00 |
| L/Ridge Business | 0.01005 | 220.00 | 0.00 |
| Collarenebri Residential | 0.125 | 130.00 | 0.00 |
| Collarenebri Business | 0.11792 | 180.00 | 0.00 |
| B/Junction Residential | 0.03 | 120.00 | 0.00 |
| B/Junction Business | 0.035 | 170.00 | 0.00 |
| Carinda Residential | 0.14927 | 70.00 | 0.00 |
| Carinda Business | 0.03510151 | 100.00 | 0.00 |
| Cumborah Residential | 0.01662 | 65.00 | 0.00 |
| Rowena/CBC Residential | 0.41511 | 65.00 | 0.00 |
| Rowena/CBC Business | 0.315675 | 100.00 | 0.00 |
| Rural (Farmland) | 0.0042794 | 0.00 | 170.90 |
| Rural Irrigable | 0.00561134 | 0 | 170.90 |
| Preserved Opal Fields - Residential | 0.048819646 | 115.00 | |
| Preserved Opal Fields - Business | 0.06 | 170.00 | 0.00 |
| Other - Residential | 0.0077625 | 115.00 | 0.00 |
| Other - Business | 0.0098325 | 135.00 | 0.00 |

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WALGETT SHIRE COUNCIL MINUTES

6. That Council resolves in accordance with Section 563 of the Local Government Act 1993 to make the discount 3.6% for payment in full of total rates and charges (less any rebates) for ratepayers whose payments are received in full on or before the 29th August 2009.

7. That the following fees and charges be set

Moved: Clr Lane

Seconded: Clr Keir

CARRIED

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WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

| SERVICE PROVIDED | RATES, RATING INFORMATION AND ENQUIRY FEES | | |
|------------------|--|--|--|
|------------------|--|--|--|

| | | 2009/2010 | GST | TOTAL |
|--|---------------------------------|-----------|--------|----------|
| Section 603 Certificate | | \$60.00 | Nil | \$60.00 |
| Urgent Section 603 Certificate | | \$120.00 | Nil | \$120.00 |
| Information given in writing | | \$20.00 | \$2.00 | \$22.00 |
| Inspection of valuation records by applicant | <i>per hour or part thereof</i> | \$30.00 | \$3.00 | \$33.00 |
| Search conducted by Council | <i>per hour or part thereof</i> | \$60.00 | \$6.00 | \$66.00 |
| Reprinting rate notices | <i>per notice</i> | \$5.00 | \$0.50 | \$5.50 |

| RATES - PENALTIES | | | | |
|-------------------|--|--|--|--|
|-------------------|--|--|--|--|

| | | 2009/2010 | GST | TOTAL |
|---|--|-----------|-----|-------------|
| Accrual of Interest on Rates and Charges (Refer Section 566 Local Government Act) | | \$0.09 | Nil | \$0.09 |
| Legal Fees | | | | actual cost |

| SERVICE PROVIDED | DOMESTIC WASTE MANAGEMENT | | |
|------------------|---------------------------|--|--|
|------------------|---------------------------|--|--|

| | | 2009/2010 | GST | TOTAL |
|---|--------------------------|-----------|-----|----------|
| Waste Management Charge | <i>per annum</i> | \$37.30 | Nil | \$37.30 |
| Garbage Collection Charge (\$501) per occupancy | <i>per bin per annum</i> | \$341.27 | Nil | \$341.27 |
| Additional Bin Collection | <i>per bin per annum</i> | \$341.27 | Nil | \$341.27 |
| Late Collection Charge | | \$83.25 | Nil | \$83.25 |

| SERVICE PROVIDED | TRADE WASTE MANAGEMENT | | |
|------------------|------------------------|--|--|
|------------------|------------------------|--|--|

| | | 2009/2010 | GST | TOTAL |
|---|--------------------------|-----------|-----|----------|
| Trade Waste Management | | | | |
| 240L MGB Collection - weekly collection | <i>per bin per annum</i> | \$341.27 | Nil | \$341.27 |
| 360L MGB Collection - twice weekly collection | <i>per bin per annum</i> | \$950.00 | Nil | \$950.00 |

| SERVICE PROVIDED | SEWERAGE | | |
|------------------|----------|--|--|
|------------------|----------|--|--|

| | | 2009/2010 | GST | TOTAL |
|--|------------------|-----------|-----|----------|
| Walgett | <i>per annum</i> | \$354.64 | Nil | \$354.64 |
| Lightning Ridge | <i>per annum</i> | \$335.79 | Nil | \$335.79 |
| Collarenebri | <i>per annum</i> | \$383.88 | Nil | \$383.88 |
| Walgett | <i>per annum</i> | \$354.64 | Nil | \$354.64 |
| Lightning Ridge | <i>per annum</i> | \$335.79 | Nil | \$335.79 |
| Collarenebri | <i>per annum</i> | \$383.88 | Nil | \$383.88 |
| Walgett - Cistern charges, hotels, motels, caravan parks, licensed clubs | <i>per annum</i> | \$55.55 | Nil | \$55.55 |
| Lightning Ridge - Cistern charges, hotels, motels, caravan parks, licensed clubs | <i>per annum</i> | \$52.34 | Nil | \$52.34 |
| Collarenebri - Cistern charges, hotels, motels, caravan parks, licensed clubs | <i>per annum</i> | \$60.22 | Nil | \$60.22 |
| Lightning Ridge Pump Assisted Sewerage Charge | <i>per annum</i> | \$335.79 | Nil | \$335.79 |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

| SERVICE PROVIDED | | WATER | | |
|----------------------|--|-----------|-----|----------|
| | | 2009/2010 | GST | TOTAL |
| Carinda | <i>per annum per property</i> | \$328.76 | Nil | \$328.76 |
| Rowena | <i>per annum per property</i> | \$386.51 | Nil | \$386.51 |
| Carinda Bore Water | <i>per annum per unit</i> | \$312.38 | Nil | \$312.38 |
| Cumborah | <i>per annum per property</i> | \$350.28 | Nil | \$350.28 |
| Walgett | <i>per assessment or per dwelling (whichever is greater)</i> | \$752.54 | Nil | \$752.54 |
| Lightning Ridge | <i>per assessment or per dwelling (whichever is greater)</i> | \$669.22 | Nil | \$669.22 |
| Collarenebri | <i>per assessment or per dwelling (whichever is greater)</i> | \$781.41 | Nil | \$781.41 |
| Metered Standpipes | <i>per load</i> | \$57.75 | Nil | \$57.75 |
| + ADD | <i>per kilolitre</i> | \$1.22 | Nil | \$1.22 |
| Meter Reading Charge | <i>per request</i> | \$33.08 | Nil | \$33.08 |

| SERVICE PROVIDED | | ADMINISTRATION | | |
|---|--------------------------------------|----------------|--------|---------|
| | | 2009/2010 | GST | TOTAL |
| Research Staff Costs (minimum one hour) | <i>per hour</i> | \$59.09 | \$5.91 | \$65.00 |
| Document Folding | <i>per 1,000 or part thereof</i> | \$36.36 | \$3.64 | \$40.00 |
| Typing | <i>per hour</i> | \$54.55 | \$5.45 | \$60.00 |
| Laminating | <i>A4</i> | \$3.64 | \$0.36 | \$4.00 |
| Laminating | <i>A3</i> | \$5.45 | \$0.55 | \$6.00 |
| Laminating (Large Documents) | <i>per linear cm</i> | \$0.23 | \$0.02 | \$0.25 |
| Plans and Map Printing - over the counter | <i>A3 to A2</i> | \$4.00 | Nil | \$4.50 |
| Plans and Map Printing - over the counter | <i>A2 to A1</i> | \$6.50 | Nil | \$7.00 |
| Plans and Map Printing - over the counter | <i>A1 or larger</i> | \$11.00 | Nil | \$11.00 |
| Plans and Map Printing - by post | <i>Smaller than A1</i> | \$12.00 | Nil | \$12.00 |
| Plans and Map Printing - by post | <i>A1 or larger</i> | \$17.00 | Nil | \$17.00 |
| Binding | <i>First 100 pages</i> | \$3.64 | \$0.36 | \$4.00 |
| + ADD | <i>per each additional 100 pages</i> | \$2.73 | \$0.27 | \$3.00 |
| Freedom of Information Application | | \$30.00 | Nil | \$30.00 |
| Freedom of Information - Internal Review | | \$42.00 | Nil | \$42.00 |

| SERVICE PROVIDED | | LIBRARY | | |
|----------------------|-----------------|-----------|--------|--------|
| | | 2009/2010 | GST | TOTAL |
| Photocopying B&W | <i>per page</i> | \$0.28 | \$0.03 | \$0.31 |
| Overdue Item | <i>per item</i> | \$0.56 | \$0.06 | \$0.61 |
| + ADD | <i>per day</i> | \$0.19 | \$0.02 | \$0.20 |
| Lost Membership Card | | \$1.53 | \$0.15 | \$1.69 |

| SERVICE PROVIDED | | WALGETT VISITOR INFORMATION AND INTERNET CENTRE | | |
|---|-----------------|---|--------|--------|
| | | 2009/2010 | GST | TOTAL |
| BLACK & WHITE COPYING | | | | |
| Photocopying B&W - A4 Single - (0-50 copies) | <i>per page</i> | \$0.28 | \$0.03 | \$0.31 |
| Photocopying B&W - A4 Single - (51-100 copies) | <i>per page</i> | \$0.23 | \$0.02 | \$0.26 |
| Photocopying B&W - A4 Single - (101-500 copies) | <i>per page</i> | \$0.19 | \$0.02 | \$0.20 |
| Photocopying B&W - A4 Single - (501+ copies) | <i>per page</i> | \$0.14 | \$0.01 | \$0.15 |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

| | | | | |
|--|------------------------|--------|--------|--------|
| Photocopying B&W - A4 Double sided - (500+ copies) | <i>per page</i> | \$0.37 | \$0.04 | \$0.41 |
| Photocopying B&W - A4 Double sided - (500+ copies) | <i>per page</i> | \$0.33 | \$0.03 | \$0.36 |
| Photocopying B&W - A4 Double sided - (500+ copies) | <i>per page</i> | \$0.28 | \$0.03 | \$0.31 |
| Photocopying B&W - A4 Double sided - (501+ copies) | <i>per page</i> | \$0.23 | \$0.02 | \$0.26 |
| Photocopying B&W - A3 Single - (0-50 copies) | <i>per page</i> | \$0.56 | \$0.06 | \$0.61 |
| Photocopying B&W - A3 Single - (51-100 copies) | <i>per page</i> | \$0.51 | \$0.05 | \$0.56 |
| Photocopying B&W - A3 Single - (101-500 copies) | <i>per page</i> | \$0.47 | \$0.05 | \$0.51 |
| Photocopying B&W - A3 Single - (501+ copies) | <i>per page</i> | \$0.42 | \$0.04 | \$0.46 |
| Photocopying B&W - A3 Double sided - (0-50 copies) | <i>per page</i> | \$0.65 | \$0.07 | \$0.72 |
| Photocopying B&W - A3 Double sided - (51-100 copies) | <i>per page</i> | \$0.60 | \$0.06 | \$0.66 |
| Photocopying B&W - A3 Double sided - (101-500 copies) | <i>per page</i> | \$0.56 | \$0.06 | \$0.61 |
| Photocopying B&W - A3 Double sided - (501+ copies) | <i>per page</i> | \$0.51 | \$0.05 | \$0.56 |
| COPYING TO COLOUR PAPER | | | | |
| Photocopying Colour Paper - A4 Single - (0-50 copies) | <i>per page</i> | \$0.28 | \$0.03 | \$0.31 |
| Photocopying Colour Paper - A4 Single - (51+ copies) | <i>per page</i> | \$0.23 | \$0.02 | \$0.26 |
| Photocopying Colour Paper - A4 Double sided - (0-50 copies) | <i>per page</i> | \$0.37 | \$0.04 | \$0.41 |
| Photocopying Colour Paper - A4 Double sided - (51+ copies) | <i>per page</i> | \$0.33 | \$0.03 | \$0.36 |
| COLOUR COPYING | | | | |
| Photocopying Colour - A4 Full Page - (0-50 copies) | <i>per page</i> | \$3.81 | \$0.38 | \$4.19 |
| Photocopying Colour - A4 Full Page - (51+ copies) | <i>per page</i> | \$3.43 | \$0.34 | \$3.77 |
| Photocopying Colour - A3 Full Page - (0-50 copies) | <i>per page</i> | \$5.77 | \$0.58 | \$6.34 |
| Photocopying Colour - A3 Full Page - (51+ copies) | <i>per page</i> | \$5.19 | \$0.52 | \$5.71 |
| COLOUR COPYING - Authorised School Projects | | | | |
| Photocopying Colour School Projects - A4 Full Page - (0-50 copies) | <i>per page</i> | \$3.35 | \$0.33 | \$3.68 |
| Photocopying Colour School Projects - A4 Full Page - (51+ copies) | <i>per page</i> | \$3.35 | \$0.33 | \$3.68 |
| Photocopying Colour School Projects - A3 Full Page - (0-50 copies) | <i>per page</i> | \$5.21 | \$0.52 | \$5.73 |
| Photocopying Colour School Projects - A3 Full Page - (51+ copies) | <i>per page</i> | \$5.21 | \$0.52 | \$5.73 |
| COLOUR COPYING - Additional Charges | | | | |
| Wallet size | | \$0.47 | \$0.05 | \$0.51 |
| 4" x 6" | | \$1.02 | \$0.10 | \$1.13 |
| 5" x 7" | | \$2.05 | \$0.20 | \$2.25 |
| 6.5" x 8.5" | | \$3.07 | \$0.31 | \$3.38 |
| FAXING | | | | |
| Inwards | <i>initial page</i> | \$1.02 | \$0.10 | \$1.13 |
| + ADD | <i>additional page</i> | \$0.47 | \$0.05 | \$0.51 |
| Outwards | <i>initial page</i> | \$2.98 | \$0.30 | \$3.27 |
| + ADD | <i>additional page</i> | \$1.02 | \$0.10 | \$1.13 |
| PHOTO QUALITY COPYING (Best quality paper used) | | | | |
| Black & White A4 Full Page | | \$0.33 | \$0.03 | \$0.36 |
| Colour A4 Full Page | | \$3.91 | \$0.39 | \$4.30 |
| Sepia A4 Full Page | | \$1.95 | \$0.20 | \$2.15 |
| Black & White 8.5" x 6.5" | | \$0.33 | \$0.03 | \$0.36 |
| Colour 8.5" x 6.5" | | \$2.98 | \$0.30 | \$3.27 |
| Sepia 8.5" x 6.5" | | \$1.44 | \$0.14 | \$1.59 |
| Black & White 5" x 7" | | \$0.33 | \$0.03 | \$0.36 |
| Colour 5" x 7" | | \$0.19 | \$0.02 | \$0.20 |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

| | | | | |
|---------------------------|--|--------|--------|--------|
| Sepia 5' x 7' | | \$1.02 | \$0.10 | \$1.13 |
| Black & White 4' x 6' | | \$0.33 | \$0.03 | \$0.36 |
| Colour 4' x 6' | | \$1.12 | \$0.11 | \$1.23 |
| Sepia 4' x 6' | | \$0.65 | \$0.07 | \$0.72 |
| Black & White Wallet Size | | \$0.33 | \$0.03 | \$0.36 |
| Colour Wallet Size | | \$0.56 | \$0.06 | \$0.61 |
| Sepia Wallet Size | | \$0.47 | \$0.05 | \$0.51 |

PRINTING

| | | | | |
|----------------------|-----------------|--------|--------|--------|
| Black & White Copies | <i>per page</i> | \$0.33 | \$0.03 | \$0.36 |
| Colour Copies | <i>per page</i> | \$3.35 | \$0.33 | \$3.68 |

LAMINATING

| | | | | |
|-------------------------------|--|--------|--------|--------|
| Laminating - A3 | | \$5.77 | \$0.58 | \$6.34 |
| Laminating - A4 | | \$3.91 | \$0.39 | \$4.30 |
| Laminating - A5 | | \$1.95 | \$0.20 | \$2.15 |
| Laminating - Credit Card Size | | \$1.02 | \$0.10 | \$1.13 |

INTERNET CHARGES

| | | | | |
|--------------------------|------------------------------|--------|--------|--------|
| Internet Usage | <i>initial ½ hour</i> | \$2.73 | \$0.27 | \$3.00 |
| + ADD | <i>per minute thereafter</i> | \$0.09 | \$0.01 | \$0.10 |
| Internet Usage - Members | <i>per hour</i> | \$3.18 | \$0.32 | \$3.50 |

TYPING

| | | | |
|-----------------|---------|--------|---------|
| <i>per hour</i> | \$59.09 | \$5.91 | \$65.00 |
|-----------------|---------|--------|---------|

SERVICE PROVIDED

CEMETERY

| | 2009/2010 | GST | TOTAL | |
|---|-----------------|----------|------------|----------|
| BURIAL - Lawn Section | | | | |
| Walgett only | | | | |
| <i>NOTE: Grave excavation included</i> | | | | |
| a) 1st Interment | \$1,090.91 | \$109.09 | \$1,200.00 | |
| b) Reopening for 2nd Interment | \$545.45 | \$54.55 | \$600.00 | |
| c) Childs cask (less than 1.1 m long) | \$272.73 | \$27.27 | \$300.00 | |
| included in the interment fee. | | | | |
| BURIAL - monumental section (Walgett, Lightning Ridge, Collarenebri) | | | | |
| <i>NOTE: Grave excavation included</i> | | | | |
| a) 1st Interment or | \$636.36 | \$63.64 | \$700.00 | |
| b) Reopening for 2nd Interment or | \$318.18 | \$31.82 | \$350.00 | |
| c) Childs cask (less than 1.1 m long) | \$181.82 | \$18.18 | \$200.00 | |
| BURIAL - monumental section | | | | |
| Burren Junction, Cumborah and Carinda | | | | |
| <i>a per job basis</i> | | | | |
| a) 1st Interment or | \$400.00 | Nil | \$400.00 | |
| b) Reopening for 2nd Interment or | \$200.00 | Nil | \$200.00 | |
| c) Childs cask (less than 1.1 m long) | \$150.00 | Nil | \$150.00 | |
| BURIAL - ADDITIONAL CHARGES | | | | |
| <i>(Where Council excavates the grave)</i> | | | | |
| a) Weekend and public holiday interment | \$300.00 | \$30.00 | \$330.00 | |
| b) Extra (double) depth | \$90.91 | \$9.09 | \$100.00 | |
| BURIAL RESERVATION | | | | |
| All Public Cemeteries | <i>per plot</i> | \$181.82 | \$18.18 | \$200.00 |
| MEMORIAL WALL (where provided) | | | | |
| Niche and plaque up to a value of \$90.00 (inc. GST) | \$200.00 | \$20.00 | \$220.00 | |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

| | | | |
|---|----------|--------|----------|
| Copy of Cemetery Register | | | |
| a) Digital (email or CD) | \$18.18 | \$1.82 | \$20.00 |
| b) Printed | \$36.36 | \$3.64 | \$40.00 |
| Exhumation - fee | \$250.00 | Nil | \$250.00 |
| Exhumation - excavation, ancillary staff & equipment | cost | yes | cost |

SERVICE PROVIDED IMPOUNDING

| | 2009/2010 | GST | TOTAL |
|---|-----------|-----|---------|
| Abandoned Vehicles | | | |
| Charges for seizure, taking custody, removal, keeping and releasing vehicle | | | |
| a) Examination and valuation of vehicle | \$75.00 | Nil | \$75.00 |
| b) Photographs | \$25.00 | Nil | \$25.00 |
| c) Notice to Police | \$50.00 | Nil | \$50.00 |
| d) Advertising Charges | \$40.00 | Nil | \$40.00 |
| + ADD | cost | Nil | cost |
| e) Notification | \$30.00 | Nil | \$30.00 |
| f) Release Fee | \$50.00 | Nil | \$50.00 |
| g) Towing and Removal | \$40.00 | Nil | \$40.00 |
| + ADD | cost | Nil | cost |
| h) Charges for keeping vehicle in custody per day | \$25.00 | Nil | \$25.00 |
| Impounding of Abandoned Shopping Trolleys | \$80.00 | Nil | \$80.00 |

SERVICE PROVIDED ANIMAL CONTROL

| | 2009/2010 | GST | TOTAL |
|--|-----------|--------|----------------------------|
| REGISTRATION | | | |
| Desexed Cat or Dog | \$40.00 | Nil | \$40.00 |
| Desexed Cat or Dog owned by Pensioner | \$15.00 | Nil | \$15.00 |
| Entire (not desexed) Cat or Dog | \$150.00 | Nil | \$150.00 |
| Entire (not desexed) Cat or Dog owned by a Registered Breeder | \$40.00 | Nil | \$40.00 |
| Assistance Dogs | Free | Nil | Free |
| Micro chipping | \$55.00 | Nil | \$55.00 |
| IMPOUNDED CATS & DOGS | | | |
| Dog and Cat Impounding Release Fee | \$30.00 | Nil | \$30.00 |
| Dog and Cat Impounding Sustenance <i>per day</i> | \$25.00 | Nil | \$25.00 |
| SALE OF CATS & DOGS | | | |
| All animals are to be desexed and vaccinated | | | Discounted veterinary fees |
| + ADD (administration fees) | \$18.18 | \$1.82 | \$20.00 |
| IMPOUNDED HORSES ETC | | | |
| Administration Costs for impounded horses, cattle, goats and sheep:- | | | Actual veterinary fees |
| + ADD (administration fees) | \$40.00 | Nil | \$40.00 |
| a) Entry of Impounding | \$30.00 | Nil | \$30.00 |
| b) Entry of Release | \$15.00 | Nil | \$15.00 |
| c) Advertising | cost | Nil | cost |
| + ADD (administration fees) | \$25.00 | Nil | \$25.00 |
| d) Notice of Impounding | \$30.00 | Nil | \$30.00 |
| e) Transportation to pound | cost | Nil | cost |
| + ADD (administration fees) | \$40.00 | Nil | \$40.00 |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

DRIVING FEES

Rates for driving or taking to pound, horses, asses, mules, cows or camels

| | | | | |
|--------------------|---------------|--------|-----|--------|
| 1st Animal | <i>per km</i> | \$0.80 | Nil | \$0.80 |
| 2nd Animal | <i>per km</i> | \$0.60 | Nil | \$0.60 |
| Additional Animals | <i>per km</i> | \$0.33 | Nil | \$0.33 |

Driving Fees

(Owned by the same person and impounded at the one time)

| | | | | |
|---|---------------|--------|-----|--------|
| 0 - 100 sheep | <i>per km</i> | \$2.00 | Nil | \$2.00 |
| Each additional 100 sheep (or part thereof) | <i>per km</i> | \$1.00 | Nil | \$1.00 |

| | | | | |
|----------------------------------|-------------|--------|-----|--------|
| Driving Fees - Every goat or pig | <i>each</i> | \$1.00 | Nil | \$1.00 |
|----------------------------------|-------------|--------|-----|--------|

Sustenance - Horses, cattle, goats and sheep

| | | | | |
|--|-------------|---------|-----|---------|
| Cattle and Horses (Weekdays) | <i>each</i> | \$5.00 | Nil | \$5.00 |
| Cattle and Horses (Weekends & Public Holidays) | <i>each</i> | \$10.00 | Nil | \$10.00 |

(Minimum charge of \$40.00 per day per owner)

SERVICE PROVIDED

CONSTRUCTION AND COMPLYING DEVELOPMENT CERTIFICATES

2009/2010 GST TOTAL

APPLICATIONS

| | | | |
|---------------------------------|--------------------------------|-----|----------|
| (i) <\$5,000 | \$50.00 | Nil | \$50.00 |
| + ADD | 0.5% x proposed building cost | | |
| (ii) >\$5,000 and < \$100,000 | \$50.00 | Nil | \$50.00 |
| + ADD | 0.35% x proposed building cost | | |
| (iii) >\$100,000 and <\$250,000 | \$407.50 | Nil | \$407.50 |
| + ADD | 0.2% x proposed building cost | | |
| (iv) >\$250,000 | \$707.50 | Nil | \$707.50 |
| + ADD | 0.1% x proposed building cost | | |

Lodgement with Council of a:

- A Complying Development Certificate,
- A Construction Certificate,
- An occupation certificate, OR
- A subdivision certificate,

Issued by a private certifier

\$30.00 Nil \$30.00

SERVICE PROVIDED

CONSTRUCTION AND COMPLYING DEVELOPMENT CERTIFICATES

2009/2010 GST TOTAL

Construction Certificate and Complying Development Certificate modification fee

| | | | | |
|------------|------------------------|--------------------------------|-----|---------|
| Class 1,10 | <i>per application</i> | \$30.00 | Nil | \$30.00 |
| Class 2-9 | <i>per application</i> | 30% x original application fee | | |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

| SERVICE PROVIDED | | BUILDING/PLANNING CERTIFICATES | | |
|--|---|--------------------------------|--------------------------|----------|
| | | 2009/2010 | GST | TOTAL |
| Outstanding Notices Certificate (S.735A of the Local Government Act) | | \$50.00 | Nil | \$50.00 |
| Orders Certificate (s.121ZP of the Environmental Planning and Assessment Act 1979) | | \$50.00 | Nil | \$50.00 |
| Planning Certificates (S.149 (2)) | | \$40.00 | Nil | \$40.00 |
| Planning Certificate with additional information (S.149 (2) & (5)) | | \$100.00 | Nil | \$100.00 |
| Swimming Pool Certificate of compliance | | \$50.00 | Nil | \$50.00 |
| Swimming Pool Certificate of exemption | | \$50.00 | Nil | \$50.00 |
| Building certificate - DOMESTIC (class 1 together with any class 10 on the site) | <i>per dwelling contained in the building</i> | \$210.00 | Nil | \$210.00 |
| Building certificate - COMMERCIAL (< 2000m2) | | | | |
| - First 200m2 | | \$210.00 | Nil | \$210.00 |
| - Next 200-2000m2 | <i>per m2</i> | \$0.42 | Nil | \$0.42 |
| Building certificate - COMMERCIAL (> 2000m2) | | | | |
| - First 2000m2 | | \$966.00 | Nil | \$966.00 |
| - Next 2000m2 + | <i>per m2</i> | \$0.06 | Nil | \$0.06 |
| Additional Inspections, where more than one inspection is necessary | | \$75.00 | Nil | \$75.00 |
| Copy of Building Certificate | | \$10.00 | Nil | \$10.00 |
| SERVICE PROVIDED | | BUILDING/PLANNING PLANS | | |
| | | 2009/2010 | GST | TOTAL |
| Stamping of additional plans and specifications when Construction Certificate approved | | | | |
| 0-4 instances | | Free | Free | Free |
| 5+ instances | <i>each</i> | \$10.00 | Nil | \$10.00 |
| Copy of Building Plans | | \$40.00 | Nil | \$40.00 |
| + ADD | | | Standard Copying Charges | |
| Certified copies of a document, plan or map (under section 150(2) of the Environmental Planning and Assessment Act 1979) | <i>per document, plan or map</i> | \$40.00 | Nil | \$40.00 |
| SERVICE PROVIDED | | MANDATORY INSPECTIONS | | |
| | | 2009/2010 | GST | TOTAL |
| BCA 1a or 1b (domestic) | | | | |
| - new building up to \$100,000 | <i>7 inspections</i> | \$320.00 | \$32.00 | \$352.00 |
| - new building over \$100,000 | <i>7 inspections</i> | \$409.09 | \$40.91 | \$450.00 |
| - minor alterations & additions | <i>1 inspection</i> | \$80.00 | \$8.00 | \$88.00 |
| - major alterations & additions | <i>4 inspections</i> | | | \$352.00 |
| BCA 2,3 or 4 (commercial) | | | | |
| - Up to \$500,000 | <i>5 inspections</i> | \$400.00 | \$40.00 | \$440.00 |
| - Over \$500,000 | <i>9 inspections Typically</i> | \$720.00 | \$72.00 | \$792.00 |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

| | | | | |
|---|--|----------|---------|----------|
| BCA 10a or 10b | 2 Inspections | \$156.36 | \$15.64 | \$172.00 |
| BCA 5,6,7 or 8 (commercial) | | | | |
| - Up to \$250,000 | 4 Inspections | \$320.00 | \$32.00 | \$352.00 |
| - Over \$250,000 | 7 Inspections | \$560.00 | \$56.00 | \$616.00 |
| BCA 9a, 9b, or 9c (commercial) | | | | |
| - Up to \$1.0M | 9 Inspections Typically | \$720.00 | \$72.00 | \$792.00 |
| - Over \$1.0M | Fees Calculated based on number & complexity of inspections required | | | |
| Pool | | | | |
| - Inground | 5 Inspections incl. fences | \$320.00 | \$32.00 | \$352.00 |
| - above ground | 2 Inspections incl. fences | \$156.36 | \$15.64 | \$172.00 |
| Fencing | 1 Inspection | \$80.00 | \$8.00 | \$88.00 |
| Additional or repeat inspections | each | \$80.00 | \$8.00 | \$88.00 |
| Restumping of Buildings. | 2 Inspections | \$156.36 | \$15.64 | \$172.00 |
| Demolition (where requested) | | | | |
| - With asbestos | 3 Inspections | \$240.00 | \$24.00 | \$264.00 |
| - Without asbestos | 2 Inspections | \$156.36 | \$15.64 | \$172.00 |
| Manufactured home or moveable dwelling (5.68) | 3 Inspections | \$240.00 | \$24.00 | \$264.00 |
| Requested inspections of slab, frames, etc on commercial basis for work not associated with a CC or CDC | per inspection | \$90.91 | \$9.09 | \$100.00 |

| SERVICE PROVIDED | | INSPECTIONS - HEALTH | | |
|---|----------------|----------------------|-----|----------|
| | | 2009/2010 | GST | TOTAL |
| Inspection fee on behalf of a Private Certifier where Council is not the issuer of the Construction Certificate or Complying Development Certificate (per inspection) | per inspection | \$150.00 | Nil | \$150.00 |
| Hair, Beauty or Skin Penetration Premises Inspection Fee | | \$100.00 | Nil | \$100.00 |
| Food Premise Inspection Fee | | \$100.00 | Nil | \$100.00 |
| Trade waste inspection | | \$100.00 | Nil | \$100.00 |

| SERVICE PROVIDED | | BUILDING/PLANNING RESEARCH | | |
|--|-------------------|----------------------------|--------|----------|
| | | 2009/2010 | GST | TOTAL |
| In depth advice or research by professional staff not covered by other fees or charges | per hour | \$80.00 | \$8.00 | \$88.00 |
| (Minimum Charge \$88.00) | per km travelling | \$0.91 | \$0.09 | \$1.00 |
| Administrative Fee for searching Development Services Records | per hour | \$40.00 | \$4.00 | \$44.00 |
| List of Development Applications or Construction Certificates, digital format only | | | | |
| 6 months | | \$80.00 | Nil | \$80.00 |
| 12 months | | \$100.00 | Nil | \$100.00 |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

| | | | | |
|---|----------------|----------|-----|----------|
| Existing Use - Written Response | <i>minimum</i> | \$70.00 | Nil | \$70.00 |
| Rezoning enquiry requiring written response | <i>minimum</i> | \$140.00 | Nil | \$140.00 |

| SERVICE PROVIDED | ACTIVITY - STRUCTURES AND PUBLIC ENTERTAINMENT |
|------------------|--|
|------------------|--|

| | 2009/2010 | GST | TOTAL |
|--|-----------|-----|----------|
| Activity Approval A1 - Install manufactured home, moveable dwelling, etc on land | \$400.00 | Nil | \$400.00 |

| SERVICE PROVIDED | ACTIVITY - PLUMBING |
|------------------|---------------------|
|------------------|---------------------|

| | 2009/2010 | GST | TOTAL |
|--|------------|-----|------------|
| Activity Approval B1 - Water Supply Work | | | |
| a) new service | \$150.00 | Nil | \$150.00 |
| b) modify existing | \$75.00 | Nil | \$75.00 |
| Activity Approval B2 - Draw and Sell Water from Council Supply | \$200.00 | Nil | \$200.00 |
| Activity Approval B3 - Water Connection or Motor - STANDARD CONNECTIONS | | | |
| <i>All prices include water meters</i> | | | |
| standard single 20mm water connection (raw or filtered) | \$700.00 | Nil | \$700.00 |
| dual 20mm water connection (raw and filtered) | \$950.00 | Nil | \$950.00 |
| single 25mm water connection (raw or filtered) | \$800.00 | Nil | \$800.00 |
| dual 25mm water connection (raw and filtered) | \$1,100.00 | Nil | \$1,100.00 |
| Activity Approval B3 - Water Connection or Motor - NON-STANDARD CONNECTIONS | | | |
| For services greater than 25mm | cost | Nil | cost |
| For relocation or replacement of services with a larger service | cost | Nil | cost |
| Activity Approval B3 & B4 - Water & sewer | | | |
| Disconnection from council water & sewer mains | \$300.00 | Nil | \$300.00 |
| Reconnection (where existing meter in place) | \$100.00 | | \$100.00 |
| Activity Approval B4 - Sewerage Work | | | |
| a) new service | \$180.00 | Nil | \$180.00 |
| b) modify existing | \$80.00 | Nil | \$80.00 |
| Activity Approval B5 - Stormwater Drainage | | | |
| a) new service | \$100.00 | Nil | \$100.00 |
| b) modify existing | \$50.00 | Nil | \$50.00 |
| Activity Approval B6 - Connect private sewer to public | \$200.00 | Nil | \$200.00 |
| Activity Approval - combined application | \$200.00 | Nil | \$200.00 |
| <i>where complete applications are lodged at same time with a single plumber</i> | | | |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

| SERVICE PROVIDED | ACTIVITY - WASTE | | |
|---|------------------|-----|----------|
| | 2009/2010 | GST | TOTAL |
| Activity Approval C4 - Dispose of Waste into a Council Sewer | \$100.00 | Nil | \$100.00 |
| Activity Approval C3, Place a Waste Storage Container in per bin a public place | \$60.00 | Nil | \$60.00 |
| storage facility or a drain connected to any such device or facility. | | | |
| a) Connected to Council System | \$80.00 | Nil | \$80.00 |
| b) Domestic on site sewerage management facility, e.g. septic tank | \$100.00 | Nil | \$100.00 |
| Section 68A) | | | |
| a) up to 2 systems on a single property | \$30.00 | Nil | \$30.00 |
| b) each for additional systems | \$10.00 | Nil | \$10.00 |

| SERVICE PROVIDED | ACTIVITY - COMMUNITY LAND | | |
|---|---------------------------|-----|----------|
| | 2009/2010 | GST | TOTAL |
| Activity Approval D1 - Engage in a Trade or Business (Nil for a non profit community organisation with appropriate public liability insurance) | \$200.00 | Nil | \$200.00 |
| Activity Approval D2 - Direct or procure a theatrical, musical or other entertainment for public (Nil for a non profit community organisation with appropriate public liability insurance) | \$100.00 | Nil | \$100.00 |
| Activity Approval D3 - Construct a temporary enclosure for the purpose of entertainment (Nil for a non profit community organisation with appropriate public liability insurance) | \$100.00 | Nil | \$100.00 |
| Activity Approval D4 - For a fee or reward, play a musical instrument or sing (Nil for a non profit community organisation with appropriate public liability insurance) | \$100.00 | Nil | \$100.00 |

| SERVICE PROVIDED | ACTIVITY - PUBLIC ROADS | | |
|--|-------------------------|-----|----------|
| | 2009/2010 | GST | TOTAL |
| Activity Approval E1 - Swing or hoist goods over any part of a public road by means of a lift, | \$200.00 | Nil | \$200.00 |
| Activity Approval E2 - Expose or allow to be exposed any article in or on or so as to overhang | \$100.00 | Nil | \$100.00 |

| SERVICE PROVIDED | ACTIVITY - OTHER | | |
|---|------------------|-----|----------|
| | 2009/2010 | GST | TOTAL |
| Activity Approval F2 - Operate a caravan park or camping | | | |
| a) Caravan Site | \$6.00 | Nil | \$6.00 |
| b) Camping Site (Minimum Charge \$100.00) | \$1.65 | Nil | \$1.65 |
| Activity Approval F4 - Install a domestic oil or solid fuel heating appliance, other than a portable appliance | \$80.00 | Nil | \$80.00 |
| Activity Approval F5 - Install or operate amusement devices (within the meaning of the Construction Safety | | | |
| a) First device | \$60.00 | Nil | \$60.00 |
| b) Subsequent devices * for all devices at the same time | \$40.00 | Nil | \$40.00 |
| Activity Approval F7 - Use a standing vehicle or any article for the purpose of selling any article in a public place | \$200.00 | Nil | \$200.00 |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

Miscellaneous Activity Approvals - Any Section 68 Local Government Act 1993 Activity Approval not referred to above

| | | |
|----------|-----|----------|
| \$100.00 | Nil | \$100.00 |
|----------|-----|----------|

| SERVICE PROVIDED | GIS MAPS AND DATA | | |
|--|-------------------|---------|----------|
| | 2009/2010 | GST | TOTAL |
| Drainage Diagram | \$22.00 | Nil | \$22.00 |
| GIS Data owned by Council E.g. Urban aerial photos, water main data, sewer main data, zoning data <i>SNIT for Government Authorities, Community Groups and Non Profit Groups</i> | \$100.00 | \$10.00 | \$110.00 |
| GIS Maps | | | |
| a) Colour A1 | \$54.55 | \$5.45 | \$60.00 |
| b) Colour A0 | \$90.91 | \$9.09 | \$100.00 |
| c) Black and White up to A3 | \$20.00 | \$2.00 | \$22.00 |

| SERVICE PROVIDED | ENGINEERING - PLANT HIRE | | |
|---------------------------------------|---------------------------------------|-----|-------|
| | 2009/2010 | GST | TOTAL |
| Brontwood Trailer / Truck Combination | Quote given on request (includes GST) | | |
| Jackpick, Compressor and Operator | Quote given on request (includes GST) | | |
| Loader | Quote given on request (includes GST) | | |
| Backhoe / Loader | Quote given on request (includes GST) | | |
| Water Tanker (11,800L) | Quote given on request (includes GST) | | |
| Tractor / Slasher / Mower - Large | Quote given on request (includes GST) | | |
| Tractor / Slasher / Mower - Small | Quote given on request (includes GST) | | |
| Crane Truck | Quote given on request (includes GST) | | |
| Skid Steer and Attachments | Quote given on request (includes GST) | | |
| Tractor Truck | Quote given on request (includes GST) | | |
| Concrete Saw | Quote given on request (includes GST) | | |
| Truck - 7 Tonne | Quote given on request (includes GST) | | |
| Roller | Quote given on request (includes GST) | | |
| Grader | Quote given on request (includes GST) | | |

- * Availability of most plant is limited and Council reserves the right to deny the availability of any plant not in a serviceable
- * All plant must be hired with a Council employee as operator

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

| SERVICE PROVIDED | | ENGINEERING - SHOWGROUNDS, SPORTS GROUNDS | | |
|--|------------------------------|--|---------|------------|
| | | 2009/2010 | GST | TOTAL |
| Bond - Refundable | | | | |
| Showgrounds | per user | \$1,000.00 | Nil | \$1,000.00 |
| Sports Grounds | per user | \$250.00 | Nil | \$250.00 |
| <i>Cost of any cleaning / repairs after function, and loss of keys to be borne by hirer.</i> | | | | |
| <i>Bond deposited into Council's Bank Account</i> | | | | |
| Temporary Licence Fee | per annum | \$100.00 | Nil | \$100.00 |
| Kitchen | | | | |
| Bond | per user | \$250.00 | Nil | \$250.00 |
| Fees | per day | \$31.82 | \$3.18 | \$35.00 |
| <i>(includes use of cool room, bain marie, microwave, freezer, etc.)</i> | | | | |
| Gazebo | | | | |
| Bond | | \$100.00 | Nil | \$100.00 |
| Fees | per day | \$9.09 | \$0.91 | \$10.00 |
| <i>Bond deposited into Council's Bank Account</i> | | | | |
| Sanitary Bins | per bin per booking | \$22.73 | \$2.27 | \$25.00 |
| Chairs & Tables | | | | |
| Bond | | \$100.00 | Nil | \$100.00 |
| Chairs | each per day | \$0.91 | \$0.09 | \$1.00 |
| Tables | each per day | \$4.55 | \$0.45 | \$5.00 |
| Cool Room (Bar) | per day | \$31.82 | \$3.18 | \$35.00 |
| <i>Showground/Racocourse</i> | | | | |
| Travelling Microphone (Any event) | | | | |
| Bond | | \$250.00 | Nil | \$250.00 |
| Fees | per day | \$9.09 | \$0.91 | \$10.00 |
| <i>Bond deposited into Council's Bank Account</i> | | | | |
| Floodlights Bar and Surrounding Area | per day | \$13.64 | \$1.36 | \$15.00 |
| <i>Showground/Racocourse</i> | | | | |
| <i>(maximum of 7 days for booked events only)</i> | | | | |
| <i>(Minimum Charge \$30.00 per booking)</i> | | | | |
| Floodlights | per day | \$33.64 | \$3.36 | \$37.00 |
| <i>Showground/Racocourse Arena</i> | | | | |
| Electricity/Camping | | | | |
| <i>Showground/Racocourse/Sportsgrounds</i> | | | | |
| <i>(maximum of 7 days for booked events only)</i> | | | | |
| - Individual | per day | \$4.55 | \$0.45 | \$5.00 |
| - Organisation | per day | \$9.09 | \$0.91 | \$10.00 |
| Line Marking - Sportsgrounds | per season (12 month period) | \$227.27 | \$22.73 | \$250.00 |
| Floodlights - Sportsgrounds | per night | \$22.73 | \$2.27 | \$25.00 |
| | per season | \$227.27 | \$22.73 | \$250.00 |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

| SERVICE PROVIDED | | ENGINEERING - HALLS | | |
|--|----------------------|---------------------|--------|----------|
| | | 2009/2010 | GST | TOTAL |
| Bond - Refundable | <i>per user</i> | \$250.00 | Nil | \$250.00 |
| For all Halls | | | | |
| <i>Cost of any cleaning / repairs after function, and loss of keys to be borne by hirer.</i> | | | | |
| <i>Bond deposited into Council's Bank Account</i> | | | | |
| Function - Collarenebri | | | | |
| Combined | <i>per day</i> | \$90.91 | \$9.09 | \$100.00 |
| Supper Room | <i>per day</i> | \$45.45 | \$4.55 | \$50.00 |
| Main Hall | <i>per day</i> | \$63.64 | \$6.36 | \$70.00 |
| Meetings - Collarenebri | | | | |
| Meeting Room | <i>per day</i> | \$4.55 | \$0.45 | \$5.00 |
| Supper Room | <i>per day</i> | \$13.64 | \$1.36 | \$15.00 |
| Main Hall | <i>per day</i> | \$63.64 | \$6.36 | \$70.00 |
| Function - Rowena, Carinda and Burren Junction | | | | |
| Combined | <i>per day</i> | \$22.73 | \$2.27 | \$25.00 |
| Supper Room | <i>per day</i> | \$13.64 | \$1.36 | \$15.00 |
| Main Hall | <i>per day</i> | \$13.64 | \$1.36 | \$15.00 |
| Meetings - Rowena, Carinda and Burren Junction | | | | |
| Supper Room | <i>per day</i> | \$7.27 | \$0.73 | \$8.00 |
| Main Hall | <i>per day</i> | \$7.27 | \$0.73 | \$8.00 |
| Cleaning - All Halls | <i>per hour</i> | \$31.82 | \$3.18 | \$35.00 |
| + ADD | <i>per km travel</i> | \$0.61 | \$0.06 | \$0.67 |

| SERVICE PROVIDED | | ENGINEERING - COUNCIL CHAMBERS/MEETING ROOM | | |
|--|----------------|---|-----|----------|
| | | 2009/2010 | GST | TOTAL |
| Council Chamber/Meeting room | | | | |
| <i>(Non profit organisations are exempt)</i> | | | | |
| Meeting Room | <i>per day</i> | \$50.00 | Nil | \$50.00 |
| Back of Council Chambers | <i>per day</i> | \$70.00 | Nil | \$70.00 |
| Council Chambers | <i>per day</i> | \$100.00 | Nil | \$100.00 |

| SERVICE PROVIDED | | ENGINEERING - SALE YARDS | | |
|---|--|--------------------------|--------|---------|
| | | 2009/2010 | GST | TOTAL |
| Saleyard Fees | | | | |
| Yard Dues - Cattle Sold | <i>per head</i> | \$3.18 | \$0.32 | \$3.50 |
| Yard Dues - Store Cattle Sold | <i>per head</i> | \$2.09 | \$0.21 | \$2.30 |
| Yard Dues - Horses | <i>per head</i> | \$11.36 | \$1.14 | \$12.50 |
| Yard Dues - Bulls | <i>per head</i> | \$11.36 | \$1.14 | \$12.50 |
| Working Use - Cattle (ie, use of crush) | <i>per head</i> | \$1.00 | \$0.10 | \$1.10 |
| Private Weighing of Cattle | <i>per head</i> | \$3.18 | \$0.32 | \$3.50 |
| Casual use of yards for sheep | <i>per 1,000 (or part thereof) per day</i> | \$26.27 | \$2.63 | \$28.90 |
| Casual use of yards for cattle | <i>per 100 (or part thereof) per day</i> | \$28.64 | \$2.86 | \$31.50 |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

| SERVICE PROVIDED | ENGINEERING - WALGETT SWIMMING POOL |
|------------------|-------------------------------------|
|------------------|-------------------------------------|

| | 2009/2010 | GST | TOTAL |
|---------------------------|-----------|---------|----------|
| Family Season Ticket | \$227.27 | \$22.73 | \$250.00 |
| Single Season Ticket | \$109.09 | \$10.91 | \$120.00 |
| Adult (+child under 2yrs) | \$1.82 | \$0.18 | \$2.00 |
| Children | \$1.82 | \$0.18 | \$2.00 |

| SERVICE PROVIDED | ENGINEERING - CARINDA SWIMMING POOL |
|------------------|-------------------------------------|
|------------------|-------------------------------------|

| | 2009/2010 | GST | TOTAL |
|----------------------|-------------------|--------|---------|
| Family Season Ticket | \$36.36 | \$3.64 | \$40.00 |
| Single Season Ticket | \$18.18 | \$1.82 | \$20.00 |
| Adult and Child | <i>per person</i> | \$2.27 | \$0.23 |

* All tickets \$5.00 deposit on key

| SERVICE PROVIDED | ENGINEERING - COLLARENEBRI SWIMMING POOL |
|------------------|--|
|------------------|--|

| | 2009/2010 | GST | TOTAL |
|----------------------|-------------------|---------|----------|
| Family Season Ticket | \$136.36 | \$13.64 | \$150.00 |
| Single Season Ticket | \$68.18 | \$6.82 | \$75.00 |
| Adult and Child | <i>per person</i> | \$1.82 | \$0.18 |

| SERVICE PROVIDED | ENGINEERING - BURREN JUNCTION SWIMMING POOL |
|------------------|---|
|------------------|---|

| | 2009/2010 | GST | TOTAL |
|---------------------------|-----------|--------|---------|
| Family Season Ticket | \$81.82 | \$8.18 | \$90.00 |
| Single Season Ticket | \$45.45 | \$4.55 | \$50.00 |
| Adult | \$2.73 | \$0.27 | \$3.00 |
| Child | \$1.82 | \$0.18 | \$2.00 |
| Child under 5 year of age | | | Free |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

| SERVICE PROVIDED | ENGINEERING - WATER SUPPLY INVESTIGATION |
|------------------|--|
|------------------|--|

| | 2009/2010 | GST | TOTAL |
|----------------------------------|-----------|---------|----------|
| Fire Flow Investigation | \$200.00 | \$20.00 | \$220.00 |
| Max / Minimum Pressure Enquiries | \$118.18 | \$11.82 | \$130.00 |

| SERVICE PROVIDED | ENGINEERING - WALGETT AERODROME |
|------------------|---------------------------------|
|------------------|---------------------------------|

| | | 2009/2010 | GST | TOTAL |
|---|--|------------|----------|------------|
| Casual Rental | <i>per week</i> | \$45.45 | \$4.55 | \$50.00 |
| Rental of Hangar Space at Walgett Aerodrome | <i>(or part thereof for less than 4 weeks)</i> | | | |
| Monthly Rental | <i>per month</i> | \$136.36 | \$13.64 | \$150.00 |
| Rental of Hangar Space at Walgett Aerodrome | <i>(or part thereof for periods exceeding 4 weeks)</i> | | | |
| Annual Rental | <i>per annum</i> | \$1,363.64 | \$136.36 | \$1,500.00 |
| Rental of Hangar Space at Walgett Aerodrome | | | | |

| SERVICE PROVIDED | ENGINEERING |
|------------------|-------------|
|------------------|-------------|

| | | 2009/2010 | GST | TOTAL |
|---|--------|-----------|--------|----------|
| Garbage Bin - New Mobile Garbage Bins (MGB) | | | | |
| - 240L | each | \$65.00 | \$6.50 | \$71.50 |
| - 360L | each | \$95.00 | \$9.50 | \$104.50 |
| Compost Bin - New Bin | each | \$54.55 | \$5.45 | \$60.00 |
| Worm Farm - New | each | \$70.00 | \$7.00 | \$77.00 |
| Solid Septic Waste Managment | per m3 | \$15.00 | \$1.50 | \$16.50 |
| Dump Solid Septic Waste | | | | |

| SERVICE PROVIDED | DEVELOPMENT APPLICATIONS |
|------------------|--------------------------|
|------------------|--------------------------|

245AA What is the maximum fee?

- (1) The fee for a development application must not exceed the maximum amount determined in accordance with this Division.
- (2) The services covered by the fee for a development application include the following:
 - (a) the receipt of the application, and any internal referrals of the application,
 - (b) consideration of the application for the purpose of determining whether any further information is required in relation to the
 - (c) inspection of the land to which the proposed development relates,
 - (d) evaluation of the proposed development under section 79C of the Act, including discussion with interested parties,
 - (e) preparation of internal reports on the application,
 - (f) preparation and service of notices of the consent authority's determination of the application,
 - (g) the monitoring and reviewing by the Director-General of the practices and procedures followed by consent authorities in
 - (i) for the purpose of assessing the efficiency and effectiveness of those practices and procedures, and

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

- (ii) for the purpose of ensuring that those practices and procedures comply with the provisions of the Act and this Regulation,
 - (h) the monitoring and reviewing by the Director-General of the provisions of environmental planning instruments:
 - (i) that control development, or
 - (ii) that are required to be taken into consideration by consent authorities when dealing with development applications,
- for the purposes of assessing the effectiveness of those provisions in achieving their intended effect and making recommendations
- (i) the operational expenses of the Building Professionals Board established under the Building Professionals Act 2005.

Note. Clause 50 (1) (c) provides that a development application must be accompanied by the fee, not exceeding the fee

246 What is the fee for a development application?

- (1) The maximum fee for development involving the erection of a building, the carrying out of work or the demolition of a work
- (2) Despite subclause (1), the maximum fee payable for development for the purpose of one or more advertisements is:
 - (a) \$215, plus \$70 for each advertisement in excess of one, or
 - (b) the fee calculated in accordance with the Table,whichever is the greater.
- (3) The fees determined under this clause do not apply to development for which a fee is payable under clause 247.

TABLE:

| Estimated cost | Maximum fee payable |
|--------------------------|--|
| Up to \$5,000 | \$110 |
| \$5,001-\$50,000 | \$170, plus an additional \$3 for each \$1,000 (or part of \$1,000) of the estimated cost. |
| \$50,001-\$250,000 | \$352, plus an additional \$3.64 for each \$1,000 (or part of \$1,000) by which the estimated cost exceeds \$50,000. |
| \$250,001-\$500,000 | \$1,160, plus an additional \$2.34 for each \$1,000 (or part of \$1,000) by |
| \$500,001-\$1,000,000 | \$1,745, plus an additional \$1.64 for each \$1,000 (or part of \$1,000) by |
| \$1,000,001-\$10,000,000 | \$2,615, plus an additional \$1.44 for each \$1,000 (or part of \$1,000) by |
| More than \$10,000,000 | \$15,875, plus an additional \$1.19 for each \$1,000 (or part of \$1,000) by |

247 Development involving the erection of a dwelling-house with an estimated construction cost of \$100,000 or less

A maximum fee of \$364 is payable for development involving the erection of a dwelling-house with an estimated cost of

248 Residential flat development

An additional fee, not exceeding \$600, is payable for development which is required to be referred to a design review panel

249 Development involving the subdivision of land

The maximum fee payable for development involving the subdivision of land is calculated as follows:

- (a) Subdivision (other than strata subdivision):
- (i) Involving the opening of a public road, \$500 plus \$50 for each additional lot created by the subdivision, or

WALGETT SHIRE COUNCIL AGENDA

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(ii) Not involving the opening of a public road, \$250 plus \$40 for each additional lot created by the subdivision,

(b) Strata subdivision, \$250 plus \$50 for each additional lot created by the subdivision.

Note. For example, a plan of subdivision that provides for 5 lots over land that has previously comprised 2 lots will result in the

250 Development not involving the erection of a building, the carrying out of a work, the subdivision of land or the

A maximum fee of \$220 is payable for development that does not involve the erection of a building, the carrying out of a work,

251 Designated development

In addition to any other fees payable under this Division, a maximum fee of \$715 is payable for designated development.

252 What additional fees are payable for development that requires advertising?

(1) In addition to any other fees payable under this Division, a consent authority may charge up to the following maximum fees

(a) \$1,665, in the case of designated development,

(b) \$830, in the case of advertised development,

(c) \$830, in the case of prohibited development,

(d) \$830, in the case of development for which an environmental planning instrument or development control plan requires

(2) The consent authority must refund so much of the fee paid under this clause as is not spent in giving the notice.

252A What additional fees are payable for development that requires concurrence?

(1) An additional processing fee up to a maximum of \$110, plus a concurrence fee for payment to each concurrence authority,

(2) The consent authority must forward each concurrence fee to the concurrence authority concerned at the same time at which

(3) The concurrence fee for a development application is not payable:

(a) to any concurrence authority whose concurrence may be assumed in accordance with clause 64, or

(b) to any concurrence authority that has notified the consent authority in writing that payment of the fee is waived, whether

(3A) A concurrence authority may repay to the consent authority the whole or any part of a concurrence fee paid to it under this

(4) The additional processing fee is not payable:

(a) for any application in respect of which concurrence may be assumed in accordance with clause 64 for all of the concurrence

(b) for any application made before 1 July 2002.

(5) For the purposes of this clause, the concurrence fee payable to a concurrence authority for a development application is \$250

253 What additional fees are payable for integrated development?

(1) An additional processing fee up to a maximum of \$110, plus an approval fee for payment to each approval body, are payable

(2) The consent authority must forward each approval fee to the approval body concerned at the same time at which it forwards

(2A) The approval fee for a development application is not payable to any approval body that has notified the consent authority

(2B) An approval body may repay to the consent authority the whole or any part of an approval fee paid to it under this clause, in

(3) The additional processing fee is payable in respect only of applications made on or after 1 July 2002.

(4) For the purposes of this clause, the approval fee payable to an approval body for a development application is \$250 or such

254 What if two or more fees are applicable to a single development application?

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

If two or more fees are applicable to a single development application (such as an application to subdivide land and erect a

255 How is a fee based on estimated cost determined?

(1) In determining the fee for development involving the erection of a building, the consent authority must make its

(a) the costs associated with the construction of the building, and

(b) the costs associated with the preparation of the building for the purpose for which it is to be used (such as the costs of

(1A) In determining the fee for development involving the carrying out of a work, the consent authority must make its

(1B) In determining the fee for development involving the demolition of a building or work, the consent authority must make its

(2) The estimate must, unless the consent authority is satisfied that the estimated cost indicated in the development application

256 Determination of fees after development applications have been made

(1) The determination of a fee to accompany a development application must be made before, or within 14 days after, the

(2) A determination made after the lodging of a development application has no effect until notice of the determination is given

(3) A consent authority may refuse to consider a development application for which a fee has been duly determined and notified

256A Proportion of development application fees to be remitted to Director-General

(1) For each development application lodged with a consent authority for development referred to in clause 246 (1) having an

$$P = \frac{0.64 \times E}{1.000} - S$$

where:

(1A) Such part of the amount referred to in subclause (1) as is not directed by the Minister to be paid into the Building

(2) On or before the 14th day of each month, the consent authority must forward to the Director-General the total amount set

(3) The report referred to in subclause (2) must contain such information, and be prepared in such form, as the Director-General

256B Staged development applications

The maximum fee payable for a staged development application in relation to a site, and for any subsequent development

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

11.55am Clr Keir left the meeting

| 197/09 | Joint Regional Planning Panel Nominations |
|--|---|
| Resolution: | |
| That Council: | |
| <ol style="list-style-type: none">1. Nominate the following Councillors as members of the Western Region Joint Regional Planning Panel for the Walgett Shire:<ol style="list-style-type: none">(a) David Lane(b) Ian Woodock2. Nominate the following Councillor as its alternate member of the Western Region Joint Regional Planning Panel for the Walgett Shire:<ol style="list-style-type: none">(a) Gustavus Murray3. Request the General Manager to write to the Director General of the Department of Planning and notify them of Walgett Shire Council's nominees for the Western Region Joint Regional Planning Panel. | |
| Moved: | Clr Lane |
| Seconded: | Clr Murray |
| CARRIED | |

11.57am Clr Keir returned to the meeting

| 198/09 | Local Orders Policy |
|---|---------------------|
| Resolution: | |
| That Council: | |
| <ol style="list-style-type: none">1. Adopt the draft Walgett Shire Council Local Orders Policy as publicly exhibited from 25 March to 25 May 2009.2. Notify the public that Walgett Shire Council has adopted the draft Walgett Shire Council Local Orders Policy via notices in the Lightning Ridge News and the Walgett Spectator. | |
| Moved: | Clr Greenaway |
| Seconded: | Clr Keir |
| CARRIED | |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

| 199/09 | Fire Damaged Heritage Building - Collarenebri |
|---|---|
| Recommendation: | |
| That Council: | |
| <ol style="list-style-type: none">1. Note the report dated 18 May 2009 prepared by Walgett Shire Council's Heritage Advisor, Ray Christison regarding proposed heritage buildings located on lot 3 section 4 DP 769262.2. Adopt the recommendations contained in that report as follows:<ol style="list-style-type: none">(a) Remove the former Denyer's Store building from the draft Heritage Schedule to allow for demolition and re-use of materials(b) Retain the former bakery building on the Heritage Schedule and allow the owner to undertake modifications that:<ul style="list-style-type: none">* Retain as much as possible of the exiting fabric and outline of the building* Retain the outline of the existing building and ovens | |
| Moved: | Clr Keir |
| Seconded: | Clr Lane |
| Amendment: | |
| <ol style="list-style-type: none">1. That consideration of the report be deferred until the July Meeting to allow for an inspection to be carried out. | |
| Moved: | Clr Greenaway |
| Seconded: | Clr Smith |
| CARRIED | |

| 200/09 | Development and Complying Development Certificate Applications |
|--|--|
| Resolution: | |
| That Council: | |
| <ol style="list-style-type: none">1. Note the Development and Complying Development Certificate applications dealt with under delegated authority by the Director of Planning and Regulatory Services and General Manager during May 2009. | |
| Moved: | Clr Lane |
| Seconded: | Clr Greenaway |
| CARRIED | |

201/09 Lightning Ridge Diving Pool Heating System

Resolution:

1. That the final Feasibility Report on the proposed heating of the Lightning Ridge Diving Pool be noted.

Moved: Clr Lane
Seconded: Clr Smith

CARRIED

202/09 Impact of the Carbon Pollution Reduction Scheme (CPRS) On Landfill Management

Resolution:

1. That Council note and accepts this report.

Moved: Clr Murray
Seconded: Clr Walford

CARRIED

203/09 Lightning Ridge Toilet Block Concept Design

Resolution:

That:

1. Council receives this report for discussion.
2. The budget of \$150,000 for this project not be exceeded.
3. The elevation in appendix 3 be the preferred design.

Moved: Clr Greenaway
Seconded: Clr Smith

CARRIED

204/09 Council Policy AFM Road Maintenance Policy

Resolution:

1. That Council adopts the policy AFM Road Maintenance Policy

Moved: Clr Greenaway
Seconded: Clr Smith

CARRIED

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

12.40pm Clr Murray left the meeting
12.42pm Clr Murray returned to the meeting

Questions without Notice

Clr Smith

Question 1:

Have we got staff checking the rural roads? The Collarenebri to Mungindi road is becoming steep after being graded.

Response:

The Director Rural Infrastructure and Support Services indicated that he will look into this matter.

Question 2:

Clr Smith distributed a letter from BEST Employment regarding opportunities for partnership relating to employment and asked if Council could use their services.

Response:

The Director Corporate and Community Services advised that BEST services are being utilised along with those of other bodies.

Clr Walford

Question 1:

Are we able to contact the local police again with regard to the Law and Order issues? We are not getting the support from the police.

Response:

Director Corporate and Community Services advised that the Acting Superintendent indicated that he would like to keep the contact going. The Mayor advised that he will raise these issues with the police.

Clr Lane

Question 1:

In last years federal budget the funding structure was changed for emergency services which resulted in the SES now receiving funding from Insurance companies and local governments. The first bill is expected to be paid during first week in July. How is our Council going to handle this? How is the expenditure in our budget made up?

Response

Director of Corporate and Community Services indicated that she will take this question on notice.

Clr Greenaway

Question 1:

Is the rural addressing system going to apply to our postal address?

Response:

Director Planning and Regulatory Services advised that it is up to Australia Post. They are currently in the process of sorting this system out. The department has been referring any queries to a contact at Australia Post in Dubbo. If Councillors receive any concerns please get them to write a letter to Council stating their concerns to allow us to get a feel for the extent of the problem.

Question 2:

The Shire Road 2 - Willis road has a number of large ramps on the road which the owner would like removed?

Response:

The Director Rural Infrastructure and Support Services advised that he will address the matter as soon as time allows.

Question 3:

The new bitumen road at Rowena which is currently being worked on has a water cart watering the side track – is this necessary?

Response:

Director Rural Infrastructure and Support Services advised that this is a judgement issue of the ganger or foreman who is in charge of the job. He may consider that it is needed for safety reasons.

Question 4:

A grader on Shire Road 5 didn't have a roller on the back and it was obvious that he would be doing a better job if he had a roller on the back. Is it possible for all graders to have rollers on the back of them?

Response:

Director of Rural Infrastructure and Support Services advised that not all of the contractors that we use have rollers on their machines, though it is the Director's preference that rollers be used whenever possible.

Question 5:

The gifts that are required to be declared –it must be difficult to judge what gifts need to be declared? Council there be a rule that indicates if it is over \$50 that it must be handed in?

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

Response:

The General Manager advised that the policy needs to be reviewed and that a report on the Code of Conduct, which covers gifts, will come to the next meeting.

Clr Murray

Question 1:

After the last rain, water has run into the Lightning Ridge cemetery and is affecting some of the gravestones. Are we able to have the drainage improved?

Response:

The Director of Urban Infrastructure Services indicated that the drainage system had been upgraded twice in the last six months, but that there is no simple solution to the problems because of the flat terrain.

Question 2:

A customer ordered a Section 149 and was told that she could pick it up the next day but when she arrived to pick it up, she was then told that it would not be ready for another day. How long do these take and why was she given the run around?

Response:

The Director Planning and Regulatory Services advised that his staff try and turn them around in 5 business days. In this instance there must have been some circumstances which prevented it being ready on time.

Question 3:

The Showground toilets need to be cleaned continually. Can we have more effort in the up keep of these facilities?

Director of Urban Infrastructure Services indicated that he would attend to the matter.

Clr Keir

Question 1:

There are 2 letters regarding rate notices from K Baker and S Evans. Who does the review on these inquiries?

Response:

The Director of Corporate and Community Services advised that this is an operational matter and they would need to provide evidence as to why they should not be included in that particular category.

The General Manager further advised that those people who have made a submission will be contacted via letter.

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

Question 2:

The funding request from Coolibah kids for \$20,000 is based on the need to attract employees and would be used as an incentive. The centre is now at its maximum numbers. Could the Councillors do a tour before the next Walgett meeting?

Response:

The General Manager advised that Cllr Keir could frame an appropriate notice of motion on the matter for the August Council meeting. He also advised that a tour can be arranged prior to the August meeting.

Question 3:

Why did Walgett Shire Council not take up the Outback Arts exhibition for display?

Response:

The Director of Corporate and Community Services advised that Walgett had previously displayed works from last exhibition but received a number of complaints in regard to the work.

Question 4:

Can we have some of the artwork displayed in the information centre or the library?

Response:

The Director of Corporate and Community services advised that this would be appropriate.

Cllr Murray

Question:

How many objections have been received regarding the rates?

Response:

The Director of Corporate and Community Services was not aware off hand but will look into.

| 205/09 | Lightning Ridge Skate Park |
|--|----------------------------|
| Resolution: | |
| 1. That Council delegate to the Mayor and the three Councillors from Lightning Ridge the authority to determine the location for the skate park after consultation with the Department of Lands. | |
| Moved: | Cllr Greenaway |
| Seconded: | Cllr Smith |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

| 206/09 | Closed Session |
|---|----------------|
| Resolution: 1. That the public be excluded from the meeting pursuant to Sections 10A (2)(c)(d) of the Local Government Act 1993 on the basis that the items deal with: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business (d) commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it Moved: Clr Murray Seconded: Clr Smith CARRIED | |

The following resolutions were brought forward from the Closed Council Meeting

| 207/09 | Installation of Water Meters in Walgett and Collarenebri |
|--|--|
| Resolution: That: 1. The tender of Cornish Property Services in the amount of \$86,500 exc GST and \$50/ hour ex GST for additional work be accepted for the installation of water meters in Walgett and Collarenebri and a period of 20 weeks be adopted for the contact period. 2. Council initiates the public information strategy regarding the installation of water meters, its associated maintenance obligations and introduction of future charges to householders. Moved: Clr Greenaway Seconded: Clr Walford CARRIED | |

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL MINUTES

| 208/09 | Sale of 8 Euroka Street, Walgett to K Hook |
|---|--|
| Resolution: | |
| That: | |
| <ol style="list-style-type: none">1. Council set the reserve price at \$90,000 and accept MS Hook's offer2. That the General Manager and the Mayor be authorised to sign all documentation relating to the sale of 8 Euroka Street, Walgett and affix the council seal | |
| Moved: Clr Greenaway | |
| Seconded: Clr Keir | |
| CARRIED | |

| 209/09 | Tenders Bridge Construction |
|--|-----------------------------|
| Resolution: | |
| That Council, subject to the approval of adequate funding in its 2009/2010 budget,: | |
| <ol style="list-style-type: none">1. Award the contract E09002 for the supply of precast concrete bridge components to Rocla Pty Ltd.2. Award the contract E09001 for the construction of six bridges to ICOM Pty Ltd.3. Allocate projected wage and salary savings in Rural Infrastructure Management in 2008/9 of approximately \$200,000 to this program. | |
| Moved: Clr Lane | |
| Seconded: Clr Keir | |
| CARRIED | |

| 210/09 | Open Session |
|---|--------------|
| Resolution: | |
| <ol style="list-style-type: none">1. That Council return to Open Session. | |
| Moved: Clr Murray | |
| Seconded: Clr Walford | |
| CARRIED | |

The meeting closed at 1.10pm

To be confirmed at the meeting of Council to be held on Tuesday 28th July 2009

Mayor

General Manager

23 June 2009

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Recommendation:

1. That the minutes of the Council Meeting held on 23 June 2009 be confirmed.

8. Reserve Trust Management Committee Reports

9. Mayoral Minutes

1. ***WALGETT SHIRE COUNCIL MAYORAL MINUTE - ANNUAL PERFORMANCE REVIEW OF GENERAL MANAGER***

COUNCIL MEETING: 28th July 2009

SUBJECT: Annual Performance Review of General Manager

FILE NUMBER: 295/01/16/00

Summary:

Council's endorsement is sought for agreements I have reached with the General Manager in respect of the timing and nature of his annual performance review. Council is also asked to consider a Performance Assessment Report from the General Manager and agree to any questions that should be put to the General Manager and to which he will respond in writing.

Discussion (including issues and background):

A copy of the General Manager's Contract has been circulated under separate cover. Section 7 and Schedule B deal with "Performance agreement and review".

Though it was previously determined by Council that the Review should take place in July I have agreed to a request from the General Manager that the formal Performance Assessment meeting take place in Confidential Session at the end of the August Council meeting. This will allow the General Manager to have regard to the outcomes of post chemotherapy tests, which are programmed in Dubbo and Sydney in the week beginning 10th August, when finalising his report and recommendations to Council.

Key Contract provisions regarding the Performance Review are as follows:

- "7.5 Council will ensure that the employee's performance is reviewed (and where appropriate the performance agreement varied) at least annually. Any such review is to have regard to the performance criteria (Schedule B)."
- "7.8 Structure of the review to be at the discretion of Council following consultation with the employee"
- "7.9 The employee may prepare and submit to Council an assessment of the employee's own performance prior to a performance review."
- "7.10 Within 6 weeks from the conclusion of a performance review, Council will prepare and send to the employee a written statement that sets out:
 - a) Council's conclusions about the employee's performance during the performance review period.
 - b) Any proposal by Council to vary the performance criteria as a consequence of a performance review.
 - c) Any directions or recommendations made by Council to the employee in relation to the employee's future performance of the duties of the position."

Pursuant to Section 7.9 the General Manager has submitted an "Assessment Report" which has been circulated under separate cover. Following review of the Report it is recommended that the following happen:

WALGETT SHIRE COUNCIL AGENDA

1. if appropriate, questions be identified which shall be put to the General Manager in writing no later than Friday 7th August.
2. the General Manager respond to the questions, and address any other relevant matters, in a Confidential Report to be circulated with the Agenda for the August Council Meeting.
3. the General Manager join Council in Confidential Session at the end of the August Council meeting before departing to allow Council to consider its response.
4. the Mayor and Deputy Mayor, having regard to recommendations from Council, prepare the “written statement” pursuant to Section 7.10 and forward it to the General Manager prior to the September Council meeting.

Relevant Reference Documents:

Local Government Act 1993; General Manager’s Contract of Employment and Performance Agreement

Stakeholders:

Council, General Manager and staff

Financial Implications:

Nil

Recommendations:

That:

1. **Council conduct the formal Performance Review meeting with the General Manager at the end of the August Council meeting to be held in Walgett Tuesday 25th.**
2. **Any questions of the General Manager to be forwarded in writing by the Mayor prior to close of business Friday 7th August.**
3. **The General Manager respond to questions and address other relevant matters in a Confidential Report to the August Council meeting.**
4. **A “written statement” prepared pursuant to Section 7.10 of the General Manager’s contract be provided to the General Manager prior to the September Council meeting.**

Attachments:

circulated under separate cover – General Manager’s Contract; General Manager’s Performance Assessment report.

10. Motions of which Notice has been given

Councillor Murray

Motion:

1. That the Council facilitate a quarterly coordinated communication workshop between various government and non government agencies in the township of Walgett.

Councillor Greenaway

Motion:

1. That a Bank Reconciliation Statement be included in the business paper each month

11. Presentation of Petitions

12. Councillors Questions with Notice

Councillor Greenaway

Question 1

Is block 8A Fox Street, Walgett a rateable block and if so who is responsible for the rates?

Question 2

Do Councillors agree to the following split up of the \$193,000 Community Infrastructure Grant (CIG)?

| | |
|-----------------|--|
| Walgett | \$60,000 |
| Lightning Ridge | \$ 40,000 – received a good deal in the budget |
| Collarenebri | \$23,000 – received a generous share last CIG split up |
| Burren Junction | \$20,000 |
| Rowena | \$18,000 – lost \$4,500 from allocated amount in last CIG split up |
| Cumborah | \$12,000 |
| Carinda | \$20,000 – small amount in budget and in last CIG split up |

13. Reports of Delegates and Representatives

2. WALGETT SCHOOL EDUCATION BOARD ANNUAL GENERAL MEETING MINUTES

REPORTING SECTION: Corporate and Community Services

AUTHOR:

FILE NUMBER: 135/02/01/03

Summary:

This report provides Council with the minutes of the meeting held on the 24 June 2009.

Discussion (including issues and background):

Nil

Relevant Reference Documents:

Nil

Stakeholders:

Walgett Shire Council and Walgett ratepayers

Financial Implications:

Nil

Recommendation:

- 1. That the minutes of the Walgett School Education Annual General Meeting 24 June 2009 be noted.**

Attachments:

Minutes of meeting – 24 June 2009



Principal: Mr Peter Partridge

**Minutes of Walgett School Education Board Annual General Meeting
24th June 2009.**

Attendance:

Stephen Ruttley, Bill Murray, Glenda Simpson, Anne Dennis, Peter Nichols, Glynis Lugnan, Peter Partridge

Apologies:

Lyn Francis, Lianne Tasker, Lyn Rummery.

Meeting opened at 4:05pm.

Chair: Stephen Ruttley

There was discussion that this is the first special meeting since the school was reviewed in 2008 and restructured in 2009. Previous Board meetings had agreement that the constitution needed reform to suit the needs of the school.

Amendments to the constitution had been circulated prior to the meeting.

General Business:

The only topic for General Business was the proposed constitutional changes.

1. Board Composition

Representative Members:

- 2 x nominee of the AECG
- 1 x Walgett Shire representative
- 1 x school staff representative
- 1 x student representative

Invited Members:

- 1 x nominee of Dharriwaa Elders Group
- 1 x TAFE representative
- 1 x Walgett Aboriginal Medical Service representative

Ex-officio Member:

- School Principal

Moved: Bill Murray Seconded: Stephen Ruttley.

2. Election of Chairperson

Arthur St Campus
Ph (02) 6828 1022

PO Box 228, Walgett, NSW, 2832
Fax (02) 6828 1994

Walgett-h.School@det.nsw.edu.au
ABN: 35 051 878 851

Warrena St Campus
Ph (02) 6828 1077 Fax: (02) 6828 1939

PO Box 354, Walgett, NSW, 2832

Walgett-p.school@det.nsw.edu.au
ABN: 63 101 052 197

WALGETT SHIRE COUNCIL AGENDA

A chairperson will be elected, at the first meeting of Term 3 or at the meeting. An interim chair can be elected if a vacancy occurs at another time of the year. The chairperson can hold office for a period of two terms where a term is two years in length.

Representative members are entitled to vote in the election of the chairperson.

Moved: Steve Ruttley Seconded: Bill Murray

3. Frequency of meetings of the Board

The Board will meet at least twice per school term on dates to be decided by the Board at the last meeting of the calendar year. The meetings will commence at 4.00pm and will finish at 5.30pm with a possible extension by consensus or a vote.

Moved: Stephen Ruttley Seconded: Glenda Simpson

4. Dissolution

The Board may be dissolved in terms of a resolution carried at a General Meeting of a Special Meeting of members, providing at least seven days' notice has been given to members and subject to the concurrence of the Regional Director of Schools (Western).

The Board shall be dissolved if the number of members falls below the quorum or the School is closed.

Where the Board is dissolved, minute books and other records will be the property of the Department of Education as determined by a resolution of the members.

Moved: Glenda Simpson Seconded: Anne Dennis

5. Time of nominations for membership of the Board

Members of the Board will be nominated to hold office for two years commencing at the first Board meeting of Term 3 of the nominating year. Members completing their membership time will be notified early in that year.

When a vacancy occurs, a letter will be sent to the group asking for representation.

Moved: Anne Dennis Seconded: Glenda Simpson

6. Quorum

Board's business

The Board's business will generally proceed by consensus. If a formal vote is required to resolve a matter, for example to elect the chairperson or if consensus is not possible on an issue then **at least a quorum, 3 of the 5 representative members, must be present.**

If a quorum cannot be formed for two (2) consecutive meetings then on the third meeting those in attendance will be the quorum.

Moved: Bill Murray Seconded: Glenda Simpson

Meeting closed at 4:48pm.

3. WALGETT LOCAL AREA TRAFFIC COMMITTEE

REPORTING SECTION: Rural Infrastructure & Support Services

AUTHOR: Ian Taylor - Director Rural Infrastructure & Support Services

FILE NUMBER: 145/04/00/00

Summary:

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

Discussion (including issues and background):

The minutes of the recent meeting of the Local Area Traffic Committee on 18 June 2009 are attached for consideration. The recommendations of these minutes may be noted and adopted by Council.

Relevant Reference Documents:

Minutes of the LATM meeting of 18 June 2009

Stakeholders:

Walgett Shire Council
Road Users in Walgett Shire

Financial Implications:

Recommended works will be completed subject to available funding allocations.

Recommendation:

- 1. That Council note and adopts the recommendations of the meeting of the Local Area Traffic Committee held on 18 June 2009.**

Attachments:

Minutes of the LATM meeting of 18 June 2009

**MINUTES OF THE LOCAL AREA TRAFFIC COMMITTEE MEETING HELD
THURSDAY 18 JUNE 2009 AT 8.37AM IN THE WALGETT SHIRE
COUNCIL MEETING ROOM** **FILE:145/04/00/00**

PRESENT:

| | |
|-------------------|---|
| Ian Taylor, Chair | Director Rural Infrastructure & Support Services Walgett Shire Council |
| David Vant | Roads & Traffic Authority (RTA) |
| Tony Mureau | NSW Police |

1. APOLOGIES:

Rob Stratton, Nigel Noffke – NSW Police
Clr Colless, Clr Martinez – Walgett Shire Council

2. PRESENTATIONS

Nil.

3. PREVIOUS MINUTES

Moved David Vant Seconded Ian Taylor that the minutes of the meeting of 19 March 2009 be accepted as a true and accurate record of proceedings. **CARRIED**

4. CONFIRMATION OF INTERIM BUSINESS

**4.1. Road Closure – Morilla and Opal Streets Lightning Ridge for
Easter Festival**

Moved Ian Taylor Seconded David Vant that the application from the Lightning Ridge Goat Race Committee to close parts of Morilla and Opal Streets in Lightning Ridge on 11 April 2009 be endorsed. **CARRIED**

**4.2. Road Closure – Fox and Wee Waa Streets Walgett for Anzac Day
Service**

Moved Ian Taylor Seconded David Vant that the application from the Walgett Shire Council to close parts of Fox and Wee Waa Streets in Walgett on 25 April 2009 be endorsed. **CARRIED**

**4.3. Road Closure – Wilson and Walgett Streets Collarenebri for
Anzac Day Service**

Moved Ian Taylor Seconded David Vant that the application from the Walgett Shire Council to close parts of Wilson and Walgett Streets in Collarenebri on 25 April 2009 be endorsed. **CARRIED**

5. BUSINESS ARISING FROM PREVIOUS MEETING

5.1. Pedestrian Facility – Burren Junction, Waterloo Street at the intersection of Alma Street

Moved Ian Taylor Seconded David Vant that the committee note that works are scheduled to be completed in the next few weeks. **CARRIED**

5.2. Inquest into the Death of Benjamin David Walford – MR426 (Bill O'Brien Way) Lightning Ridge

No further action at this time - awaiting advice from RTA.

5.3. Walgett Community College – Safety Issues Corner Peel and Wareena Streets Walgett

Moved Ian Taylor Seconded David Vant that the recommendations of the RTA Safety Around Schools Project Officer, Sharon Grierson and consultation as per her email of 1 December 2008 (attached) are endorsed. **CARRIED**

5.4. Burren Junction Silo Traffic Management Plan

No further action at this time – waiting advice from Graincorp.

5.5. Pedestrian Crossing Upgrade – Corner SH18 (Fox Street) and Arthur Streets Walgett

Moved Ian Taylor Seconded David Vant that the committee note that works have commenced. **CARRIED**

5.6. Completion of Pian Creek Bridge MR329 – Removal of Speed and Load Restrictions

Completed.

5.7. Signage for Multi-articulated vehicles travelling through Walgett on HW29 and HW18

Moved Ian Taylor Seconded David Vant that the committee note that the RTA is considering suitable modifications to the directional signage on HW18 and HW29 in the vicinity of Walgett. **CARRIED**

5.8. School Bus Pick-up Areas on MR7716 and HW18

Moved Ian Taylor Seconded David Vant that it is noted that further information will be presented for consideration at the next meeting. **CARRIED**

5.9. Intersection of HW18 (Fox Street) and Wareena Streets Walgett – U Turn Hazard

Completed.

5.10. No Standing Signs

On-going.

5.11. Intersection HW29 and MR329 – Change to Priority

In progress.

5.12. Intersection Wilson Street (HW12) and Walgett Street Collarenebri – Stop Signs

Committee will inspect and confirm by email its recommendation.

5.13. Warrena Street Walgett – Incorrect No Parking Zone signage

ongoing

6. INCOMING CORRESPONDENCE

6.1. Intersection of Pandora Street and Nettleton Drive Lightning Ridge – Priority

Moved Ian Taylor Seconded David Vant that the installation of edge and hold line markings on the Pandora Street approached is endorsed. **CARRIED**

6.2. Pandora Street Service Lane Lightning Ridge – Speed

Moved Ian Taylor Seconded David Vant that Council install a traffic classifier in this street to assess the problem and refer the data to the next committee meeting for further consideration. **CARRIED**

6.3. HW18 Walgett Silo Entrance - Safety

Moved Ian Taylor Seconded David Vant that safety concerns relating to the unsealed nature of this entrance be referred to the RTA for comment and Graincorp be advised that they have an obligation to maintain their entry in a safe condition. **CARRIED**

7. GENERAL BUSINESS

5.1. Proposal to install Bus Shelters in Euroka Street Walgett and Morilla Street Lightning Ridge

Moved Ian Taylor Seconded David Vant that the proposal to install a bus shelter adjacent to each of the bus stops at Walgett and Lightning Ridge subject to sufficient clearance being maintained on the footway for the free passage of pedestrians past the shelter is endorsed in-principle. **CARRIED**

8. NEXT MEETING

To be held at Walgett Shire Council Office, 77 Fox Street Walgett, at 1.00pm Thursday 20 August 2009.

9. MEETING CONCLUDED AT 9.40AM.

WALGETT SHIRE COUNCIL AGENDA

Ian Taylor

From: GRIERSON Sharon M [Sharon_GRIERSON@rta.nsw.gov.au]
Sent: Monday, 1 December 2008 12:31 PM
To: Ian Taylor
Cc: VANT David G; christopher.j.hunt@det.nsw.edu.au
Subject: FW: changes at walgett primary school bus zone

Ian,

Please find listed below an email from Christopher Taylor from Walgett College regarding the bus zone etc.

I have also spoken to the Bruce Duncan (bus driver) and he is ok with shortening the bus zone - he would like to move it away from the pedestrian gate and driveway.

I have also left a message for Nikki Vankuyk the second bus driver but have not had a returned call as yet.

Thankyou and regards
Sharon Grierson
Safety Around Schools Project Officer
Western Region
02 68 61 1684
02 68 611417
0418 440 244

-----Original Message-----

From: Hunt, Christopher [mailto:CHRISTOPHER.J.HUNT@det.nsw.edu.au]
Sent: Thursday, 20 November 2008 15:11 PM
To: GRIERSON Sharon M
Subject: changes at walgett primary school bus zone

Hi Sharon,
Talked to the staff about the changes to the:

*
bus zone length
*
drop off and pickup zone
*
staff to look at alternative parking
*
orientation day
*
explaining about the changes at Presentation Day

All the staff agreed to the proposed options and are very pleased that things are happening.

Kind Regards
Chris Hunt

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WALGETT SHIRE COUNCIL AGENDA

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4. WALGETT LOCAL EMERGENCY MANAGEMENT COMMITTEE

REPORTING SECTION: Rural Infrastructure & Support Services

AUTHOR: Ian Taylor - Director Rural Infrastructure & Support Services

FILE NUMBER: 165/08/01/09

Summary:

Walgett Local Emergency Management Committee is instituted under the State Emergency and Rescue Management Act 1989. This report provides Council with the minutes of the February and June 2009 meeting.

Discussion (including issues and background):

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

Relevant Reference Documents:

Walgett local Emergency Management Committee Minutes, 11 February 2009, 25 June 2009

Stakeholders:

All emergency response agencies
All persons in Walgett Shire

Financial Implications:

Nil

Recommendation:

- 1. That Council note the minutes of the Walgett Local Emergency Management Committee meetings held 11 February 2009 and 25 June 2009.**

Attachments:

Minutes of the Walgett Local Emergency Management Committee – 11 February 2009
Minutes of the Walgett Local Emergency Management Committee – 25 June 2009

**MINUTES OF THE
WALGETT LOCAL EMERGENCY MANAGEMENT COMMITTEE**

The following are minutes of the Walgett Local Emergency Management Committee Meeting held on Wednesday, 11 February 2009, commencing at 10.05 am in the Walgett Police Station Meeting Room.

1. PRESENT

Superintendent Mark Gallagher
Acting Inspector Leighton Burnes
Ian Taylor
Peter Holcombe
Myles Parker
Donnah Nicholls
Lance McCabe
Annie McMahon
Peggy Williams
Allen Luzuriaga
Tony Place
Suzanne Mahoney
Pat Rowe

Castlereagh Local Area Command – NSW Police Force
Castlereagh Local Area Command – NSW Police Force
Local Emergency Management Officer – Walgett Shire Council
Captain - Burren Junction Volunteer Rescue Association
Department of Primary Industries
New South Wales Ambulance
New South Wales Fire Brigades
Manager – Health Service Walgett
Collarenebri State Emergency Service
Macquarie Region State Emergency Service
New South Wales Rural Fire Service
Collarenebri Health Service
Minute Secretary – NSW Police Force

2. APOLOGIES

Chief Inspector Bob Noble
Stuart Davies
Peter Smith
Julie Marshall
Greg Lewis
Rodney Thorne

Castlereagh Local Area Command - NSW Police Force
District Emergency Management Officer – NSW Police Force
Range Land Management Officer – DIPNR
Local Controller – State Emergency Services
Inspector - NSW Fire Brigades – Regional West 1
Captain New South Wales Fire Brigade - Walgett

3. WELCOME AND INTRODUCTION

Superintendent Gallagher welcomed those representatives of the Emergency Services that were in attendance and introduced Acting Inspector Burnes.

4. MINUTES OF THE PREVIOUS MEETING – 8 OCTOBER 2008

It was noted that the minutes of the Local Emergency Management Committee Meeting held on 8 October 2008 had been circulated to members of the Committee.

RESOLUTION:

It was resolved, Moved Superintendent Gallagher, Seconded Peter Holcombe that the Minutes of the Local Emergency Management Committee Meeting held on 8 October 2008 be approved.

Carried.

5. BUSINESS ARISING FROM THE MINUTES – 8 OCTOBER 2008

5.1 EMERGENCY RISK MANAGEMENT REPORT

It was resolved at the meeting held on 8 October 2008 that Mr Ian Taylor, Local Emergency Management Officer arrange for the distribution of the Emergency Risk Management Report to be forwarded to all members of the Local Emergency Management Committee.

The Committee noted that this had not occurred as yet, however this matter will be addressed at the next meeting.

ACTION:

That Mr Ian Taylor arrange for the distribution of the Emergency Risk Management Report to be forwarded to all members of the Local Emergency Management Committee prior to the next meeting.

5.2 LOCAL DISASTER PLAN (DISPLAN)

It was resolved at the meeting held on 8 October 2008 that the Draft Local Disaster Plan be circulated to the Local Emergency Management Committee for comments and that all responses be compiled for consideration at the next meeting.

The Plan was circulated as requested and those responses received from members of the Local Emergency Management Committee were updated in the Draft Plan.

5.3 AERODROME EXERCISES

It was noted at the meeting held on 8 October 2008 that Mr Ian Taylor was to enquire about the requirements for Emergency Exercises to be held at both the Lightning Ridge and Walgett Airports and report back to the Committee.

Following discussions, it was agreed that only one Emergency Exercise was required to be held and that arrangements will be made for the Exercise to be convened in Walgett.

ACTION:

That the necessary arrangements be made for an Emergency Exercise to be convened in Walgett.

5.4 FUNDING OPPORTUNITIES FOR LOCAL EMERGENCY MANAGEMENT COMMITTEES

At the meeting held on 8 October 2008, it was agreed that the Local Emergency Management Committee consider any funding opportunities when they become available which normally was during January and February of each year.

ACTION:

That a review of funding opportunities be undertaken and reported back at the next meeting.

5.5 POLICE RADIO FOR BURREN JUNCTION VRA VEHICLE

It was agreed at the meeting held on 8 October 2008 that the District Emergency Management Officer, Mr Stuart Davies makes enquiries with the Dubbo Radio Technicians regarding the supply of a Police Radio to the Burren Junction VRA Vehicle.

The Committee noted that the installation of the radio had been completed.

6. GENERAL BUSINESS

6.1 BURREN JUNCTION VRA REPORT

Mr Peter Holcombe, Captain Burren Junction VRA advised that the call sign for the Burren Junction VRA Radio was VRA 471 and emergency calls were to be made to 9941 2680.

Mr Holcombe informed the Committee that at present they had four members trained and four members being trained and four new applicants for secondary rescue.

6.2 NEW SOUTH WALES RURAL FIRE SERVICE REPORT

Mr Tony Place, Manager, North West NSW Rural Fire Service advised that plans were underway for Walgett Shire to have four new tankers and the upgrade of a further four. Burren Junction is scheduled to have a tanker upgraded within the next twelve months.

Mr Place also advised that in the planning stage is a proposal for an 18,000 Water Storage Tank to be installed near the Walgett Airport.

6.3 COLLARENEBRI STATE EMERGENCY SERVICE REPORT

Ms Peggy Williams of the Collarenebri State Emergency Service raised an issue in regards to the Collarenebri State Emergency Service not being called to attend emergencies until after the Police have assessed the situation.

Ms Williams advised that with a recent incident, the Police travelled a distance of 30 kilometres to find a person trapped before contacting the SES for assistance.

Ms Williams stated that the distances between towns and accidents within their area could mean life and death due to the delay in getting members and equipment out to the scene.

Superintendent Gallagher responded and advised that the Police were aware of the situation and was currently working to address this matter.

6. GENERAL BUSINESS - CONTINUED

6.4 COLLARENEBRI HEALTH SERVICE REPORT

Ms Mahoney from the Collarenebri Health Service raised several issues regarding incidents at Collarenebri Hospital, in particular an incident where the fire alarm was activated at the hospital, however the Fire Brigade did not arrive at the scene but went to the local Service Station instead.

Ms Mahoney also raised concerns with an incident involving contamination and in particular that a courtesy phone call was not made to the Hospital to notify them that the Fire Brigade would be attending the hospital. Ms Mahoney advised that there were normally two staff members in attendance (One Registered Nurse and One Enrolled Nurse) and if there had have been a need for further staff to be present, there could have been a difficulty in addressing this.

ACTION:

It was agreed that Mr Lance McCabe of the NSW Fire Brigade would make enquiries regarding the non response of the Brigade to Collarenebri Hospital for the activation of the alarm system.

6.5 JOINT LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETINGS

Superintendent Gallagher discussed a proposal for consideration by members of the Local Emergency Management Committee that joint Local Emergency Management Committee Meetings be held in alternate areas.

Superintendent Gallagher also advised that he would like to see a Command Joint Exercise arranged in the future.

Mr Tony Place, NSW Fire Brigade volunteered a Trained Officer to assist with this exercise if required.

7. NEXT MEETING

The next meeting of the Local Emergency Management Committee will be held on Wednesday, 3 June 2009 in the Walgett Police Station Meeting Room, commencing at 10.00 am.

There being no further business the meeting closed at 11.00 am.

WALGETT SHIRE COUNCIL AGENDA

11 June 2009

**Walgett Shire
Council**

REC'D

1 2 JUN 2009

FILE: 165/08/00/00.

LETTER No: 3164

REFER: SC, IGT

COPY:



NSW Police Force
www.police.nsw.gov.au

ABN 43 408 613 180

**CASTLEREAGH
LOCAL AREA COMMAND**

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

Dear Ray

Minutes of the Walgett Local Emergency Management Committee Meeting

Please find enclosed a copy of the Minutes from the Walgett Local Emergency Management Committee Meeting held on Wednesday, 3 June 2009.

The next meeting is scheduled to be held on Wednesday, 7 October 2009 in the Walgett Police Station Meeting room, commencing at 10.00 am. A reminder will be forwarded closer to this date.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Bob Noble'.

Bob Noble
Acting Superintendent
Castlereagh Local Area Command

Encl – Local Emergency Management Committee Minutes – 3 June 2009

Administration

57 Wee Waa Street Walgett NSW 2832

Tel (02) 6828 6802 Fax (02) 6828 1632 TTY (02) 9211 3776 (Hearing/Speech impaired) Enet 72802 Efax 72811

MINUTES OF THE WALGETT LOCAL EMERGENCY MANAGEMENT COMMITTEE

The following are minutes of the Walgett Local Emergency Management Committee Meeting held on Wednesday, 3 June 2009, commencing at 10.20 am in the Walgett Police Station Meeting Room.

1. PRESENT

| | |
|-----------------------------------|--|
| Inspector Colin Cracknell (Chair) | Castlereagh Local Area Command – NSW Police Force |
| Inspector Tony Mureau | Castlereagh Local Area Command – NSW Police Force |
| Sergeant Leighton Burnes | Castlereagh Local Area Command – NSW Police Force |
| Ian Taylor | Local Emergency Management Officer – Walgett Shire Council |
| Fred Coralde | Walgett Shire Council |
| Peter Holcombe | Captain - Burren Junction Volunteer Rescue Association |
| Julie Marshall | Local Controller – State Emergency Services |
| Donnah Nicholls | New South Wales Ambulance |
| Greg Lewis | Inspector - NSW Fire Brigades – Regional West 1 |
| John Lewis | New South Wales Rural Fire Service |
| George Pearson | New South Wales Rural Fire Service |
| Suzanne Mahony | Collarenebri Health Service |
| Elizabeth Mills | Lightning Ridge Health Service |
| Natalie Dunstan | Minute Secretary – NSW Police Force |

2. APOLOGIES

| | |
|---------------------------------|--|
| Acting Superintendent Bob Noble | Castlereagh Local Area Command - NSW Police Force |
| Superintendent Mark Gallagher | Castlereagh Local Area Command – NSW Police Force |
| Inspector Chris Taylor | Castlereagh Local Area Command – NSW Police Force |
| Stuart Davies | District Emergency Management Officer – NSW Police Force |
| Tony Place | New South Wales Rural Fire Service |
| Superintendent David Felton | New South Wales Fire Brigade |
| Rodney Thorne | Captain New South Wales Fire Brigade - Walgett |
| Annie McMahon | Manager – Health Service Walgett |

3. WELCOME AND INTRODUCTION

Inspector Cracknell welcomed those representatives of the Emergency Services that were in attendance and passed on Acting Superintendent Noble's apologies for not being able to attend due to a commitment in Sydney.

4. MINUTES OF THE PREVIOUS MEETING – 11 FEBRUARY 2009

It was noted that the minutes of the Local Emergency Management Committee Meeting held on 11 February 2009 had been circulated to members of the Committee.

RESOLUTION:

It was resolved, Moved Sergeant Leighton Burnes, Seconded Ian Taylor that the Minutes of the Local Emergency Management Committee Meeting held on 11 February 2009 be approved with the following amendment:-

Item 6.2 Should read **183,000 Water Storage Tank** not 18,000.

Carried.

5 BUSINESS ARISING FROM THE MINUTES – 11 FEBRUARY 2009

5.1 COLLARENEBRI HEALTH SERVICE REPORT

At the previous meeting discussions were held regarding an incident where the fire alarm was activated at the Collarenebri Hospital, however the Fire Brigade did not arrive at the scene but went to the local service station instead.

Inspector Greg Lewis of the New South Wales Fire Brigade responded to this matter advising that it was not a matter for the New South Wales Fire Brigade, however should be directed to the New South Wales Rural Fire Service.

In regards to the matter raised about an incident involving contamination that occurred at Collarenebri and that a courtesy call was not made to the Hospital to notify them, Inspector Lewis advised that he will make enquiries regarding this incident and report back at the next meeting.

ACTION:

That Inspector Lewis enquires about an incident involving contamination at Collarenebri sometime in October 2008 that required the attendance of New South Wales Fire Brigade and the concern that a courtesy call was not made to the Collarenebri Hospital advising of this.

5.2 JOINT LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETINGS

Discussions were held at the meeting held on 11 February 2009 that consideration be given to convene joint Local Emergency Management Committee Meetings in alternate locations (namely, Walgett and Coonamble).

Local Emergency Management Officer, Mr Ian Taylor advised that it was agreed in the interim that the Local Emergency Management Committee Meetings for both Walgett and Lightning Ridge be held on the same date to allow those Officers attending from Dubbo to travel to Walgett for a morning meeting, returning to Coonamble that afternoon for their meeting. This arrangement has been initiated.

ACTION:

That Inspector Cracknell clarifies arrangements for future Local Emergency Management Committee Meetings and reports back to this meeting.

5.3 AERODROME EXERCISES

At the previous meeting it was agreed that an Aerodrome Emergency Exercise be convened in Walgett to cover both Lightning Ridge and Walgett Airports.

ACTION:

That consideration is given to convening an Aerodrome Emergency Exercise in Walgett.

6 GENERAL BUSINESS

6.1 EMERGENCY RISK MANAGEMENT REPORT

It was agreed at the previous meeting held on 11 February 2009 that Mr Ian Taylor arranges for the distribution of the Emergency Risk Management Report to be forwarded to all members of the Local Emergency Management Committee.

Mr Taylor advised that he will be circulating the Emergency Risk Management Report for comment.

ACTION:

That Local Emergency Management Officer, Ian Taylor arranges the distribution of the Emergency Risk Management Report for comment by members of the Local Emergency Management Committee.

6.2 RURAL FIRE SERVICE – BREAK AND ENTER

Mr John Lewis from New South Wales Rural Fire Service advised that the local Brigade in Walgett had been the target of a recent break and enter where there was significant damage caused to their radios and a vehicle was stolen from their shed.

Mr Lewis wanted to advise the other emergency services of this incident in case of future targets on emergency service equipment.

Discussions were held about appropriate security options and it was agreed that Senior Constable Preston be requested to complete a safety audit on these areas in question.

ACTION:

That Inspector Mureau liaise with Senior Constable Tim Preston in regards to a Safety Audit to be undertaken in the vicinity of the Walgett Rural Fire Service Shed.

6.3 INCIDENTS ATTENDED TO BY EMERGENCY SERVICES

Inspector Cracknell advised that the Walgett State Emergency Service were the Primary Response Unit and that Walgett New South Wales Fire Brigade were Secondary Response.

Inspector Cracknell discussed that some emergency service personnel were members of a more than one emergency service, eg, might be a member of the SES and Fire Brigade. Inspector Cracknell reiterated the importance that whatever service you respond with is the service you are to remain in for the entire time of the incident – there is to be no overlapping.

It was agreed that the above information needed to be conveyed to all emergency service personnel.

Further discussions were held regarding incidents that had been attended to and the importance of ensuring that all communication is to be relayed through VKG.

Inspector Lewis from the New South Wales Fire Brigade advised that the Walgett Brigade only had one truck and if called out of town there would be no fire protection for the township therefore the Rural Fire Service would be relied on to provide fire protection within the township until New South Wales Fire Brigade could supply coverage from either Coonamble or Lightning Ridge.

6. GENERAL BUSINESS - CONTINUED

6.4 STANDARD AGENDA ITEM FOR LEMC MEETINGS

District Emergency Management Officer, Ian Taylor informed the meeting that District Emergency Management Officer, Stuart Davies had requested that a standard agenda item be included for the Local Emergency Management Committee Meetings for: **EVENTS**.

This Agenda Item is to cover things such as large public gatherings or events particularly relating to matters that might impact on hospitals, ambulance etc.

Greater Western Area Health Service has requested this information.

ACTION:

That a Standard Agenda Item for EVENTS be included on all future Local Emergency Management Committee Agendas.

6.5 AIRPORT DRUG AND ALCOHOL MANAGEMENT PLAN

Mr Fred Coralde, Director Urban Infrastructure Services, Walgett Shire Council informed the meeting that the Council were implementing an Airport Drug and Alcohol Management Plan.

Walgett Shire Council is obliged to develop, implement and maintain a plan that meets the requirements of CASA.

This plan is applicable to Council Staff and Pilots, however Mr Coralde wanted to advise the Local Emergency Management Committee of the introduction of the plan.

A copy was tabled for this committee's reference.

6.6 CHECKING OF MEDICAL SUPPLIES

Inspector Mureau informed the meeting of an incident that occurred at Goodooga during the Easter Break where blood sample kits were required, however were significantly out of date. The kits were then sought from Lightning Ridge, however expiry dates were also of concern.

Inspector Mureau requested that Health Services recognise this concern and initiate a checking mechanism to ensure that all blood sample kits are in date and not expired. Blood samples are compulsory and this needs to be conveyed to all health staff.

ACTION:

That the Health Service Representatives ensure that a checking mechanism is set in place at their Health Service to ensure that blood sample kits have not expired.

6. GENERAL BUSINESS - CONTINUED

6.7 WALGETT SHIRE DISASTER PLAN

The Walgett Shire Disaster Plan (DISPLAN) has been reviewed on a number of occasions seeking comment from various agencies and key stakeholders.

The Plan is now at a stage for final review and it was agreed that District Emergency Management Officer, Stuart Davies, Local Emergency Management Officer, Ian Taylor and Acting Superintendent Noble make arrangements to meet to discuss final details of the Disaster Plan and present to the next meeting of the Local Emergency Management Committee for endorsement.

ACTION:

1. That District Emergency Management Officer, Stuart Davies, Local Emergency Management Officer, Ian Taylor and Local Emergency Operations Controller, Acting Superintendent Noble make arrangements to meet to discuss final details of the Disaster Plan.
2. That following this review the Disaster Plan is presented to the Local Emergency Management Committee on 7 October 2009 for endorsement.

7. NEXT MEETING

The next meeting of the Local Emergency Management Committee will be held on Wednesday, 7 October 2009 in the Walgett Police Station Meeting Room, commencing at 10.00 am.

There being no further business the meeting closed at 11.05 am.

5. NORTH WEST WEIGHT OF LOADS GROUP

REPORTING SECTION: Rural Infrastructure & Support Services

AUTHOR: Ian Taylor - Director Rural Infrastructure & Support Services

FILE NUMBER: 132/02/01/03

Summary:

Council is a member of the North West Weight of Loads Group. This report provides Council with minutes of their meeting of 2 March 2009.

Discussion (including issues and background):

The Group management committee meets quarterly on the first Monday of December, March, June, and September.

Relevant Reference Documents:

Minutes of Meeting NWWOLG 2 March 2009

Stakeholders:

All Heavy Vehicle Operators in Walgett Shire
Walgett Shire Council

Financial Implications:

Nil

Recommendation:

- 1. That Council note the minutes of the North West Weight of Loads Group 2 March 2009 meeting.**

Attachments:

Minutes of the North West Weight of Loads – 2 March 2009

WALGETT SHIRE COUNCIL AGENDA

REPORT & RECOMMENDATIONS OF THE NORTH WEST WEIGHT OF LOADS QUARTERLY MEMBER MEETING HELD IN THE GLEN INNES LEARNING CENTRE, 71 GREY ST, ON MONDAY 2 MARCH 2009.

START: 10:30AM

PRESENT: Clr Ron Fernance (Moree), Mrs. Della Barnes (Moree), Clr Dennis Todd (Warrumbungle), Mr. Allan Kerr (Gwydir), Mr. David Coulton (Gwydir), Mr. Wayne Kerr (Gunnedah), Mr. Kevin Martin (Gunnedah), Ms. Vanessa Menzie (Glen Severn), Mr. Ken Walsh (RTA Tamworth), Clr Tim Wannan (Moree), Mr. Ian Taylor (Walgett), Mr. David Wolfenden (Moree), Mr. Geoff Girard (Moree), Mr. Greg May (Moree), Mr. Murray Erbs (Moree)

i. APOLOGIES:

Clr Robert Tremain (Gwydir), Mr. Leonard Hattenfels (Moree), Mr. David Carter (Moree), Clr Steve Toms (Glen Innes Severn), Mr. Paul Keech (Narrabri), Clr Robyn Faber (Narrabri), Clr Greg Kable (Warrumbungle), Mr. Kevin Tighe (Warrumbungle), Mr. Greg Moran (Inverell)

RECOMMENDATION: That the apologies from Clr Robert Tremain (Gwydir), Mr. Leonard Hattenfels (Moree), Mr. David Carter (Moree), Clr Steve Toms (Glen Innes Severn), Mr. Paul Keech (Narrabri), Clr Robyn Faber (Narrabri), Clr Greg Kable (Warrumbungle), Mr. Kevin Tighe (Warrumbungle), Mr. Greg Moran (Inverell) be accepted.

RESOLVED :- (Todd/Fernance)

ii. CONFIRMATION OF MINUTES OF MEETING HELD MONDAY 1ST DECEMBER 2008

RECOMMENDATION: That the minutes of the meeting held on 1st December 2008 be accepted as a true record of proceedings.

RESOLVED: - (Todd/Fernance)

iii. MATTERS ARISING FROM MINUTES OF MEETING HELD MONDAY 1ST DECEMBER 2008

Nil

iv. CONFIRMATION OF MINUTES OF MEETING HELD 1ST SEPTEMBER 2008:

RECOMMENDATION: That the minutes of the meeting held on 1st September 2008 be accepted as a true record of proceedings.

RESOLVED: - (Todd/Fernance)

v. MATTERS ARISING FROM MINUTES OF MEETING HELD 1ST SEPTEMBER 2008:

Nil

vi. PRESENTATION- "THE EFFECTS OF OVERLOADING ON ROAD ASSETS"

Mr. Murray Erbs presented an informative PowerPoint slideshow on the 'Effects of Overloading on Road Assets' followed by a Q&A session. Mr. Erbs advised the member groups present that the same PowerPoint presentation could be presented to each member council and it would include specific statistics for that particular council area.

WALGETT SHIRE COUNCIL AGENDA

11:40am Meeting recommenced

vii. REPORTS

REPORT TITLE: 1. INSPECTORS VERBAL REPORT

REPORT FROM: NWWOL INSPECTOR

FILE NUMBER: 94-3404

LETTER NO:

INTRODUCTION:

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

REPORT:

Inspector 017 gave a verbal report on behalf of the WOL Inspectors.

Inspector 017 made mention of the usual quieter month of January and indicated that since mid February they have been collecting an average of 8-9 breaches per week which is good for this time of year.

The overnight camping allowance has allowed for some "early bird" breaches which has been a good element of surprise in favour of the WOL officers. It has also allowed for some late afternoon breaches to be caught.

The WOL vehicles have reached 120,000km on their odometers and are due for replacement soon.

The inspectors still have communication issues with the RTA regarding weigh bays in the Glenn Innes area. The WOL officers have often been caught off guard patrolling that area and have not known that RTA officers are already patrolling the weigh bay.

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

RESOLVED: (Fernance/Todd)

WALGETT SHIRE COUNCIL AGENDA

REPORT TITLE: 2. FINANCIAL REPORT

REPORT FROM: ASSET MANAGER

FILE NUMBER: 94-3404

LETTER NO:

INTRODUCTION:

This report is to outline the 2008/2009 second quarter financial reports with the breakdown of expenditure for each member council. A draft copy of the financial reports was tabled at the meeting.

BACKGROUND:

The MPSC Finance department have authorised the draft financial report.

Revenue received from the State Debt Recovery Office for the 2008/2009 second quarter is as follows:

October 2008- \$5670.00

November 2008: \$8937.00

December 2008: \$15,255.00

The above amounts have been apportioned to the appropriate councils.

RECOMMENDATION: That the draft second quarter financial reports for 2008/2009 be received for information.

RESOLVED: (Kerr/Martin)

Note:

Murray Erbs advised the group that recovering fines from interstate has been a difficult process. A higher proportion of NSW registered fines get paid than those interstate.

WALGETT SHIRE COUNCIL AGENDA

REPORT TITLE: 3. STATISTICS

REPORT FROM: ASSET MANAGER

FILE NUMBER: 94-3404

LETTER NO:

INTRODUCTION

The draft second quarter statistical graphs were tabled on the day.

The statistical information details the vehicles stopped and breaches issued by the WOL Inspectors.

Currently, all is going well and we are trying to change the collation of information into financial year periods instead of annual year periods. This will help bring all the information gathered (statistical, financial and breaches) in line.

RECOMMENDATION: That the report titled Statistics be received for information.

RESOLVED: (Fernance/Martin)

WALGETT SHIRE COUNCIL AGENDA

REPORT TITLE: 4. AUTHORITY TO SIGN OFF ON WEIGHT OF LOAD
DOCUMENTATION

REPORT FROM: ASSET MANAGER

FILE NUMBER: 07-0162

LETTER NO:

The Weight of Loads Support Officer not only signs off on the day to day paperwork in relation to Weight of Loads, but also the Self Enforcing Infringement Notice Scheme (SEINS) which is the actual fine that is posted to an offender.

With the change of Support Officers towards the end of last year, there is a requirement that the group pass a recommendation that new staff be authorised to sign off on all WOL documentation including SEINS fines.

RECOMMENDATION: That the current WOL Support Officer (Della Barnes) and Asset Manager (David Wolfenden) have the ability to sign off on all WOL documentation including SEINS fines and that the previous signatories are still upheld including any name changes that have occurred.

RESOLVED: Todd/Fernance

WALGETT SHIRE COUNCIL AGENDA

| | | | |
|---------------|--------------------------------|------------|--------------------------------|
| REPORT TITLE: | 9. RTA CHAIN OF RESPONSIBILITY | | |
| REPORT FROM: | ASSET MANAGER | | |
| FILE NUMBER: | 94-3404 | LETTER NO: | IN08/29EOBAF9 IN08/25B6F6D7 |

This report is to notify the WOL group of the Roads and Traffic Authority's Chain of responsibility Investigation: 2008 Grain Harvest.

The NSW Government, in 2005 adopted national "Chain of Responsibility" laws applying to heavy vehicles. The laws make all parties involved in the road transport supply chain liable for allowing, encouraging or rewarding illegal behaviours. The laws also adopt a "risk categorisation" hierarchy in which offences are classified as minor, substantial and severe. These categories help to provide guidance to all stakeholders in relation to non-compliant behaviours.

The Chain of Responsibility however, does not make any concessions for overloading; its main focus is Occupational Health and Safety.

RECOMMENDATION: That the Roads and Traffic Authority's Chain of responsibility Investigation: 2008 Grain Harvest Industry Bulletin, be received for information.

RESOLVED: Martin/Todd

WALGETT SHIRE COUNCIL AGENDA

REPORT TITLE: 6. NWWOL CONSTITUTION

REPORT FROM: ASSET MANAGER

FILE NUMBER: 94-3404

LETTER NO:

The North West Weight of Loads group operates under the provisions of a constitution. The document is attached for the information of delegates.

The Objects for which the Committee is formed are:

- a. To manage and administer the business and affairs of the Committee's operations in accordance with Local Government Act 1993, the Road Act 1993, the Road Transport (Mass, Loading & Access) Regulations 1996 under the Roads Act 1993, the Interstate Road Transport Act 1985, and the Road Transport (General) Act 2005.
- b. To co-operate with other organisations, persons or bodies corporate for the implementation of the Weight of Loads operations throughout its administrative area.
- c. To recommend policies to the Constituent member Councils and keep such constituency informed of the Committee's activities and matters pertinent to overloading.
- d. To generally promote the aims of reducing damage to Shire and Classified Roads by the policing of vehicle weight limits as prescribed in the Acts and Regulations pertinent to overloading.
- e. To employ and appoint staff to carry out the requirements of the scheme and administer the Regulation pertinent to overloading.

These objects appear to be relevant to the intended purpose of the group. From an administrative perspective, there is no requirement to make any changes to the constitution at this time.

It is noted that there is a separate Memorandum of Agreement providing for the Moree Plains Shire Council to act as the administrative body in accordance with the constitution for the joint employment of the inspectors.

V Menzies (Glen Innes /Severn) requested clarification on the term "Bodies Corporate" to which M Erbs (Moree) advised it was a general term for bodies such as Graincorp.

M Erbs (Moree) also mentioned the MOU between all the member councils which entails the administrative arrangements.

RECOMMENDATION: That the constitution of the North West Weight of Loads Committee be confirmed as appropriate to the groups' operation.

RESOLVED: Martin/Todd

WALGETT SHIRE COUNCIL AGENDA

viii. GENERAL BUSINESS

1. OPERATIONAL COSTS

Clr Fernance (Moree) queried the budget of WOL operations; does it need to change due to increased costs in the economy?

M Erbs (Moree) advised that there was no need to source extra capital for items such as replacement of WOL vehicles as they are hired through the Moree Plains Shire Council (MPSC) plant fund. Capital equipment that falls under the WOL banner includes the cars and scales. There will not be any increased fees for the 08/09 financial year, it is likely however to increase in the 09/10 financial year.

M Erbs continued to advise the group present that the MOU and Constitution have apportions and dividends set out as a "user pays" group. Fine income goes directly back to the individual council where the offence occurred. This also applies to any charges that have been incurred.

2. MEMORANDUM OF UNDERSTANDING

W Kerr (Gunnedah) questioned whether individual councils could gain access to the specific times, dates and fine information relating to when WOL Inspectors have worked in their individual shires (in this case Gunnedah)? Gunnedah Shire saw the benefits in the camping allowance and was hoping to see an increased number of fines/income returning to the Gunnedah Shire. Mr Kerr notes that the costs for his shire are relatively higher than the income received.

M Erbs (Moree) informed the group that the North West Weight of Loads area was the largest in the state and with only 4 inspectors and two cars, resources are stretched to their maximum. The inspectors are doing their best to cover the entire area fairly but it must also be noted that a reduction in fines is a positive sign as the message is spreading in regards to overloading.

3. EXCEEDING WEIGHT LIMITS

Clr Fernance (Moree) queried the authority of the NWWOL group in regards to businesses/individuals who are purposely overloading their trucks and conducting business in the middle of the night for example, when they are unlikely to be pulled over for a random weigh check? If we as a group are aware of such incidents, what can be done?

The response from D Wolfenden (Moree) was that due to safety concerns (lack of proper lighting and visible signage), the WOL officers do not work at night time and we cannot patrol private property. However, we can advise the RTA of any illegal such activity if we can provide them with specific origin and destination information. This has been done in the past and is highly confidential.

4. LOADING OF B-TRIPLES

Clr Martin (Gunnedah) enquired into B Triples? The largest issue they have is the larger turning circle they require. Access is currently permitted on the Newell Hwy and the Gwydir Hwy and where else? Why is it easier to gain approval for an AB Triple?

At the next meeting, D Wolfenden (Moree) will give a presentation about High Productivity Vehicles.

5. NEXT MEETING

Date: Monday 1st June 2009 **RESCHEDULED TO MONDAY 15TH JUNE 2009**

Location: Walgett Shire Chambers- 77 Fox St. Walgett

Time: 10.30am.

WALGETT SHIRE COUNCIL AGENDA

CONCLUSION: There being no further business the meeting closed at 12:20pm.

ACTION LIST PERTINENT TO NWWOL GROUP OPERATIONS

| TASK | RESPONSIBLE BODY | COMPLETION DATE |
|---|--|---|
| The NWWOL administrative body write to each member council recommending they make a time to view a presentation on the effects of overloading on road assets. | Moree Plains Shire Council | 11 th December 2008 NB: As at 01.05.09- the following councils had received the presentation: Gunnedah, Narrabri Glen Innes/Severn, Warrumbungle Walgett |
| David Wolfenden to conduct a presentation in regards to AB Triples and B Triples (scheduled for next WOL meeting on 01.06.09) | Moree Plains Shire Council- David Wolfenden | |

6. NSW RURAL FIRE SERVICE NORTH WEST ZONE SERVICE LEVEL AGREEMENT MEETING

REPORTING SECTION: Director Rural Infrastructure & Support Services
AUTHOR: Ian Taylor - Director Rural Infrastructure & Support Services
FILE NUMBER: 135/02/01/03

Summary:

Rural Fire Service in Walgett Shire is managed by the North West Zone under a service level agreement (SLA). This report provides Council with the minutes of the March 2009 SLA meeting.

Discussion (including issues and background):

The SLA meeting occurs quarterly and the minutes of its March 2009 meeting are attached.

Relevant Reference Documents:

North West Zone Service Level Agreement Meeting Minutes, 25 March 2009

Stakeholders:

NSW Rural Fire Service - Walgett Brigades
Rural Residents

Financial Implications:

Nil

Recommendation:

- 1. That Council note the minutes of the North West Zone NSW Rural Fire Service meeting held in accordance with the Service Level Agreement with its constituent councils.**

Attachments:

Minutes of North West Zone NSW Rural Fire Service

WALGETT SHIRE COUNCIL AGENDA

All communications to be addressed to:

North West Zone / Bogan District
NSW Rural Fire Service
PO Box 370
COONAMBLE NSW 2829

North West Zone / Bogan District
NSW Rural Fire Service
3 Buckley Dr
COONAMBLE NSW 2829

Telephone: (02) 6822 4422
e-mail: Tony.Place@rfs.nsw.gov.au

Facsimile: (02) 6822 4203



All NWZ SLA Members

Your Ref:

Our Ref:

15 April 2009

All,

Please find attached a draft copy of the minutes of the North West Zone SLA meeting and BFMC meeting held recently.

Members have until the end of April to note any amendments they feel need to be made. After this date the minutes will be ratified as a true and correct copy and will be posted onto the North West Zone Website for all members to view.

Please advise this office accordingly if you have any changes to be made.

Regards

Walgett Shire
Council
REC'D


15 APR 2009

FILE: 135/02/01/03

LETTER No: 1992

REFER: RKK via JMG.

COPY:


T Place
Zone Manager

◆ Rural Fire Service Advisory Council

◆ Bush Fire Co-ordinating Committee

Visit our webpage at www.nwz.rfs.nsw.gov.com.au

North West Zone Service Level Agreement Meeting Minutes 25 March 2009



MEETING DETAILS: North West Zone SLA Committee

Meeting date: 25/3/09

Location: Coonamble FCC

Start 11.15

End: 13.00

| Present: | Apology: |
|------------------------------|-------------------------|
| Bill Murray-Walgett Shire | Rex Wilson-Warren Shire |
| Ian Taylor-Walgett Shire | |
| Michael Webb-Coonamble Shire | |
| Rick Warren-Coonamble Shire | |
| Allan Inglis-Coonamble Rep | |
| Rick Morse-Coonamble Rep | |
| Hugh Kennedy-Warren Rep | |
| T Place-RFS | |
| G Primmer-RFS | |

Next meeting:

Venue: Coonamble FCC

Agenda Item 1- Open

All welcomed and meeting opened at 10.35

Agenda Item 2- Apologies

As Above

Agenda Item 3-Previous Minutes

Minutes moved as a true and correct copy.

Moved, Michael Webb

Second; Ian Taylor

Carried

Agenda Item 4-Business Arising

650litre tanker trailers that remain in Coonamble/Walgett districts are still RFS owned, 1300lt have been written off and remain in situ. Need to determine what 650lt remain as they won't be written off. E Palmer to contact the captains and determine what T/T are around.

1300lt T/T cannot be towed behind a vehicle due to weight restrictions, also require pink slip, inspection, BFO plate and electric brakes.

WALGETT SHIRE COUNCIL AGENDA

North West Zone SLA Committee Meeting 25 March 2009

- 4.13C- no new staff.
- 2.20- Standards of fire Cover- waiting on a new program to be released.
- 3.01- brigade registers have been sent out- very few returns received. Snag meetings being held to discuss issues.
- 3.03A- brigade appointment made, authority cards issued.
- 3.03B- ok
- 3.03C- group officer elections to be held this year. 6 nominations received so far. Group Officers need to be working towards gaining qualifications.
- 3.04A- SLA up to date, current for three years then reviewed.
- 3.04B- ok
- 3.05 constitutions- working on
- 4.02A- ok
- 4.02B- excess leave for staff – being reduced
- 4.09A- ok
- 4.09B- ok
- 4.09C- ok
- 6.12- water tanks for stations- to be completed 09/10.
- 6.11- date of birth for members- being worked on
- 5.01- Brigade AGM's, information required by August to change data and amend contact book. Brigades not advising the FCC of AGM dates.
- 5.01B- captains annual meetings reduced from 2 per year to 1 per year- post meetings. Pre season meeting replaced with a community based snag meeting. 4 captains meetings for the areas planned and 14 snag meetings.
- 5.01C- Senior Management Team- comprises staff and group captains. February meeting cancelled due to the Victorian fires. Currently only have 2 Group Officers who sit on the committee.
- 5.01D- ok
- 5.07- Myrfs website contains volunteer information- trying to encourage membership.
- 1.15- ok
- 1.16- ok brigade classification completed
- 1.19- MAA requires reviewing.
- 1.20- IMT qualified volunteers- 1 only for the area. B Knee based at Nyngan.
- 2.13A- tanker trailer inspections ongoing. 650lt T/T have no servicing program in place. RFS to inspect and maintain the 650lt.
- 2.13B- ok
- 2.13C- Tanker trailer inspections ongoing.
- 2.14- ok
- 2.15- BFO plates on T/T – require inspection prior to plates being issued.
- 2.18A- Additional tanker being received this year include 2 x Cat 7 brand new going to Ewenmar and Burren Junction, 5 second hand tankers- 1 x Cat 1 to North Area, 1 x Cat 1 to Coonamble HQ, old Coonamble Cat 1 going to Burren Junction, old Burren Junction Cat 1 to a rural brigade. Additional Cat 1 and 2 X Cat 2 to be determined.
- 2.18B- all petrol tankers replaced. One privately owned unit at Burren Junction.

Agenda Item 7 Schedule 5 Review

- Item 1- purchasing ok- Coonamble Shire administers the Zone's M&R finances. Allocations done by the RFS not Council.
- Item 2- ok
- Item 3- ok
- Item 4- ok-monthly report provided by Coonamble Shire
- Item 5- ok

North West Zone SLA Committee Meeting
25 March 2009

OUTSTANDING TASKS REGISTER:

Add any new tasks or keep any tasks that are still outstanding.

The Tasks Register is distributed to the Team Members prior to the following meeting for updating. The updated Register then forms part of the agenda from the following meeting.

When a task is completed it is reported at the next meeting and then drops off the Register at subsequent meetings)

| Task Description | Current Details (including status, outstanding issues and planned actions): | Allocated to: | Due Date |
|---|---|---------------|----------|
| 650lt T/T locations | | E Palmer | ASAP |
| Letter to Councils re DA in Bush Fire prone areas | | J Kennedy | ASAP |
| Follow up Warrumbungle's proposed fire trail | | J Kennedy | ASAP |
| Marra Hall long service award presentation | | J Lewis | 23/4/09 |
| Shire maps with tanker locations | | E Palmer | ASAP |
| | | | |
| | | | |
| | | | |

MINUTES OF MEETING FOR NORTH WEST BUSH FIRE MANAGEMENT COMMITTEE **HELD FRIDAY 25 MARCH 2009 AT COONAMBLE FCC**

Meeting start: 1.05

| Present | Apology |
|-------------------------------|------------------------------|
| Bill Murray- Walgett Shire | Matt DeJohng- SF |
| Ian Taylor- Walgett Shire | Rex Wilson- Warren Shire |
| Michael Webb- Coonamble Shire | David Felton-NSWFB |
| Rick Warren-Coonamble Shire | R Donald-Bogan Shire |
| Ashley Weilinga-Warren Shore | Emma McIntyre-Coonamble RLPB |
| Allan Inglis- Coonamble | Natasha Stains-Nyngan RLPB |
| Rick Morse-Coonamble | |
| Hugh Kennedy-Warren | |
| John Kennedy-RFS | |
| Greg Lewis-NSWFB | |
| Mark Fosdick-NPWS | |
| Elan Palmer- RFS | |
| Derek Riley- FNSW | |
| Mick Redfern-DOL | |
| Simon Currey-RFS | |
| Alan Bier-RFS | |
| Geoff Graham- CWLHPA-Nyngan | |
| Georgie Primmer-RFS | |

| Item | | Action |
|------|--|--|
| | <p>like done.</p> <p>Other agencies HR proposals for next year are due for the BEMC now.</p> <p>DOL have completed works for the Castlereagh and Macquarie rivers along with CMA.</p> <p>Warren Shire have also completed river corridor works with the CMA.</p> <p>Cobar NP planning a burn at the Quanda Nature Reserve-wind rows around the boundary fences to be burnt-weather permitting.</p> <p>Funding closes 30th May 2009.</p> | |
| 8 | <p>08/09 Fire Season Debrief</p> | <p>RFS have had a quiet season, with no class 2 or 3 incidents. Few smaller fires, 1 incident adjacent Pilliga West.</p> <p>Crews have been sent to Victoria to assist.</p> <p>PMR radio still not functioning- linking issues between north and south areas. Should be operational by next fire season, still using the GRN system.</p> |
| 9 | <p>Agency Reports</p> | <p>State Forest; no HR works planned- areas have been grazed. Fire trails- doing road works for SF.</p> <p>Warren Shire; received good rainfall areas- good fuel loadings around the district.</p> <p>NSWFB; Warren HR burn completed at Gunningbar Estate. Castlereagh River issues to be addressed.</p> <p>RFS; happy to do paperwork for asset protection in towns and assist NSWFB to do the burns- pre planning to be in place.</p> <p>NPWS; Northern Plains area have 1 HR planned for the NWZ. Works being completed at Mt Kaputar. 1 burn for Hills Hole in the Warrenbungles near the Observatory. 70 to 100 hectares- area may be in Coonamble Shire. Burning at Constables Boundary in West Pilliga 130 hectares. Grading has been completed in Pilliga with trail maintenance continuing. Warrumbungle's fire trails wee</p> |

| Item | | Action |
|------|--|--------|
| | <p>Fire trails register; NPWS have lists/data of their registers, maps etc. Trails need to be classified. J Kennedy to follow up with NPWS and SF- details to be emailed to RFS for the next meeting.</p> <p>Regional Office staff member Simon Currey presented maps with areas of risk for the NWZ noted. Members asked to look into the areas to ascertain if they are a risk and if they require HR funding.</p> <p>Permits finish at 31 March, those present recommended that there be no extension of the fire season.</p> | |
| | | |

Meeting finish: 2.20

14. Reservation of items for Debate

15. Reports of Officers

7. ***LIGHTNING RIDGE PRECINCT COMMITTEE – MINUTES OF MEETING***

REPORTING SECTION: General Manager
AUTHOR: Ray Kent – General Manager
FILE NUMBER: 004/09/09/92

Summary:

Minutes of meetings of Precinct Committees are placed before Council for information and discussion, where appropriate.

Discussion (including issues and background):

Minutes of the meeting held on the 2nd July 2009 are attached. Copies have been distributed to Directors for noting and action, where appropriate.

Relevant Reference Documents:

Nil

Stakeholders:

Residents of Lightning Ridge and surrounding areas

Financial Implications:

Nil

Recommendations:

1. **That the Minutes of the July meeting of the Lightning Ridge Precinct Committee be noted.**

Attachment:

Minutes of the Precinct Committee's July meeting

Lightning Ridge Precinct Committee

Held 2 July 2009 6:30pm

At Lightning Ridge Bowling Club

Minutes

Present: Robert Jelbart, Maria Sorokoput, Danielle Osborne, Michael Taylor, Kym Briscoe,
Community Members: Val McGrath, Herman & Sandy Kreller, Sandra Scott, Lionel Bell, Sharon Cleaver, Colin Cracknell

Apologies: Christina Johansson, Karin Thurston

Apologies Community Members Tim Mc Grath, Norman Schofield

Invited Guests: Mayor Ian Woodcock

Apologies Invited Guests: Guests Bob Noble

Minutes from 22 May 2009 accepted.

Moved Kym Briscoe,

2nd Michael Taylor

Passed Unanimously.

Business arising from Correspondence In

Walgett Shire – Stray Dog Control. Letter received in response to our request to the Walgett Shire Council was read. Discussion took place and the committee asked Mayor Woodcock advice on the problem of stray dogs in Lightning Ridge. It was noted that the Dog Ranger Andy Bostock has done patrols at different times of the day and it did not seem to make any difference. The dogs know the sound of the vehicle and soon disappear. It was suggested that a different vehicle was tried in an attempt to catch these dogs. Mayor Woodcock said that he would have a talk with Andy and see what could be done.

Business arising from Correspondence Out

Lightning Ridge District Bowling Club: We have not received any communication from the Lightning Ridge District Bowling Club in request to not paying any fees for the use of the John Murray Room for our meetings. Letter to be sent for our meeting 21 August 2009

Walgett Shire: Street Signs

Traffic Control

Public Toilets

No response was received from the Walgett Shire Council on these letters. Mayor Woodcock requested that we send a copy of all correspondence to the Walgett Shire Council to him so that he is kept up to date. A copy of the letter sent in relation to the Public Toilets given to him. Copies of all other correspondence will be sent.

CCTV

Mayor Woodcock was asked to talk about CCTV in Lightning Ridge and explain why \$150,000 that appeared to be allocated to CCTV was re allocated to the Indoor Pool in Lightning Ridge. He explained that there had not been any intention for the Walgett Shire Council to allocate any money towards CCTV in the 2009-2010 budgets but that it had appeared in the draft and was an administrative error and that he had moved to have it removed from the budget for that reason.

Mayor Woodcock was supportive of having CCTV but also pointed out the considerable costs to have the system monitored as well as the privacy laws concerns. He suggested that individual business entities

WALGETT SHIRE COUNCIL AGENDA

have their own system both inside and out who then could monitor their area and supply police upon request any relevant information. As he stated and this was confirmed by Colin Cracknell there is a shortage of on the ground police staff (for various reasons) in Lightning Ridge along with the fact that we do not have a twenty four hour manned station.

It was suggested that that the Precinct Committee lobby local businesses to see how many would be willing to install a CCTV system. It was suggested that if the local business did set up systems would Walgett Shire Council also look into having systems in and around their properties. There is a possibility of Incentive Grant under the Self Help Program. Mayor Woodcock advised that he would look into the incentive as well as writing a letter to Walgett Shire Council covering his discussion with the committee.

Mayor Woodcock also agreed to assist with information on CCTV providers and told the committee that there were a lot of options re starting with a small system that could be expanded as necessary as well as the size of cameras.

Open Discussions

Toilet Facilities

Mayor Woodcock told the committee of the plans for the new public toilets in Lightning Ridge. The price for building this facility was exorbitant and new quotes were requested. This then lead onto the current Caravan Dump point at the Visitor Information Centre. It was suggested that a new dump point be located in close vicinity to the Lightning Ridge sewerage treatment plant at the continuation of Onyx St.

Indoor Pool

Mayor Woodcock confirmed that the Walgett Shire Council had received the report for the heating system for the pool. He told the committee of the wonderful facilities that the complex would offer and offered to give the committee a tour. He requested that we write to him asking for the tour.

Skate Park

Mayor Woodcock said that the skate park would be built as the funds for this were from a Government Stimulus Package and this needs to be used by September 2009. There had been a few issues about the land that had been designated for the skate park. He assured the committee that the park would be built.

Street Lighting

Mayor Woodcock confirmed that money had been allocated in the 2009-2010 budgets to improve street lighting in Lightning Ridge and suggested that the committee inform the Walgett Shire of black spots. It was mentioned that the lane ways were some of the areas that needed lighting.

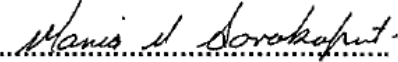
Power on Camps

Michael Taylor asked Mayor Woodcock what the Walgett Shire Council's standing was on power on the camps. Mayor Woodcock said that there were no objections from council and that the LRMA did not want the power lines over the fields. Michael also felt that the cost involved in getting power to the camps on Aerodrome Rd was exorbitant but that was Country Energy's costings and any land developer would also meet with the same expenses.

Meeting closed 8:10pm

Next meeting: Thursday 21 August 2009 @ 6:30pm

Signed 
Robert Jelbart (President)

Signed 
Maria Sorokoput (Secretary/Treasurer)

8. ROWENA PRECINCT COMMITTEE – MINUTES OF MEETING

REPORTING SECTION: General Manager
AUTHOR: Ray Kent – General Manager
FILE NUMBER: 004/09/09/92

Summary:

Minutes of meetings of Precinct Committees are placed before Council for information and discussion, where appropriate.

Discussion (including issues and background):

Minutes of the meeting held on the 6th July 2009 are attached. Copies have been distributed to Directors for noting and action, where appropriate.

Relevant Reference Documents:

Nil

Stakeholders:

Residents of Rowena and surrounding areas

Financial Implications:

Nil

Recommendations:

- 1. That the Minutes of the July meeting of the Rowena Precinct Committee be noted.**

Attachment:

Minutes of the Precinct Committee's July meeting

Rowena Precinct Committee Meeting Rowena Hall, 4:00pm, 6/7/09

Present: Ken Stump (Chair), Tanya Cameron, Jamie McDonnell, Marg Bow, Joc Cameron, Sandy Shearer, Rob Harris, Councillor Robert Greenaway

Apologies: Andrew Rodgers, Marty Hallman, Robert Sevil

Apologies accepted Joc/Jamie – Cd

Minutes of previous meeting circularised and accepted

Business Arising:

- Further funding for Tennis Court lights approved by Council
- Discussion on water issues – current mains installation, future upgrades including new tower and tank or ground supply with pressure pump – Engineer thinks that pump will have too many recurring maintenance issues
- Funding for improvement of bus stop at front of school approved
- Millie Rd – gravel being spread at present on section from bridge to black dog ramp. Secretary enquired via phone and email to Council as to whether remainder of this road, to Shire boundary, would be improved – no response received.

Correspondence:

- Emails re water supply issues at 12B Middle St – resolved satisfactorily
- Emails to Council re road issues and budget concerns – no response to either
- Letter from Fred Coralde, Director Urban Infrastructure Services, re commencement of work to up-grade water supply via extension of main around South Street and installation of hydrant in front of School
- Email re funding for tennis court lights – received and further \$2000 forthcoming from Council
- Key Decisions 28/4
- Email requesting quote on portable grand stand

General Business:

- Monthly Council meeting to be held in Rowena 28th July – Ken will be back and will make a **public forum presentation highlighting the need for a contemporary water supply in Rowena, the need for hydrants and communication with the local RFS as to their placement and query the state of the existing mains (need to replace \$200,000.00 that was in 08/09 – 12/13 budget). He will also raise road issues – state of Millie Rd (SR 12) from intersection with Woodvale Rd (SR 13) and Shire Boundary, pot holes in Rowena Lane and on western side of “Oreel” on RR 329.**

- Tree Planting – discuss with Fred Coralde, Director Urban Infrastructure Services, re where committee believe they should be planted – western side of tennis courts/pre-school and in car park, eastern (tip) side of sports oval, approaches
- Questions raised regarding pipe laying in causeways on RR 329 – sequence of work, water and distance travelled to collect, lack of communication with landholders, large trees left close to roadsides, is work coming in on budget, estimated completion date, will give-way signs be placed at crossroads?
- Suggestion made to invite Fred Coralde and Ian Taylor, Director of Rural Infrastructure, to tour village and roads on day of Council meeting (28th July)
- General consensus over the inequity of the rating structure on irrigable land – discussion regarding the need to rate whole property/assessment, separation of land and water, water availability, water charges already paid to NSW Govt. etc
- Council to be asked to provide details of any meetings, news, happenings, grants, etc via email or fax, to Precinct Committees, for the purpose of advertising in their local community – few people receive the Walgett Spectator and are therefore unaware of Council/Shire news. Each committee has been provided with funds to facilitate meetings etc – some of these funds could be utilized for the above purpose.
- Councillor Greenaway advised that further Federal funding had been received and discussion held regarding how that should be spent in Rowena. Committee agreed on an upgrade of the power supply and other facilities at the hall and asked that Council be advised of same.

Meeting adjourned 5:30 pm

9. COUNCIL'S CODE OF CONDUCT

REPORTING SECTION: General Manager
AUTHOR: Ray Kent – General Manager
FILE NUMBER: 004/12/01/62

Summary:

Section 440 (7) of the Local Government Act 1993 requires that a "Council must, within 12 months after each ordinary election, review its adopted code and make such adjustments as it considers appropriate and as are consistent with this section."

This report recommends that the section of Council's Code of Conduct dealing with "Personal Benefit" be amended.

Discussion (including issues and background):

A new Code of Conduct was adopted by Council on the 15th July 2008. The Code is attached.

The Code sets the minimum requirements of conduct for council officials in carrying out their functions. "Council official" is defined in the Code to include "councillors, members of staff of council, administrators appointed under section 256 of the Act, members of council committees, conduct reviewers and delegates of council."

Two amendments are recommended to the Code. Firstly, it is recommended that the nature of "Token gifts and benefits" (Section 8.1, page 16) is further clarified by adding point e) as follows:

"e) goods, products or services provided to all attendees at a conference/meeting where attendance by an official has been authorised by Council".

When attending a Conference/meeting (eg Annual meeting of the NSW Shires Association; "C" Division Conference of the Association) all delegates frequently receive, for instance, a document bag, examples of local products or a good produced by a sponsor. These gifts are provided to a class of people (the delegates) and the cost of same is often covered by the Conference fee. It is considered that such should be regarded as "token gifts and benefits" for the purpose of the Code.

A further amendment is recommended as a consequence of the findings of a recent ICAC Inquiry into attempts by a party to improperly influence a Ku-ring-gai Council Officer. At the time, the Council's Code of Conduct defined a gift with a value less than \$50 as being "token" and not requiring declaration. In short, an officer accepted a "pearl" pendant from an applicant believing it to be costume jewellery with a value of approximately \$40. In fact the pendant was purchased for \$807. Later, the same party handed the officer a folded Linen Plan in which was contained \$1,000.

The findings and recommendations of the ICAC in respect of this matter were as follows:

- "That Ku-ring-gai Council removes the reference to monetary thresholds from the definition of gifts and benefits in its gifts and benefits policy"

The Commission took the view that the practical consequence of having the monetary thresholds is the creation of the impression that the policy permits staff to accept and keep gifts

below a certain value regardless of the circumstances. The ICAC expressed the view that gift giving is intended to create a sense of obligation on the part of the receiver and accepting inexpensive gifts can form part of a pattern of behaviour that has the effect of blurring the professional boundary between a council official and a member of the public. The ICAC also made it clear that a council official may believe that a gift offered by a proponent has a lower monetary value than its actual value. In the Ku-ring-gai case the ICAC also expressed the opinion that the official would arguably not have been offered the \$1,000 if she had previously refused the pendant, which she believed to be of low value.

The point to be drawn from the ICAC review is that Codes should be concerned with types of gifts and the circumstances in which gifts are offered, not with value thresholds.

- “That the Department of Local Government amends the Model Code of Conduct to include a clear prohibition on council officials accepting gifts and benefits of any kind, regardless of their value, from persons seeking the exercise of a council’s decision – making discretion or who have sought the exercise of the council’s decision-making discretion within the previous 12 months.”

It is considered that the a provision similar to the one recommended by the ICAC should be included under the heading “Gifts and benefits” on page 17 of the Code.

Relevant Reference Documents:

Local Government Act 1993; ICAC Report January 2009 “Attempts to improperly influence a Ku-ring-gai Council Officer”

Stakeholders:

Council officials and residents and those having dealings with the Council

Financial Implications:

Nil

Recommendation:

1. **That the following amendments be made to Council’s Code of Conduct:**
 - a. **a new point e) be added to Section 8.1 (Token gifts and benefits) as follows:**
“goods, products or services provided to all attendees at a conference/meeting where attendance by an official has been authorised.”
 - b. **a new subsection 8.5 (a) as follows:**
“No council official shall accept a gift or benefit of any kind, regardless of value, from persons seeking the exercise of a council’s decision making discretion or who have sought the exercise of the council’s decision making discretion within the previous 12 months.”

Attachment:

Council’s Code of Conduct



Code of Conduct for Walgett Shire Council

**Adopted: Council Meeting held 15 July 2008
Revised: 28 July 2009**

PART 1: CONTEXT

1 INTRODUCTION

This code incorporates all the provisions of the 'Model Code of Conduct for Local Councils in NSW – June 2008'.

The Code is made in three Parts: Context, Standards of Conduct and Procedures.

- Part 1: Context, establishes the purpose and principles that are used to interpret the standards in the Code. This Part does not constitute separate enforceable standards of conduct.
- Part 2: Standards of Conduct, set out the conduct obligations required of council officials. These are the enforceable standards of conduct.
- Part 3: Procedures, contains the complaint handling procedures, complaint assessment criteria and the operating guidelines for the conduct review committee/reviewer. This Part should be used to guide the management of complaints about breaches of the Code.

Councillors have two distinct roles under the *Local Government Act 1993*: as a member of the governing body of the council; and as an elected person. Councillors, as members of the governing body, should work as part of a team to make decisions and policies that guide the activities of the council. The role as an elected person requires councillors to represent the interests of the community and provide leadership. The Code sets the standard of conduct that is expected when council officials exercise these roles.

Councillors, administrators, members of staff of council, independent conduct reviewers, members of council committees including the conduct review committee and delegates of the council must comply with the applicable provisions of council's code of conduct in carrying out their functions as council officials. It is the personal responsibility of council officials to comply with the standards in the code and regularly review their personal circumstances with this in mind. Council contractors and volunteers will also be required to observe the relevant provisions of council's code of conduct.

Failure by a councillor to comply with Part 2, the standards of conduct, of council's code of conduct constitutes misbehaviour. The *Local Government Act 1993* provides for suspension of councillors from civic office for up to six months for proven misbehaviour. For further information on misbehaviour refer to Sections 11 and 12 of this Code.

Failure by a member of staff to comply with council's code of conduct may give rise to disciplinary action.

2 DEFINITIONS

The following definitions apply:

| | |
|-----------------|---|
| the Act | the Local Government Act 1993 |
| act of disorder | see the definition in clause 256 of the <i>Local Government (General) Regulation 2005</i> |

| | |
|-------------------------------|--|
| conduct review committee | a committee of three or more persons independent of council who are selected from those appointed by council to review allegations of breaches of the code of conduct by councillors or the general manager in accordance with the procedures set out in Sections 12, 13 and 14. |
| conduct reviewer | a person independent of council who is solely selected from those appointed by council to review allegations of breaches of the code of conduct by councillors or the general manager in accordance with the procedures set out in Sections 12, 13 and 14. |
| conflict of interests | a conflict of interests exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty. |
| council official | includes councillors, members of staff of council, administrators appointed under section 256 of the Act, members of council committees, conduct reviewers and delegates of council |
| delegate of council | a person or body, and the individual members of that body, to whom a function of council is delegated |
| designated person | see the definition in section 441 of the Act |
| misbehaviour | see the definition in section 440F of the Act |
| personal information | information or an opinion about a person whose identity is apparent, or can be determined from the information or opinion |
| person independent of council | a person who is not an employee of the council, has no current or ongoing contractual relationship with council in the nature of a contract for services, retainer or contract for the provision of goods of any kind, or is not an employee of any entity with such a contractual relationship. |

The term “you” used in the Code of Conduct refers to council officials.

3 PURPOSE OF THE CODE OF CONDUCT

The Code of Conduct sets the minimum requirements of conduct for council officials in carrying out their functions.

The Code of Conduct has been developed to assist council officials to:

- understand the standards of conduct that are expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- act in a way that enhances public confidence in the integrity of local government.

4 KEY PRINCIPLES

4.1 Integrity

You must not place yourself under any financial or other obligation to any individual or organisation that might reasonably be thought to influence you in the performance of your duties.

4.2 Leadership

You have a duty to promote and support the key principles by leadership and example and to maintain and strengthen the public's trust and confidence in the integrity of the council. *This means promoting public duty to others in the council and outside, by your own ethical behaviour.*

4.3 Selflessness

You have a duty to make decisions in the public interest. You must not act in order to gain financial or other benefits for yourself, your family, friends or business interests. *This means making decisions because they benefit the public, not because they benefit the decision maker.*

4.4 Impartiality

You should make decisions on merit and in accordance with your statutory obligations when carrying out public business. This includes the making of appointments, awarding of contracts or recommending individuals for rewards or benefits. *This means fairness to all; impartial assessment; merit selection in recruitment and in purchase and sale of council's resources; considering only relevant matters.*

4.5 Accountability

You are accountable to the public for your decisions and actions and should consider issues on their merits, taking into account the views of others. *This means recording reasons for decisions; submitting to scrutiny; keeping proper records; establishing audit trails.*

4.6 Openness

You have a duty to be as open as possible about your decisions and actions, giving reasons for decisions and restricting information only when the wider public interest clearly demands. *This means recording, giving and revealing reasons for decisions; revealing other avenues available to the client or business; when authorised, offering all information; communicating clearly.*

4.7 Honesty

You have a duty to act honestly. You must declare any private interests relating to your public duties and take steps to resolve any conflicts arising in such a way that protects the public interest. *This means obeying the law; following the letter and spirit of policies and procedures; observing the code of conduct; fully disclosing actual or potential conflict of interests and exercising any conferred power strictly for the purpose for which the power was conferred.*

4.8 Respect

You must treat others with respect at all times. *This means not using derogatory terms towards others, observing the rights of other people, treating people with courtesy and recognising the different roles others play in local government decision-making.*

5 GUIDE TO ETHICAL DECISION MAKING

5.1 If you are unsure about the ethical issues around an action or decision you are about to take, you should consider these five points:

- Is the decision or conduct lawful?
- Is the decision or conduct consistent with council's policy and with council's objectives and the code of conduct?
- What will the outcome be for the employee or councillor, work colleagues, the council, persons with whom you are associated and any other parties?
- Do these outcomes raise a conflict of interest or lead to private gain or loss at public expense?
- Can the decision or conduct be justified in terms of the public interest and would it withstand public scrutiny?

Conflict of interests

5.2 If you are unsure as to whether or not you have a conflict of interests in relation to a matter, you should consider these six points:

- Do you have a personal interest in a matter you are officially involved with?
- Is it likely you could be influenced by a personal interest in carrying out your public duty?
- Would a reasonable person believe you could be so influenced?
- What would be the public perception of whether or not you have a conflict of interests?
- Do your personal interests conflict with your official role?
- What steps do you need to take and that a reasonable person would expect you to take to appropriately manage any conflict of interests?

Political donations and conflict of interests

- 5.3 Councillors should take all reasonable steps to identify circumstances where political contributions may give rise to a reasonable perception of influence in relation to their vote or support.

Seeking advice

- 5.4 Remember – you have the right to question any instruction or direction given to you that you think may be unethical or unlawful. If you are uncertain about an action or decision, you may need to seek advice from other people. This may include your supervisor or trusted senior officer, your union representatives, the Department of Local Government, the Ombudsman's Office and the Independent Commission Against Corruption.

| | |
|---|-----------|
| Independent Commission Against Corruption | 8281 5999 |
| NSW Ombudsman | 9286 1000 |
| NSW Department of Local Government | 4428 4100 |

PART 2: STANDARDS OF CONDUCT

6 GENERAL CONDUCT OBLIGATIONS

General conduct

- 6.1 You must not conduct yourself in carrying out your functions in a manner that is likely to bring the council or holders of civic office into disrepute. Specifically, you must not act in a way that:
- a) contravenes the Act, associated regulations, council's relevant administrative requirements and policies
 - b) is detrimental to the pursuit of the charter of a council
 - c) is improper or unethical
 - d) is an abuse of power or otherwise amounts to misconduct
 - e) causes, comprises or involves intimidation, harassment or verbal abuse
 - f) causes, comprises or involves discrimination, disadvantage or adverse treatment in relation to employment
 - g) causes, comprises or involves prejudice in the provision of a service to the community. (*Schedule 6A*)
- 6.2 You must act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out your functions under the Act or any other Act. (*section 439*)
- 6.3 You must treat others with respect at all times.
- 6.4 Where you are a councillor and have been found in breach of the code of conduct, you must comply with any council resolution requiring you to take action as a result of that breach.

Fairness and equity

- 6.5 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.
- 6.6 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.

Harassment and discrimination

- 6.7 You must not harass, discriminate against, or support others who harass and discriminate against colleagues or members of the public. This includes, but is not limited to harassment and discrimination on the grounds of sex, pregnancy, age, race, responsibilities as a carer, marital status, disability, homosexuality, transgender grounds or if a person has an infectious disease.

Development decisions

- 6.8 You must ensure that development decisions are properly made and that parties involved in the development process are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the development assessment process.

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- 6.9 In determining development applications, you must ensure that no action, statement or communication between yourself and applicants or objectors conveys any suggestion of willingness to provide improper concessions or preferential treatment.

7 CONFLICT OF INTERESTS

- 7.1 A conflict of interests exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty.
- 7.2 You must avoid or appropriately manage any conflict of interests. The onus is on you to identify a conflict of interests and take the appropriate action to manage the conflict in favour of your public duty.
- 7.3 Any conflict of interests must be managed to uphold the probity of council decision-making. When considering whether or not you have a conflict of interests, it is always important to think about how others would view your situation.
- 7.4 Private interests can be of two types: pecuniary or non-pecuniary.

What is a pecuniary interest?

- 7.5 A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. *(section 442)*
- 7.6 A person will also be taken to have a pecuniary interest in a matter if that person's spouse or de facto partner or a relative of the person or a partner or employer of the person, or a company or other body of which the person, or a nominee, partner or employer of the person is a member, has a pecuniary interest in the matter. *(section 443)*
- 7.7 Pecuniary interests are regulated by Chapter 14, Part 2 of the Act. The Act requires that:
 - a) councillors and designated persons lodge an initial and an annual written disclosure of interests that could potentially be in conflict with their public or professional duties *(section 449)*
 - b) councillors and members of council committees disclose an interest and the nature of that interest at a meeting, leave the meeting and be out of sight of the meeting and not participate in discussions or voting on the matter *(section 451)*
 - c) designated persons immediately declare, in writing, any pecuniary interest. *(section 459)*
- 7.8 Designated persons are defined at section 441 of the Act, and include, but are not limited to, the general manager and other senior staff of the council.
- 7.9 Where you are a member of staff of council, other than a designated person (as defined by section 441), you must disclose in writing to your supervisor or the general manager, the nature of any pecuniary interest you have in a matter you are dealing with as soon as practicable.

What is a non-pecuniary conflict of interests?

- 7.10 Non-pecuniary interests are private or personal interests the council official has that do not amount to a pecuniary interest as defined in the Act. These commonly arise out of family, or personal relationships, or involvement in sporting, social or other cultural groups and associations and may include an interest of a financial nature.
- 7.11 The matter of a report to council from the conduct review committee/reviewer relates to the public duty of a councillor or the general manager. Therefore, there is no requirement for councillors or the general manager to disclose a conflict of interests in such a matter.
- 7.12 The political views of a councillor do not constitute a private interest.

Managing non-pecuniary conflict of interests

- 7.13 Where you have a non-pecuniary interest that conflicts with your public duty, you must disclose the interest fully and in writing, even if the conflict is not significant. You must do this as soon as practicable.
- 7.14 If a disclosure is made at a council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes. This disclosure constitutes disclosure in writing for the purposes of clause 7.13.
- 7.15 How you manage a non-pecuniary conflict of interests will depend on whether or not it is significant.
- 7.16 As a general rule, a non-pecuniary conflict of interests will be significant where a matter does not raise a pecuniary interest but it involves:
- a) a relationship between a council official and another person that is particularly close, for example, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or of the person's spouse, current or former spouse or partner, de facto or other person living in the same household
 - b) other relationships that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship
 - c) an affiliation between the council official and an organisation, sporting body, club, corporation or association that is particularly strong.
- 7.17 If you are a council official, other than a member of staff of council, and you have disclosed that a significant non-pecuniary conflict of interests exists, you must manage it in one of two ways:
- a) remove the source of the conflict, by relinquishing or divesting the interest that creates the conflict, or reallocating the conflicting duties to another council official
 - b) have no involvement in the matter, by absenting yourself from and not taking part in any debate or voting on the issue as if the provisions in section 451(2) of the Act apply

- 7.18 If you determine that a non-pecuniary conflict of interests is less than significant and does not require further action, you must provide an explanation of why you consider that the conflict does not require further action in the circumstances.
- 7.19 If you are a member of staff of council, the decision on which option should be taken to manage a non-pecuniary conflict of interests must be made in consultation with your manager.
- 7.20 Despite clause 7.17(b), a councillor who has disclosed that a significant non-pecuniary conflict of interests exists may participate in a decision to delegate council's decision-making role to council staff, or appoint another person or body to make the decision in accordance with the law. This applies whether or not council would be deprived of a quorum if one or more councillors were to manage their conflict of interests by not voting on a matter in accordance with clause 7.17(b) above.

Political donations exceeding \$1,000

- 7.21 Councillors should note that matters before council involving political or campaign donors may give rise to a non-pecuniary conflict of interests.
- 7.22 Councillors should take all reasonable steps to ascertain the source of any political contributions that directly benefit their election campaigns. For example, councillors should have reasonable knowledge of contributions received by them or their "official agent" (within the meaning of the *Election Funding Act 1981*) that directly benefit their election campaign.
- 7.23 Where a councillor or the councillor's "official agent" has received "political contributions" or "political donations", as the case may be, within the meaning of the *Election Funding Act 1981* exceeding \$1,000 which directly benefit their campaign:
- a) from a political or campaign donor or related entity in the previous four years; and
 - b) where the political or campaign donor or related entity has a matter before council,
- then the councillor must declare a non-pecuniary conflict of interests, disclose the nature of the interest, and manage the conflict of interests in accordance with clause 7.17(b).
- 7.24 Councillors should note that political contributions below \$1,000, or political contributions to a registered political party or group by which a councillor is endorsed, may still give rise to a non-pecuniary conflict of interests. Councillors should determine whether or not such conflicts are significant and take the appropriate action to manage them.
- 7.25 If a councillor has received a donation of the kind referred to in clause 7.23, that councillor is not prevented from participating in a decision to delegate council's decision-making role to council staff or appointing another person or body to make the decision in accordance with the law (see clause 7.20 above).

Other business or employment

7.26 If you are a member of staff of council considering outside employment or contract work that relates to the business of the council or that might conflict with your council duties, you must notify and seek the approval of the general manager in writing. *(section 353)*

7.27 As a member of staff, you must ensure that any outside employment or business you engage in will not:

- a) conflict with your official duties
- b) involve using confidential information or council resources obtained through your work with the council
- c) require you to work while on council duty
- d) discredit or disadvantage the council.

Personal dealings with council

7.28 You may have reason to deal with your council in your personal capacity (for example, as a ratepayer, recipient of a council service or applicant for a consent granted by council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.

8 PERSONAL BENEFIT

For the purposes of this section, a reference to a gift or benefit does not include a political donation or contribution to an election fund that is subject to the provisions of the relevant election funding legislation.

Token gifts and benefits

8.1 Generally speaking, token gifts and benefits include:

- a) free or subsidised meals, beverages or refreshments provided in conjunction with:
 - i) the discussion of official business
 - ii) council work related events such as training, education sessions, workshops
 - iii) conferences
 - iv) council functions or events
 - v) social functions organised by groups, such as council committees and community organisations.
- b) invitations to and attendance at local social, cultural or sporting events
- c) gifts of single bottles of reasonably priced alcohol to individual council officials at end of year functions, public occasions or in recognition of work done (such as providing a lecture/training session/address)
- d) ties, scarves, coasters, tie pins, diaries, chocolates or flowers.
- e) (Token gifts and benefits) as follows: “goods, products or services provided to all attendees at a conference/meeting where attendance by an official has been authorised.”

Gifts and benefits of value

8.2 Notwithstanding clause 8.1, gifts and benefits that have more than a token value include, but are not limited to, tickets to major sporting events (such as state or international cricket matches or matches in other national sporting codes (including the NRL, AFL, FFA, NBL)), corporate hospitality at a corporate facility at major sporting events, discounted products for personal use, the frequent use of facilities such as gyms, use of holiday homes, free or discounted travel.

Gifts and benefits

8.3 You must not:

- a) seek or accept a bribe or other improper inducement
- b) seek gifts or benefits of any kind
- c) accept any gift or benefit that may create a sense of obligation on your part or may be perceived to be intended or likely to influence you in carrying out your public duty
- d) accept any gift or benefit of more than token value
- e) accept an offer of money, regardless of the amount.

- 8.4 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, this must be disclosed promptly to your supervisor, the Mayor or the general manager. The recipient, supervisor, Mayor or general manager must ensure that any gifts or benefits of more than token value that are received are recorded in a Gifts Register. The gift or benefit must be surrendered to council, unless the nature of the gift or benefit makes this impractical.
- 8.5 You must avoid situations giving rise to the appearance that a person or body, through the provision of gifts, benefits or hospitality of any kind, is attempting to secure favourable treatment from you or from the council.
- a) No Council official shall accept a gift or benefit of any kind, regardless of value, from persons seeking the exercise of a council's decision making discretion or who have sought the exercise of the council's decision making discretion within the previous 12 months.
- 8.6 You must take all reasonable steps to ensure that your immediate family members do not receive gifts or benefits that give rise to the appearance of being an attempt to secure favourable treatment. Immediate family members ordinarily include parents, spouses, children and siblings.

Improper and undue influence

- 8.7 You must not use your position to influence other council officials in the performance of their public or professional duties to obtain a private benefit for yourself or for somebody else. A councillor will not be in breach of this clause where they seek to influence other council officials through the appropriate exercise of their representative functions.
- 8.8 You must not take advantage (or seek to take advantage) of your status or position with or of functions you perform for council in order to obtain a private benefit for yourself or for any other person or body.

9 RELATIONSHIP BETWEEN COUNCIL OFFICIALS

Obligations of councillors and administrators

9.1 Each council is a body corporate. The councillors or administrator/s are the governing body of the council. The governing body has the responsibility of directing and controlling the affairs of the council in accordance with the Act and is responsible for policy determinations, for example, those relating to industrial relations policy.

9.2 Councillors or administrators must not:

- a) direct council staff other than by giving appropriate direction to the general manager in the performance of council's functions by way of council or committee resolution, or by the Mayor or administrator exercising their power under section 226 of the Act (*section 352*)
- b) in any public or private forum, direct or influence or attempt to direct or influence, any other member of the staff of the council or a delegate of the council in the exercise of the functions of the member or delegate (*Schedule 6A of the Act*)
- c) contact a member of the staff of the council on council related business unless in accordance with the policy and procedures governing the interaction of councillors and council staff that have been authorised by the council and the general manager
- d) contact or issue instructions to any of council's contractors or tenderers, including council's legal advisers, unless by the Mayor or administrator exercising their power under section 226 of the Act. This does not apply to council's external auditors who, in the course of their work, may be provided with information by individual councillors.

Obligations of staff

9.3 The general manager is responsible for the efficient and effective operation of the council's organisation and for ensuring the implementation of the decisions of the council without delay.

9.4 Members of staff of council must:

- a) give their attention to the business of council while on duty
- b) ensure that their work is carried out efficiently, economically and effectively
- c) carry out lawful directions given by any person having authority to give such directions
- d) give effect to the lawful decisions, policies, and procedures of the council, whether or not the staff member agrees with or approves of them.

Obligations during meetings

9.5 You must act in accordance with council's Code of Meeting Practice, if council has adopted one, and the *Local Government (General) Regulation 2005* during council and committee meetings.

9.6 You must show respect to the chair, other council officials and any members of the public present during council and committee meetings or other formal proceedings of the council.

Inappropriate interactions

9.7 You must not engage in any of the following inappropriate interactions:

- a) Councillors and administrators approaching staff and staff organisations to discuss individual staff matters and not broader industrial policy issues.
- b) Council staff approaching councillors and administrators to discuss individual staff matters and not broader industrial policy issues.
- c) Council staff refusing to give information that is available to other councillors to a particular councillor.
- d) Councillors and administrators who have lodged a development application with council, discussing the matter with council staff in staff-only areas of the council.
- e) Councillors and administrators being overbearing or threatening to council staff.
- f) Councillors and administrators making personal attacks on council staff in a public forum.
- g) Councillors and administrators directing or pressuring council staff in the performance of their work, or recommendations they should make.
- h) Council staff providing ad hoc advice to councillors and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community.
- i) Council staff meeting with developers alone AND outside office hours to discuss development applications or proposals.
- j) Councillors attending on-site inspection meetings with lawyers and/or consultants engaged by council associated with current or proposed legal proceedings unless permitted to do so by council's general manager or, in the case of the Mayor or administrator, exercising their power under section 226 of the Act.

9.8 It is appropriate that staff and staff organisations have discussions with councillors in relation to matters of industrial policy.

10 ACCESS TO INFORMATION AND COUNCIL RESOURCES

Councillor and administrator access to information

- 10.1 The general manager and public officer are responsible for ensuring that members of the public, councillors and administrators can gain access to the documents available under section 12 of the *Local Government Act 1993*.
- 10.2 The general manager must provide councillors and administrators with information sufficient to enable them to carry out their civic office functions.
- 10.3 Members of staff of council must provide full and timely information to councillors and administrators sufficient to enable them to carry out their civic office functions and in accordance with council procedures.
- 10.4 Members of staff of council who provide any information to a particular councillor in the performance of their civic duties must also make it available to any other councillor who requests it and in accordance with council procedures.
- 10.5 Councillors and administrators who have a private (as distinct from civic) interest in a document of council have the same rights of access as any member of the public.

Councillors and administrators to properly examine and consider information

- 10.6 Councillors and administrators must properly examine and consider all the information provided to them relating to matters that they are dealing with to enable them to make a decision on the matter in accordance with council's charter.

Refusal of access to documents

- 10.7 Where the general manager and public officer determine to refuse access to a document sought by a councillor or administrator they must act reasonably. In reaching this decision they must take into account whether or not the document sought is required for the councillor or administrator to perform their civic duty (see clause 10.2). The general manager or public officer must state the reasons for the decision if access is refused.

Use of certain council information

- 10.8 In regard to information obtained in your capacity as a council official, you must:
- a) only access council information needed for council business
 - b) not use that council information for private purposes
 - c) not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have by virtue of your office or position with council
 - d) only release council information in accordance with established council policies and procedures and in compliance with relevant legislation.

Use and security of confidential information

- 10.9 You must maintain the integrity and security of confidential documents or information in your possession, or for which you are responsible.

10.10 In addition to your general obligations relating to the use of council information, you must:

- a) protect confidential information
- b) only release confidential information if you have authority to do so
- c) only use confidential information for the purpose it is intended to be used
- d) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
- e) not use confidential information with the intention to cause harm or detriment to your council or any other person or body
- f) not disclose any information discussed during a confidential session of a council meeting.

Personal information

10.11 When dealing with personal information you must comply with:

- a) *the Privacy and Personal Information Protection Act 1998,*
- b) *the Health Records and Information Privacy Act 2002,*
- c) the Information Protection Principles and Health Privacy Principles,
- d) council's privacy management plan,
- e) the Privacy Code of Practice for Local Government

Use of council resources

10.12 You must use council resources ethically, effectively, efficiently and carefully in the course of your official duties, and must not use them for private purposes (except when supplied as part of a contract of employment) unless this use is lawfully authorised and proper payment is made where appropriate.

10.13 Union delegates and consultative committee members may have reasonable access to council resources for the purposes of carrying out their industrial responsibilities, including but not limited to:

- a) the representation of members with respect to disciplinary matters
- b) the representation of employees with respect to grievances and disputes
- c) functions associated with the role of the local consultative committee.

10.14 You must be scrupulous in your use of council property, including intellectual property, official services and facilities, and must not permit their misuse by any other person or body.

10.15 You must avoid any action or situation that could create the appearance that council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.

10.16 The interests of a councillor in their re-election is considered to be a private interest and as such the reimbursement of travel expenses incurred on election matters is not appropriate. You must not use council letterhead, council crests and other information that could give the appearance it is official council material for these purposes.

10.17 You must not convert any property of the council to your own use unless properly authorised.

- 10.18 You must not use council's computer resources to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature.

Councillor access to council buildings

- 10.19 Councillors and administrators are entitled to have access to the council chamber, committee room, mayor's office (subject to availability), councillors' rooms, and public areas of council's buildings during normal business hours and for meetings. Councillors and administrators needing access to these facilities at other times must obtain authority from the general manager.
- 10.20 Councillors and administrators must not enter staff-only areas of council buildings without the approval of the general manager (or delegate) or as provided in the procedures governing the interaction of councillors and council staff.
- 10.21 Councillors and administrators must ensure that when they are within a staff area they avoid giving rise to the appearance that they may improperly influence council staff decisions.

11 REPORTING BREACHES

11.1 Any person, whether or not a council official, may make a complaint alleging a breach of the code of conduct.

11.2 For the purposes of Chapter 14, Part 1, Division 3 of the Act, failure by a councillor to comply with an applicable requirement of this code of conduct constitutes misbehaviour. (section 440F)

Protected disclosures

11.3 The *Protected Disclosures Act 1994* aims to encourage and facilitate the disclosure, in the public interest, of corrupt conduct, maladministration and serious and substantial waste in the public sector.

11.4 The purpose of that Act is to ensure that public officials who wish to make disclosures under the legislation receive protection from reprisals, and that matters raised in the disclosures are properly investigated.¹

11.5 If a complaint under this code is or could be a protected disclosure, you must ensure that in dealing with the complaint, you comply with the confidentiality provisions of the Protected Disclosures Act set out in section 22:

'An investigating authority or public authority (or officer of an investigating authority or public authority) or public official to whom a protected disclosure is made or referred is not to disclose information that might identify or tend to identify a person who has made the protected disclosure unless:

(a) the person consents in writing to the disclosure of that information, or

(b) it is essential, having regard to the principles of natural justice, that the identifying information be disclosed to a person whom the information provided by the disclosure may concern, or

(c) the investigating authority, public authority, officer or public official is of the opinion that disclosure of the identifying information is necessary to investigate the matter effectively or it is otherwise in the public interest to do so.'

Reporting breaches of the code of conduct

11.6 You should report suspected breaches of the code of conduct by councillors, members of staff of council (excluding the general manager) or delegates to the general manager in writing.

11.7 Where you believe that the general manager has breached the code of conduct, you should report the matter to the Mayor in writing.

¹ Protected Disclosures Guidelines, 5th Edition, NSW Ombudsman, May 2004, Annexure 2.

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- 11.8 Where you believe that an administrator has breached the code of conduct, you should report the matter to the Minister for Local Government in writing.
- 11.9 Councillors should not make allegations of suspected breaches of the code at council meetings or in other public forums.

PART 3: PROCEDURES

12 COMPLAINT HANDLING PROCEDURES & SANCTIONS

12.1 Complaints about the conduct of councillors, members of staff of council, members of council committees and delegates of council should be addressed in writing to the general manager.

12.2 Complaints about the conduct of the general manager should be addressed in writing to the Mayor.

Complaint handling procedures – staff, delegate and council committee member conduct (excluding the general manager)

12.3 The general manager is responsible for making enquiries, or causing enquiries to be made, into complaints alleging breach of the code of conduct regarding members of staff of council, delegates of council and/or members of council committees (other than councillors), and will determine such matters.

12.4 Where the general manager has determined not to enquire into the matter, the general manager will give the complainant the reason/s in writing as provided in clause 13.1 of this Code, and those reasons may include, but are not limited to, the fact that the complaint is trivial, frivolous, vexatious or not made in good faith.

12.5 Enquiries made into staff conduct that might give rise to disciplinary action must occur in accordance with the relevant industrial instrument and make provision for procedural fairness including the right of an employee to be represented by their union.

12.6 Sanctions for staff depend on the severity, scale and importance of the breach and must be determined in accordance with any relevant industrial instruments or contracts.

12.7 Sanctions for delegates and/or members of council committees depend on the severity, scale and importance of the breach and may include:

- a) censure
- b) requiring the person to apologise to any person adversely affected by the breach
- c) counselling
- d) prosecution for any breach of the law
- e) removing or restricting the person's delegation
- f) removing the person from membership of the relevant council committee
- g) revising any of council's policies, procedures and/or the code of conduct.

Complaint handling procedures – councillor conduct

12.8 The general manager is responsible for assessing complaints, made under Section 11.1, alleging breaches of the code of conduct by councillors, in accordance with the assessment criteria provided at Section 13 of this Code, in order to determine whether to refer the matter to the conduct review committee/reviewer.

12.9 The general manager must determine either to:

- a) take no further action and give the complainant the reason/s in writing as provided in clause 13.1 of this Code, and those reasons may include, but are not limited to, the fact that the complaint is trivial, frivolous, vexatious or not made in good faith, or
- b) resolve the complaint by use of alternative and appropriate strategies such as, but not limited to, mediation, informal discussion or negotiation and give the complainant advice on the resolution of the matter in writing, or
- c) discontinue the assessment in the circumstances where it becomes evident that the matter should be referred to another body or person, and refer the matter to that body or person as well as advising the complainant in writing, or
- d) refer the matter to the conduct review committee/reviewer.

Complaint handling procedures – general manager conduct

12.10 The Mayor is responsible for assessing complaints, made under clause 11.1, alleging breaches of the code of conduct by the general manager, in accordance with the assessment criteria provided at Section 13 of this Code, in order to determine whether to refer the matter to the conduct review committee/reviewer.

12.11 The Mayor must determine either to:

- a) take no further action and give the complainant the reason/s in writing as provided in clause 13.1 of this Code, and those reasons may include, but are not limited to, the fact that the complaint is trivial, frivolous, vexatious or not made in good faith, or
- b) resolve the complaint by use of alternative and appropriate strategies such as, but not limited to, mediation, informal discussion or negotiation and give the complainant advice on the resolution of the matter in writing, or
- c) discontinue the assessment in the circumstances where it becomes evident that the matter should be referred to another body or person, and refer the matter to that body or person as well as advising the complainant in writing, or
- d) refer the matter to the conduct review committee/reviewer.

Conduct review committee/reviewer

12.12 Council must resolve to appoint persons independent of council to comprise the members of a conduct review committee and/or to act as sole conduct reviewers.

12.13 The members of the conduct review committee and/or the persons acting as sole conduct reviewers should be appropriately qualified persons of high standing in the community. These persons do not need to be residents of the local government area of the council that has appointed them.

12.14 The conduct review committee, members of such committee and sole conduct reviewers may act in that role for more than one council.

12.15 The general manager, or in the case of complaints about the general manager, the Mayor, will undertake the following functions in relation to the conduct review committee/reviewer:

- provide procedural advice when requested

- ensure adequate resources are provided, including providing secretariat support
- attend meetings of the conduct review committee if so requested by the committee, and then in an advisory capacity only
- provide advice about council processes if requested to do so but not so as to take part in the decision making process
- if attending the conduct review committee meeting to provide advice, must not be present at, or in sight of, the meeting when a decision is taken.

12.16 Where a matter is to be considered by the conduct review committee/reviewer, then in each case, the general manager, or Mayor in the case of complaints about the general manager, acting in their capacity as advisor, will either convene a conduct review committee and select its members from those appointed by council or alternatively select a sole conduct reviewer from those appointed by council.

12.17 The conduct review committee/reviewer will operate in accordance with the operating guidelines at Section 14 of this code.

12.18 The conduct review committee/reviewer operating guidelines (Section 14) are the minimum requirements for the operation of conduct review committees/reviewers. Council may supplement the guidelines, but any additional provisions should not be inconsistent with the guidelines.

12.19 The conduct review committee/reviewer is responsible for making enquiries into complaints made under clause 11.1 alleging breaches of the code of conduct by councillors and/or the general manager and must determine either to:

- a) not make enquiries into the complaint and give the complainant the reason/s in writing as provided in clause 13.1 of this Code, and those reasons may include, but are not limited to, the fact that the complaint is trivial, frivolous, vexatious or not made in good faith, or
- b) resolve the complaint by use of alternative and appropriate strategies such as, but not limited to, mediation, making recommendations to the general manager, informal discussion or negotiation and give the complainant advice on the resolution of the matter in writing, or
- c) make enquiries into the complaint, or
- d) engage another appropriately qualified person to make enquiries into the complaint, or
- e) not make enquiries or discontinue making enquiries where it becomes evident that the matter should be referred to another body or person, and refer the matter to that body or person as well as advising the complainant in writing. Despite any other provision of this code, this will constitute finalisation of such matters and no further action is required.

12.20 Where the conduct review committee/reviewer conducts enquiries or causes enquiries to be conducted, the conduct review committee/reviewer must make findings on whether, in its view, the conduct referred to it comprises a breach of the code of conduct.

12.21 Where the conduct review committee/reviewer makes findings, the conduct review committee/reviewer may recommend that council take any actions provided for in this code of conduct that it considers reasonable in the circumstances.

12.22 Where the conduct review committee/reviewer makes findings, the conduct review committee/reviewer will report its findings, and the reasons for those findings, in writing to the council, the complainant and the person subject of the complaint.

12.23 The conduct review committee/reviewer will report its findings and any recommendations to council only when it has completed its deliberations.

Sanctions

12.24 Before a council can impose a sanction it must make a determination that a councillor or the general manager has breached the code of conduct.

12.25 Where the council finds that a councillor or general manager has breached the code, it may decide by resolution to:

- a) censure the councillor for misbehaviour in accordance with section 440G of the Act
- b) require the councillor or general manager to apologise to any person adversely affected by the breach
- c) counsel the councillor or general manager
- d) make public findings of inappropriate conduct
- e) prosecute for any breach of law.

Councillor misbehaviour

12.26 Under section 440G a council may by resolution at a meeting formally censure a councillor for misbehaviour.

12.27 Under section 440H, the process for the suspension of a councillor from civic office can be initiated by a request made by council to the Director General of the Department of Local Government.

12.28 The first ground on which a councillor may be suspended from civic office is where the councillor's behaviour has been disruptive over a period, involving more than one incident of misbehaviour during that period, and the pattern of behaviour during that period is of such a sufficiently serious nature as to warrant the councillor's suspension.

12.29 Council cannot request suspension on this ground unless during the period concerned the councillor has been:

- formally censured for incidents of misbehaviour on two or more occasions, or
- expelled from a meeting of the council or a committee of the council for an incident of misbehaviour on at least one occasion.

12.30 The second ground on which a councillor may be suspended from civic office is where the councillor's behaviour has involved one incident of misbehaviour that is of such a sufficiently serious nature as to warrant the councillor's suspension.

12.31 Council cannot request suspension on this ground unless the councillor has been:

- formally censured for the incident of misbehaviour concerned, or
- expelled from a meeting of the council or a committee of the council for the incident of misbehaviour concerned.

12.32 Under section 440H, the process for the suspension of a councillor can also be initiated by the Department of Local Government, the Independent Commission Against Corruption or the NSW Ombudsman.

Reporting on complaints

12.33 The general manager must report annually to council on code of conduct complaints. This report should include, as a minimum, a summary of the:

- a) number of complaints received,
- b) nature of the issues raised by complainants, and
- c) outcomes of complaints.

14 CONDUCT REVIEW COMMITTEE/REVIEWER OPERATING GUIDELINES²

14.1 Jurisdiction of the conduct review committee/reviewer

The complaint handling function of the conduct review committee/reviewer is limited to consideration of, making enquiries into and reporting on complaints made under clause 11.1, about councillors and/or the general manager.

Complaints regarding pecuniary interest matters should be reported to the Director General of the Department of Local Government and will not be dealt with by the conduct review committee/reviewer.

Sole reviewers and members of the conduct review committee are subject to the provisions of this code of conduct.

14.2 Role of the general manager and Mayor

The general manager, or in the case of complaints about the general manager, the Mayor, will undertake the following functions in relation to the conduct review committee/reviewer:

- provide procedural advice when requested
- ensure adequate resources are provided, including providing secretariat support
- attend meetings of the conduct review committee if so requested by the committee, and then in an advisory capacity only
- provide advice about council processes if requested to do so but not so as to take part in the decision making process
- if attending the conduct review committee meeting to provide advice, must not be present at, or in sight of, the meeting when a decision is taken.

Where the general manager, or in the case of complaints about the general manager, the Mayor, is unable to act as advisor to the conduct review committee/reviewer due to a conflict of interests in relation to a complaint, they are to nominate a senior council officer or councillor (in the case of complaints about the general manager) to perform this role.

14.3 Composition of the conduct review committee

Where council has a conduct review committee it will comprise three or more appropriately qualified persons of high standing in the community who are independent of the council, convened and selected as provided in clause 12.16.

In the circumstances where a member of the conduct review committee cannot participate in a matter, the general manager, or Mayor in the case of complaints about the general manager, should select another person as provided in clause 12.16.

The chairperson is to be elected by the members of the conduct review committee.

The general manager, or in the case of complaints about the general manager, the Mayor, will act in an advisory capacity to the committee when requested.

² The operating guidelines have been adapted from the Ku-ring-gai Council Conduct Committee Guidelines – 25 October 2006

14.4 Quorum of the conduct review committee

A quorum for a meeting of the conduct review committee is the majority of the members of the conduct review committee.

If a quorum is not present at a meeting of the conduct review committee it must be adjourned to a time and date that is specified.

Business is not to be conducted at any meeting of the conduct review committee unless a quorum is present.

Business may be conducted by video-conference or teleconference.

14.5 Voting of the conduct review committee

Each member of the conduct review committee shall be entitled to one vote in respect of any matter. In the event of equality of votes being cast, the chairperson shall have the casting vote.

If the vote on a matter is not unanimous, then this should be noted in any report to council on its findings.

In relation to any procedural matters relating to the operation of the conduct review committee, the ruling of the chairperson shall be final.

14.6 Procedures of the conduct review committee/reviewer

The general manager or Mayor, in the case of a complaint about the general manager, will be responsible for convening the initial meeting of the conduct review committee when there is a complaint to be referred to it.

The conduct review committee/reviewer will conduct business in the absence of the public.

The conduct review committee/reviewer will keep proper records of deliberations.

The conduct review committee shall determine the procedures governing the conduct of its meetings provided such procedures are consistent with these operating guidelines.

14.7 Procedural fairness

In conducting enquiries, the conduct review committee/reviewer or the person engaged to do so should follow the rules of procedural fairness and must -

- a) provide the person the subject of the complaint with a reasonable opportunity to respond to the substance of the allegation
- b) provide the person the subject of the complaint with an opportunity to place before the conduct review committee/reviewer or person undertaking the enquiry any information the person considers relevant to the enquiry
- c) provide the person the subject of the complaint with an opportunity to address the conduct review committee/reviewer in person
- d) hear all parties to a matter and consider submissions before deciding the substance of any complaint
- e) make reasonable enquiries before making any recommendations
- f) act fairly and without prejudice or bias
- g) ensure that no person decides a case in which they have a conflict of interests
- h) conduct the enquiries without undue delay.³

Where the person the subject of the complaint declines or fails to take the opportunity provided to respond to the substance of the allegation against them, the conduct review committee/reviewer should proceed to finalise the matter.

14.8 Complaint handling procedures

In addition to complying with these operating guidelines, the conduct review committee/reviewer will ensure it deals with all complaints in accordance with the provisions of Section 12 of this Code.

All persons who are the subject of complaints that are referred to the conduct review committee/reviewer will receive written information about the process being undertaken to deal with the matter.

The conduct review committee/reviewer will only deal with matters that are referred to it by the general manager or the Mayor.

Where the conduct review committee/reviewer determines to make enquiries into the matter, such enquiries should be made without undue delay.

In circumstances where the person the subject of the complaint meets with the conduct review committee/reviewer, they are entitled to bring a support person or legal adviser. That person will act in an advisory and support role to the person affected. They will not speak on behalf of the subject person.

³ NSW Ombudsman, Investigating complaints, A manual for investigators, June 2004.

14.9 Findings and recommendations of the conduct review committee/reviewer

Where the conduct review committee/reviewer determines, in its view that the conduct referred to it comprises a breach of this code of conduct it may, in its report to the council, make recommendations, that the council take any of the following actions:

- a) censure the councillor for misbehaviour
- b) require the councillor or general manager to apologise to any person adversely affected by the breach
- c) counsel the councillor or general manager
- d) make public findings of inappropriate conduct
- e) prosecute for any breach of the law
- f) revise any of council's policies, procedures and/or the code of conduct.

Before making any such recommendations, the conduct review committee/reviewer shall have regard to the following:

- a) the seriousness of the breach
- b) whether the breach can be easily remedied or rectified
- c) whether the subject has remedied or rectified their conduct
- d) whether the subject has expressed contrition
- e) whether the breach is technical or trivial only
- f) whether the breach represents repeated conduct
- g) the age, physical or mental health or special infirmity of the subject
- h) the degree of reckless intention or negligence of the subject
- i) the extent to which the breach has affected other parties or the council as a whole
- j) the harm or potential harm to the reputation of local government and of the council arising from the conduct
- k) whether the findings and recommendations can be justified in terms of the public interest and would withstand public scrutiny
- l) whether an educative approach would be more appropriate than a punitive approach
- m) the relative costs and benefits of taking formal enforcement action as opposed to taking no action or taking informal action
- n) what action or remedy would be in the public interest
- o) where to comply with a councillor's obligations under this code of conduct would have had the effect of depriving the council of a quorum or otherwise compromise the capacity of council to exercise its functions

14.10 Amendment of the operating guidelines

The conduct review committee/reviewer guidelines may be added to and any additional requirements may be further amended or repealed by resolution of the council.

10. DISCLOSURE OF INTERESTS IN WRITTEN RETURNS

REPORTING SECTION: General Manager
AUTHOR: Ray Kent – General Manager
FILE NUMBER: 145/02/03/00

Summary:

Certain interests of Councillors and designated persons must be declared annually in a written return.

Discussion (including issues and background):

Section 449 (3) of the Local Government Act 1993 prescribes as follows:

“A councillor or designated person holding that position at 30 June in any year must complete and lodge with the general manager within 3 months after that date a return in the form prescribed by the regulations.” (Returns must be lodged by 30th September)

Note that Section 449 (6) prescribes that:

“Nothing in this section or the regulations requires a person to disclose in a return lodged under this section an interest of the person’s spouse or de facto partner or a relative of the person.”

Section 450A requires that:

“The general manager must keep a register of returns required to be lodged with the general manager under section 449”

And Section 450A (2) (b) requires that:

“Returns required to be lodged with the general manager under section 449 must be tabled at a meeting of the council, in the case of a return lodged in accordance with section 449 (3), the first meeting held after the last day for lodgement under that subsection”. (Returns to be tabled at October Council meeting).

Note that Return Forms have been circulated under separate cover.

Relevant Reference Documents:

Local Government Act 1993

Stakeholders:

Councillors

Financial Implications:

Nil

| |
|------------------------|
| Recommendation: |
|------------------------|

1. That the report be noted

Attachments:

Nil

11. WALGETT SHIRE EARLY CHILDCARE SERVICES

REPORTING SECTION: Corporate and Community Services

AUTHOR: Lianne Tasker – Manager Community Development & Tourism

FILE NUMBER: 135/01/01/00

Summary:

This report outlines broad issues related to early childcare services and also provides information regarding the 8 services located within the Walgett Shire. The purpose of this report is to provide an overview of the Shire's current early childcare environment.

Discussion (including issues and background):

Current research in both Australia and overseas has proven overwhelmingly that a child who receives a quality preschool education will have better literacy, numeracy and sociability skills when they enrol at school. Longitudinal studies have shown that these benefits continue, significantly improving a child's later life opportunities.

There are eight early childcare centers currently operating in the Walgett Shire.

Walgett

- Coolibah Kids Pre School & Long Day Care
- Koolyangara Aboriginal Pre School
- Birrallegal Pre School (Walgett Primary School)

Collarenebri

- Collarenebri Pre School

Burren Junction

- Burren Junction Pre School

Rowena

- Rowena Pre School

Lightning Ridge

- Lightning Ridge Pre School
- Little Digger's Child Care Centre

What is a Long Day Care Centre?

Long Day Care Centres (LDCC) were developed primarily for working parents. They are required, by State Regulations, to be open a minimum of 48 weeks per year and open for more than eight hours per day. They cater for children 0 – six years. Aside from these factors that differentiate LDC from other forms of care, such as Preschool, there are very few other differences. There are State and Federal Government legal requirements that govern LDCCs.

What is a Preschool?

Preschools cater for children three to six years, i.e. the year or two before school begins. As in Long Day Care they offer a program based on the children's individual needs to consolidate and enhance the children's total developmental.

Daily hours of operation and attendance per year usually coincide with those of State Schools. Preschools are also governed by State Legislation.

What is a Department of Education and Training preschool?

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Department preschools are located in public schools and provide educational programs for children for one year prior to enrolment in Kindergarten.

Staffing requirements

Pre School and LDC centres operate under Regulations regarding staff ratios and qualifications. Operating at less the required staffing level is a breach of licensing.

Staff/Child Ratios

| | | | | | |
|--------------------|---|---|-------|---|-----|
| 0 | - | 2 | years | - | 1:5 |
| 2 | - | 3 | years | - | 1:8 |
| 3 - 5 years - 1:10 | | | | | |

Qualified staff

| Number of Children | Number of 3 Year Trained Teachers |
|--------------------|-----------------------------------|
| 0-29 | 0 |
| 30-39 | 1 |
| 40-59 | 2 |
| 60-79 | 3 |
| 80 and above | 4 |

If the service has children under the age of 2 years, then there must also be an Enrolled nurse or a holder of a Certificate of Childcare Studies or an Associate Diploma in Child Studies.

Licensing

Children's services across NSW are licensed by the Department of Community Services (DoCS) and comply with the Children's Services Regulation 2004.

Funding

| | Govt Department responsible (funding) | Funding | Funding for parents | Comments |
|--|---|---|---|--|
| Community based Preschool: <ul style="list-style-type: none"> • Koolyangara Aboriginal Pre School • Lightning Ridge Pre School • Collarenebri • Coolibah Kids • Rowena Pre School • Burren Junction Pre School | NSW Department of Community Services (DoCS) | \$74,000 on average per service. (accounts for as little as 25% of operating expenses). The funding formula is outdated and was frozen in 1989 by the former NSW Coalition government. | CCB* funding available for parents on far less generous formulas than parents accessing preschool programs through LDC's | Families with household income less than \$40,794 can receive some fee relief. These places are capped (based on the 1989 formula) and beyond the funded number of fee relief places, families earning more than \$40,794 subsidise any additional places by fee increases. Cost per day: \$33/day average |
| Preschools attached to State Public Schools: Birralgal (Walgett Primary) | NSW Department of Education and Training (DET) | \$240,000 on average per service. | None available. | Children must be zoned to that school to access the preschool. Cost per day: \$2 - \$5 per day (voluntary). |
| Preschool programs at Long Day Care Centres (both not for profit and privately owned): Little Diggers Pre School | Commonwealth Family and Community Services. | N/A | Eligible parents receive generous CCB* Funding that can dramatically decrease the cost for parents. | Preschool programs offered but at many LDC they cannot offer the same structured program due to the operational requirements of LDC and difficulty employing qualified staff. Cost per day: will depend on CCB eligibility and services provided. |

* Child Care Benefit (CCB) - **All parents are eligible to receive at least 16.8% CCB from the Family Assistance Office (FAO).**

Table sourced from NSW Pre-Schools website - www.nswpreschools.org.au

The NSW Government Preschool Investment and Reform Plan

The NSW Government's three-stage \$85m Preschool Investment and Reform Plan (PIRP) provided \$25million to assist preschools who were under immediate financial pressure between 2005-08.

In 2009 the Growth Phase begins. \$29.8 million per annum will be provided as recurrent funding to enable expansion of preschool programs throughout the children's services sector.

The Growth Phase aims to create 5,250 new preschool places so that an additional 10,500 children can attend preschool for two days per week in the year before they go to school.

CareWest Inc is responsible for providing Orana/Far West preschools with development and support services to enable the creation of additional preschool places. CareWest will begin by

conducting research and consultation with the children's services sector to identify services that are most capable of providing new places and identify any barriers to access.

Information gathered will be used to develop an implementation plan that specifies where places should be established. It is anticipated that these places will be rolled out in stages from mid 2009.

According to CareWest Inc discussions with Walgett Shire Pre Schools have begun and Care West representatives will be visiting the Shire in the next few months to meet with Koolyangara, Lightning Ridge Pre School, Collarenebri Pre School and Coolibah Kids. These centres are struggling with funding shortages which will have a serious impact on their service. For example, Lightning Ridge Pre School is facing a funding shortfall of \$65,000 which cover the operational and salary expenses of a Community Outreach Transition Worker.

Summary

There are eight early child care centres across the Walgett Shire, including one privately operated centre, six community managed centres and one Department of Education centre.

Under the NSW Pre School reforms CareWest Inc are responsible for assisting pre-schools to develop new preschool places in the Orana/Far West area.

Early child care services across the Shire are under pressure associated with lack of funding. Of the 6 community based centres, 4 are feeling a severe impact (Koolyangara, Lightning Ridge Pre School, Collarenebri Pre School and Coolibah Kids) and will meet with CareWest Inc to investigate options for expansion of services.

Relevant Reference Documents:

Nil

Stakeholders:

Walgett Shire community members, organisations and agencies with an interest in early childhood care and development

Financial Implications:

Nil

Recommendations:

1. That the Walgett Shire Early Child Care Services report be accepted.
2. That Council lobby CareWest Inc. for additional funding and support for all childcare centres in Walgett Shire

Attachments:

Nil

12. INVESTMENT REPORT AS AT 30 JUNE 2009

REPORTING SECTION: Corporate and Community Services

AUTHOR: Julie McKeown – Finance Officer

FILE NUMBER: 180/02/01/00

Summary:

This report summarises the investments of Walgett Shire Council for the month of June 2009.

Discussion (including issues and background):

The following report includes floating rate collateralized debt obligations (CDO). These products are independently valued annually. The values disclosed are market values at 30 June 2008. The next valuation will be as at 30 June 2010.

The Investment Ledger summary as at 30 June 2009 as follows

| |
|-------------------------|
| Recommendations: |
|-------------------------|

- | |
|---|
| <ol style="list-style-type: none">1. That the investment report as at 30 June 2009 be received. |
|---|

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

| <u>Investment Institution</u> | <u>Type of Investment</u> | <u>Term (days)</u> | <u>Rate %</u> | <u>Ref</u> | <u>Reset Date</u> | <u>Maturity Date</u> | | |
|---|---------------------------|------------------------|---------------|------------|-------------------|----------------------|----|-------------------------|
| Term Deposits | | | | | | | | |
| National Australia Bank | Term Deposit | 182 | 4.00 | 549/09 | | 04-Aug-09 | \$ | 300,000.00 |
| Citibank | Term Deposit | 154 | 4.68 | 551/09 | | 21-Jul-09 | \$ | 500,000.00 |
| IMB Ltd Financial Services | Term Deposit | 119 | 4.05 | 558/09 | | 14-Jul-09 | \$ | 500,000.00 |
| AMP Banking | Term Deposit | 109 | 4.25 | 559/09 | | 14-Jul-09 | \$ | 500,000.00 |
| Local Government Financial Services | Term Deposit | 90 | 4.10 | 564/09 | | 07-Jul-09 | \$ | 500,000.00 |
| Westpac | Term Deposit | 90 | 3.95 | 565/09 | | 07-Jul-09 | \$ | 500,000.00 |
| Citibank | Term Deposit | 91 | 4.60 | 566/09 | | 08-Jul-09 | \$ | 500,000.00 |
| Suncorp Metway | Term Deposit | 98 | 4.18 | 567/09 | | 21-Jul-09 | \$ | 500,000.00 |
| Savings & Loans Credit Union | Term Deposit | 91 | 4.20 | 568/09 | | 14-Jul-09 | \$ | 250,000.00 |
| Local Government Financial Services | Term Deposit | 98 | 4.10 | 569/09 | | 28-Jul-09 | \$ | 500,000.00 |
| Police & Nurses Credit Society | Term Deposit | 98 | 3.95 | 570/09 | | 28-Jul-09 | \$ | 500,000.00 |
| Suncorp Metway | Term Deposit | 112 | 3.81 | 571/09 | | 18-Aug-09 | \$ | 500,000.00 |
| Bank West | Term Deposit | 105 | 4.00 | 572/09 | | 11-Aug-09 | \$ | 500,000.00 |
| Westpac | Term Deposit | 95 | 4.00 | 573/09 | | 11-Aug-09 | \$ | 500,000.00 |
| National Australia Bank | Term Deposit | 91 | 4.00 | 574/09 | | 25-Aug-09 | \$ | 500,000.00 |
| Savings & Loans Credit Union | Term Deposit | 91 | 3.90 | 575/09 | | 01-Sep-09 | \$ | 500,000.00 |
| Bank of Western Australia | Term Deposit | 97 | 4.00 | 576/09 | | 08-Sep-09 | \$ | 300,000.00 |
| Bank of Queensland | Term Deposit | 88 | 4.25 | 579/09 | | 22-Sep-09 | \$ | 500,000.00 |
| Maquarie Bank | Term Deposit | 90 | 4.45 | 580/09 | | 28-Sep-09 | \$ | 500,000.00 |
| Callable Range Accrual Notes (CRAN) | | | | | | | | |
| Commonwealth Bank of Australia bond | Term Deposit | 92 | 7.50 | 577/09 | 16-Sep-09 | 16-Dec-10 | \$ | 500,000.00 |
| Royal Bank Canada bond | Term Deposit | 92 | 7.70 | 578/09 | 16-Sep-09 | 16-Mar-11 | \$ | 500,000.00 |
| Floating Rates Collateralized Debt Obligations (CDO) | | | | | | | | |
| Zircon Finance Limited | Floating Rate CDO | | 0.00 | | | 20-Sep-14 | \$ | 175,275.00 |
| Managed Aces SP | Floating Rate CDO | 94 | 5.06 | | | 20-Jun-15 | \$ | 64,670.00 |
| Helium Capital | Floating Rate CDO | 92 | 4.33 | | | 23-Jun-14 | \$ | 105,800.00 |
| Magnolia Finance | Floating Rate CDO | 94 | 4.51 | | | 20-Mar-12 | \$ | 36,500.00 |
| | | | | | | | | \$ 10,232,245.00 |

Investment Report as at 30 June 2009

13. COUNTRY AND REGIONAL LIVING EXPO – MARKETING STRATEGY

REPORTING SECTION: Corporate and Community Services
AUTHOR: Lianne Tasker – Manager Community Development & Tourism
FILE NUMBER: 245/02/00/00

Summary:

This report presents recommended marketing strategies for the Country & Regional Living Expo to be attended by Council representatives in August 2009. Council approved at the June 2009 meeting, the attendance of Director Corporate and Community Services and Manager Community Development and Tourism.

Discussion (including issues and background):

The Country and Regional Living Expo is an economic development opportunity for local Councils and other organisations. The event will take place on 7-9 August 2009 at Rose Hill (Sydney) with an anticipated patronage of 8000 visitors. The Expo provides opportunity for Councils to address declining population, skills shortages and business expansion. Council representatives will attend the Expo with the aim of raising public consciousness of Walgett as a Shire that presents attractive employment, business/investment and lifestyle opportunities.

Specifically, Council representatives will promote Shire investment opportunities, advertise hard to fill employment opportunities and promote business and lifestyle opportunities for skilled people seeking a tree-change.

The proposed marketing strategy for the 3 day expo is as follows-

Target groups – Agriculture workers, skilled workers, business investors (solar and alternative energy, retailers)

Exhibitor leverage – Walgett Shire will join with Go West Regional Development who will be presenting the Orana region. This collaboration enables Walgett Shire to participate at a reduced cost whilst maximising the opportunity with personal representation.

Staffing – Walgett Shire will be represented by skilled professionals who have undertaken a “tree change” to the Shire. This strategy ensures Expo participants have access to authentic ambassadors.

Pre publicity - Country & Regional Living Expo offers pre publicity opportunities with print and radio media. To maximise these opportunities Walgett Shire Council representatives will gather relevant *good news stories* related to people who have relocated to the Shire in the past 12 months. This strategy is intended to develop interest prior to the Expo and create a reason to visit the Walgett Shire stand.

Employment & business opportunities – Employment and business opportunities will be presented at the Go West stand as well as on the general Expo bulletin and information board.

Targeted information – Walgett Shire Council representatives will develop and present information packs which target the following areas-

- Business Opportunities

- Recreation
- Family / lifestyle
- Housing
- Employment opportunities and labour market information

Post conference marketing - Expo contacts will be maintained and assisted with information, links and relocation support if required.

Relevant Reference Documents:

Nil

Stakeholders:

Walgett Shire community members, organisations and agencies with an interest in economic development of Walgett Shire

Financial Implications:

\$1,500 (stall costs) and human resource costs associated with two staff members attending the Expo.

Recommendations:

1. **That the Country and Regional Living Expo Marketing Strategy be accepted and a report to Council on the experience be presented to Council at the September meeting.**

Attachments:

Nil

14. REQUEST FOR FINANCIAL SUBSIDY FROM LIGHTNING RIDGE MINERS ASSOCIATION

REPORTING SECTION: Corporate and Community Services
AUTHOR: Carole Medcalf – Director Corporate and Community Services
FILE NUMBER: 180/08/00/00

Summary:

The Lightning Ridge Miner's Association (LRMA) has requested money to enable them to maintain access tracks on the preserved opal fields around Lightning Ridge. The Secretary Manager of the LRMA, Maxine O'Brien, has indicated that the association was looking for a contribution to the cost of maintaining access tracks on the preserved opal fields. This has previously been done by way of the Department of Primary Industry levying \$10 per annum on mineral claims and passing the subsidy on to the LRMA who have then maintained the tracks on behalf of their members.

Discussion (including issues and background):

Andrew Bell, the Western Region Program Manager from the Department of Lands, confirmed his Department had received the same letter but had not yet replied. He stated that the Department regarded it as a matter for Council and was unlikely to become involved.

Information provided by the Department of Lands at the Camps on Claims Working Group meeting held on 27 May 2009 shows that it has granted 733 Western Lands Leases for residential purposes on the preserved opal fields at Lightning Ridge. Of that number, 640 (87%) of them are located on land that is held by Walgett Shire Council under Permissive Occupancy 1985/19.

The remainder are on Crown Land controlled by the Dept of Lands (in an area known as "Crutchfield's"). These numbers are steadily increasing as the Department progresses the State Government program to convert Residential Mineral Claims into Western Lands Leases for residential purposes. The conversion is only occurring on lands where there is no other private occupier (ie. there is no Western Lands Lease for grazing).

Previously Walgett Shire Council has advised the Department of Lands that it wants to surrender permissive occupancy 1985/19 so that it can be converted to a Crown Reserve that is managed by a trust.

The 2009-2010 budget includes a \$25,000 section 356 donation to the Glengarry Grawin Sheeppark Miners Association (GGSMA) for rubbish management and road maintenance which they undertake themselves. LR miners have rubbish receptacles provided to them and the Miner's Association has previously maintained the access roads on their behalf funded by levy as previously stated.

It is understood that an amount of money has been supplied to the GGSMA for more than ten years to assist them with the costs of track maintenance and rubbish disposal on the preserved opal fields in the vicinity of Glengarry, Grawin and Sheeppark. This is a cost effective method of providing some services to defacto villages while minimising any expectation or pressure for Council to become more directly involved.

Some arguments for and against providing funding

| FOR | AGAINST |
|---|--|
| <p>All people holding Western Lands Leases for residential purposes on the preserved opal fields will see a direct benefit from track maintenance. Track maintenance will also benefit opal miners and tourists.</p> <p>It is questionable whether it is appropriate for Council to solely rely on the good will (self interest) of the LRMA to maintain tracks on the preserved opal fields at Lightning Ridge when Council holds is the occupier of permissive occupancy 1985/19 and directs tourists to the area while taking negligible responsibility for maintaining access (or anything else).</p> <p>Council can ensure that it is not directly involved in track maintenance. This would avoid draining Council resources and may avoid potential public liability exposure.</p> <p>\$10/Western Lands Lease/year is presently only about \$7,500/year. This could increase to about \$10,000/year if all the mining camps on the Lightning Ridge preserved opal fields (about 1,016) are converted.</p> | <p>Additional expense.</p> <p>Could increase expectations for Council to provide services on preserved opal fields.</p> <p>Depending how the money is provided, Council may have little influence over where the money is spent (this could have positive and negative repercussions for Council).</p> <p>Is it appropriate to spend public money in this context? (ie. Would it be better for Council to either take responsibility for maintaining certain arterial tracks from the LRMA or just not do anything at all?)</p> <p>In order to prevent Council taking on a financial responsibility which has not previously been Council's, further investigation of alternate methods of raising the levy to continue passing on to the LRMA should be investigated.</p> |

Relevant Reference Documents:

Nil

Stakeholders:

Walgett Shire Council
Walgett Shire Council Ratepayers and Residents

Financial Implications:

If Council takes on the debt, \$10,000 per annum
Nil if Council can negotiate for another organisation to collect the levy.

Recommendations:

That:

- 1. Council investigates further the possibility of the levy being applied by another party such as the Department of Lands or the LRMA directly, prior to allocating any funds for this purpose.**
- 2. A further report on the subject be placed before the September Council Meeting.**

15. **REGIONAL INFRASTRUCTURE GRANT PROGRAM UPDATE REPORT**

REPORTING SECTION: Corporate and Community Services
AUTHOR: Carole Medcalf – Director Corporate & Community Services
FILE NUMBER: 150/06/01/00

Summary:

The Federal Government has announced a second round of grant allocations in the Regional Infrastructure Program. WSC has been allocated an additional \$193,000 for spending on similar projects as the previous grant monies. The criterion does not appear to have changed - the projects are limited to community infrastructure, recreation, culture and tourism infrastructure.

An update on the progress of the current Regional Infrastructure projects is included below.

Discussion (including issues and background):

Regional Infrastructure Funding –

| Project | Status |
|---|--|
| Walgett – Primitive Camping Ground | Work almost completed. |
| Collarenebri – Primitive Camping Grounds | Work yet to commence but programmed |
| Carinda Playground | Playground installed week beg 22 June 09 - shade and soft fall to be installed week beg 29 June 09 |
| Lightning Ridge Skate Park | Dept Lands has informed us that they will now accept a submission from Council on using the Harlequin street site. Submission sent. |
| Collarenebri Skate Park | Work yet to commence but programmed. Skate park infrastructure (all 3) should have arrived by w/e 10/7/09 |
| Lightning Ridge Gem Gardens | Project funds expended. |
| Cumborah Parks | Work yet to commence but programmed |
| Lightning Ridge VIC extension | VIC and Opal FM appear not to be licensed to occupy. Dept Lands are waiting for license before processing D/A. Information sent to Dept. |
| Lightning Ridge VIC toilets upgrade | As above |
| Burren Junction Bore Baths | Work commenced on shading, quotes being obtained on changed requirements |
| Lightning Ridge Bike Racks | Bike Racks being installed by 14 July |
| Rowena Parks | Work yet to commence but programmed |
| Lightning Ridge cemetery and parks improvements | Work yet to commence but programmed Upgrade car park at VIC with gravel re-sheet Upgrade drainage near playground |
| Walgett CBD and town lighting | Purchase order and acceptance of quotes sent to Country Energy for town lighting - waiting for scheduling notification. CBD negotiations still being conducted |

Those projects previously submitted but not chosen and new additional projects for consideration, are outlined below:

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| Location | Project | Approximate Costing | Ranking |
|-----------------|---|---------------------|---------|
| Burren Junction | Public Toilets at tennis courts | 40,000 | |
| | Sub total | 40,000 | |
| Collarenebri | CCTV Installation | 100,000 | |
| Collarenebri | Lighting from Collie CBD to Wali Reserve | 28,000 | |
| Collarenebri | Playground Equipment | 55,000 | |
| Collarenebri | Public seating in main street near community bus stop and near post office | 3,500 | |
| Collarenebri | Construct a partial levee on north-east side of old cemetery | 20,000 | |
| | Sub total | 206,500 | |
| Lightning Ridge | CCTV Installation | 150,000 | |
| Lightning Ridge | Gem Gardens Car Park | 30,000 | |
| Lightning Ridge | Public seating | 10,000 | |
| Lightning Ridge | Morilla St Walkway extension | 25,000 | |
| Lightning Ridge | Bore baths lighting seating and garden | 50,000 | |
| Lightning Ridge | pool -back flow prevention | 6,000 | |
| Lightning Ridge | Pool - rebuild retaining wall | 6,000 | |
| Lightning Ridge | Re-surface netball courts | 35,000 | |
| | Sub total | 312,000 | |
| Rowena | Portable Grandstand with Shade cover | 5,000 | |
| | Sub total | 5,000 | |
| Walgett | CCTV for main street (Grant funding to be announced in late August/Sep - contacted by Federal Govt) | 150,000 | |
| Walgett | Safe path from Walgett Sports Club to Namoi Reserve (could be done in partnership for additional funds) | 80,000 | |
| Walgett | Re-seal of Netball Courts and seating | 40,000 | |
| Walgett | levee - river side add irrigation gates | 200,000 | |
| Walgett | Apex Park rehabilitation works | 6,000 | |
| Walgett | Swimming pool Shade (Poles) and barbeque | 75,000 | |
| Walgett | Old Council Chambers rehabilitation works | 100,000 | |
| Walgett | Alex Trevillion Park -- fit roller door on visible side of kiosk | 6,000 | |
| Walgett | Replace or repair Moore stand (unusable upstairs) | 100,000 | |
| Walgett | Replace Walgett grandstand/jockey room/dining room | 100,000 | |
| Walgett | Replace roof and guttering on sheep stalls | 35,000 | |
| Walgett | Re-gravel levee bank | 120,000 | |
| Walgett | Alex Trevillion Park -plant grass near kiosk | 7,500 | |
| | Sub total | 1,019,500 | |
| Shire Wide | Issue Recycling bins | 170,000 | |
| | Upgrade street lighting in Lightning Ridge and Collarenebri | 63,000 | |
| | Sub Total | 233,000 | |

Relevant Reference Documents:

Nil

Stakeholders:

Walgett Shire Council
Walgett Shire Council Ratepayers and Residents

Financial Implications:

Nil

Recommendations

1. That the following projects be funded by the \$193,000 provided under the Federal Government Regional Infrastructure Program:

16. DEVELOPMENT AND COMPLYING DEVELOPMENT CERTIFICATE APPLICATIONS

REPORTING SECTION: Planning and Regulatory Services
AUTHOR: Matthew Goodwin – Director Planning and Regulatory Services
FILE NUMBER: 007/02/04/55

Summary:

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

Discussion (including issues and background):

The table following this report provides details of Development Applications (DA) and Complying Development Certificate (CDC) applications dealt with under delegated authority by the Director Planning and Regulatory Services and General Manager during June 2009.

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

Relevant Reference Documents:

Files for the respective Development and Complying Development Certificate applications

Stakeholders:

Public and applicants

Financial Implications:

Nil

Recommendations:

That:

- 1. The Development and Complying Development Certificate applications dealt with under delegated authority by the Director Planning and Regulatory Services and General Manager during June 2009 be noted.**

Attachments:

Report on DAs and CDCs issued June 2009

AUTHORITY

Determined Applications



| | | | | | |
|---|--------------------------|--|---|------------|------------|
| 07/09/2009 | Parameters: | Date Range: Y Start Date: 1/06/2009 End Date: 30/06/2009 As At Date: | Document Type: 20 Officer: ALL Number of Days: 0 Stop The Clock: Yes | Page: 1 | |
| Document | Applicant Name / Address | Development Type Property Address Title Owner | Determination | Determined | Received |
| Document Type: 20 | | | | | |
| Stop the Clock | | | | | |
| 020/2009/00000017/001 | | Total Elapsed Calendar Days: 35 Calendar Stop Days: 0 Adjusted Calendar Days: 35 142 Class 10a - Shed Gem ST LIGHTNING RIDGE LOT: 8 DP: 1123745 Lightning Ridge Public Baths Reserve Trust | Approved - Staff Delegation | 30/06/2009 | 27/05/2009 |
| Officer: Ms J R Babic | | | | | |
| Number of Applications: 1 | | | | | |
| Total Elapsed Calendar Days: 35.00 Total Calendar Stop Days: 0.00 Total Adjusted Calendar Days: 35.00 | | | | | |
| Report Totals & Averages | | | | | |
| Total Number of Applications : 1 | | | | | |
| Total Elapsed Calendar Days: 35.00 Total Calendar Stop Days: 0.00 Total Adjusted Calendar Days: 35.00 | | | | | |
| AUTHORITY | | | | | |

17. CROWN LAND ASSESSMENT, WALGETT

REPORTING SECTION: Planning and Regulatory Services

AUTHOR: Matthew Goodwin - Director Planning and Regulatory Services

FILE NUMBER: 007/02/04/55

Summary:

The Department of Lands has written to Walgett Shire Council seeking feedback on whether it has any interest in an area of Crown land located at Walgett. It is recommended that Council respond by indicating that it has no interest in the land.

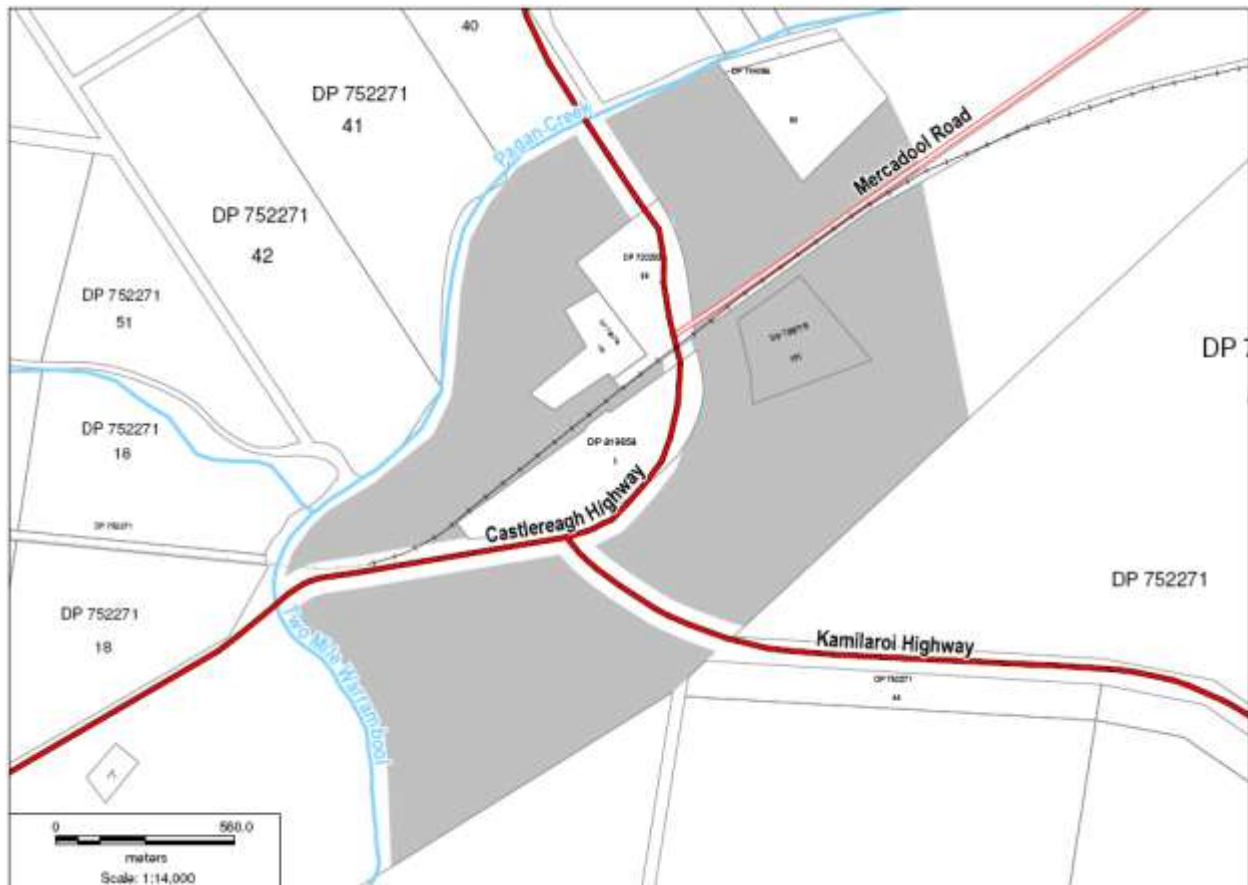
Discussion (including issues and background):

In a letter dated 10th June 2009 the Department of Lands (DOL) queried whether Walgett Shire Council had any interest in an area of Crown land located 5km north west of Walgett off the Castlereagh Highway (predominantly part of Reserve R26028 for Travelling Stock). It also states that an assessment will be carried out in accordance with Part 3 of the Crown Lands Act 1989 to "*determine appropriate future land use and management options for the site*". The letter and maps are attached to this report (Attachment A).

The land is zoned as "1. Non-urban B" under the current environmental planning instrument, which is the Interim Development Order No 1 – Shire of Walgett 1968.

The Walgett Shire Growth Management Study and Strategy document, dated October 2008, designates the land as primary production (See pages 207 to 209). In that context it is expected that under any future Local Environmental Plan the land would most likely be zoned "RU1 Primary Production".

The approximate extent of the land involved is delineated by the shaded area in the diagram below, which is based on the maps provided by the Department of Lands. The area is predominantly Crown land that has not been allocated a lot and DP.



Key attributes of the land include:

- Location at the intersection of the Castlereagh and Kamilaroi Highways.
- Location at the end of the Narrabri to Walgett railway line.
- The area encloses the Walgett wheat silo.
- Public ownership.
- Reasonable distance from the Walgett urban area and rural residences.

Overall the land shows a mix of attributes that are likely to be of significant benefit to any future development involving the transport, storage or processing of bulk items. Examples of potential developments requiring such attributes include any value adding industry utilising grain, extension of the existing wheat silo facilities, new grain handling facilities and bulk transport depots (stock, grain, fertilisers, chemicals). There are no immediate plans for such developments, but it appears to be in the public interest that the land remains available should the need arise in future. In that context it would be best if the land remained in Crown control, with an expectation that it should be made available for any suitable and legitimate development, which would also benefit the local and state economy.

Relevant Reference Documents:

Walgett Shire Growth Management Study and Strategy prepared by Edge Land Planning, dated October 2008 (Currently being updated as per Council resolution on 24 February 2009).

Stakeholders:

Walgett Shire Council, Department of Lands, public

Financial Implications:

Nil

Recommendations:

That Walgett Shire Council resolve to respond by writing to the Program Manager, Land Administration, Central Region, Department of Lands and state, regarding the area of Crown land located 5km north west of Walgett off the Castlereagh Highway (predominantly part of Reserve R26028 for Travelling Stock), advising that:

1. It is expected that under any future Local Environmental Plan the land will most likely be zoned "RU1 Primary Production".
2. Council regards the key attributes of the land as including:
 - (a) It's location at the intersection of the Castlereagh and Kamilaroi Highways.
 - (b) it's location at the end of the Narrabri to Walgett railway line.
 - (c) The area encloses the Walgett wheat silo.
 - (d) Public ownership.
 - (e) Reasonable distance from the Walgett urban area and rural residences
3. Council believes that the land shows a mix of attributes that are likely to be of significant benefit to any future development involving the transport, storage or processing of bulk items. Examples of potential developments requiring such attributes include any value adding industry utilising grain, extension of the existing wheat silo facilities, new grain handling facilities and bulk transport depots (stock, grain, fertilisers, chemicals). There are no immediate plans for such developments, but it appears to be in the public interest that the land remains available should the need arise in future. In that context it would be best if the land remained in Crown control with an expectation that it should be made available for any suitable and legitimate development which would benefit the local and state economy

Attachments:

Letter dated 10th June 2009 the Department of Lands

WALGETT SHIRE COUNCIL AGENDA

Attachment - Letter dated 10th June 2009 the Department of Lands

**Walgett Shire
Council**
REC'D

Department of Lands

*Land Administration & Management
Property & Spatial Information*

1 2 JUN 2009

P.O. Box 388, Cnr Frome & Heber Streets
Moree NSW 2400
Telephone: (02) 6750 6401
Fax: (02) 6752 1707

FILE: 007/02/04/55

10th June 2009

LETTER No: 3156

Raymond Kent
General Manager
Walgett Shire Council
PO Box 31
WALGETT NSW 2832

REFER: MPQ.

COPY:

Dear Mr Kent,

Re: Draft Land Assessment at Walgett, Parish Walgett, County Denham

This office is currently undertaking an assessment of Crown land located 5km north west of Walgett off the Castlereagh Hwy (refer to diagrams attached).

The subject land holds status predominantly as part of Reserve R26028 for Travelling Stock.

The assessment will be carried out in accordance with Part 3 of the *Crown Lands Act 1989*, to determine appropriate future land use and management options for the site.

To assist in the preparation of the assessment your advice in respect of the following aspects would be appreciated:-


1. whether the Council has any specific interest in the study area,
2. current LEP zoning for the area,
3. any future LEP zoning proposals, and
4. any other information you may consider relevant.

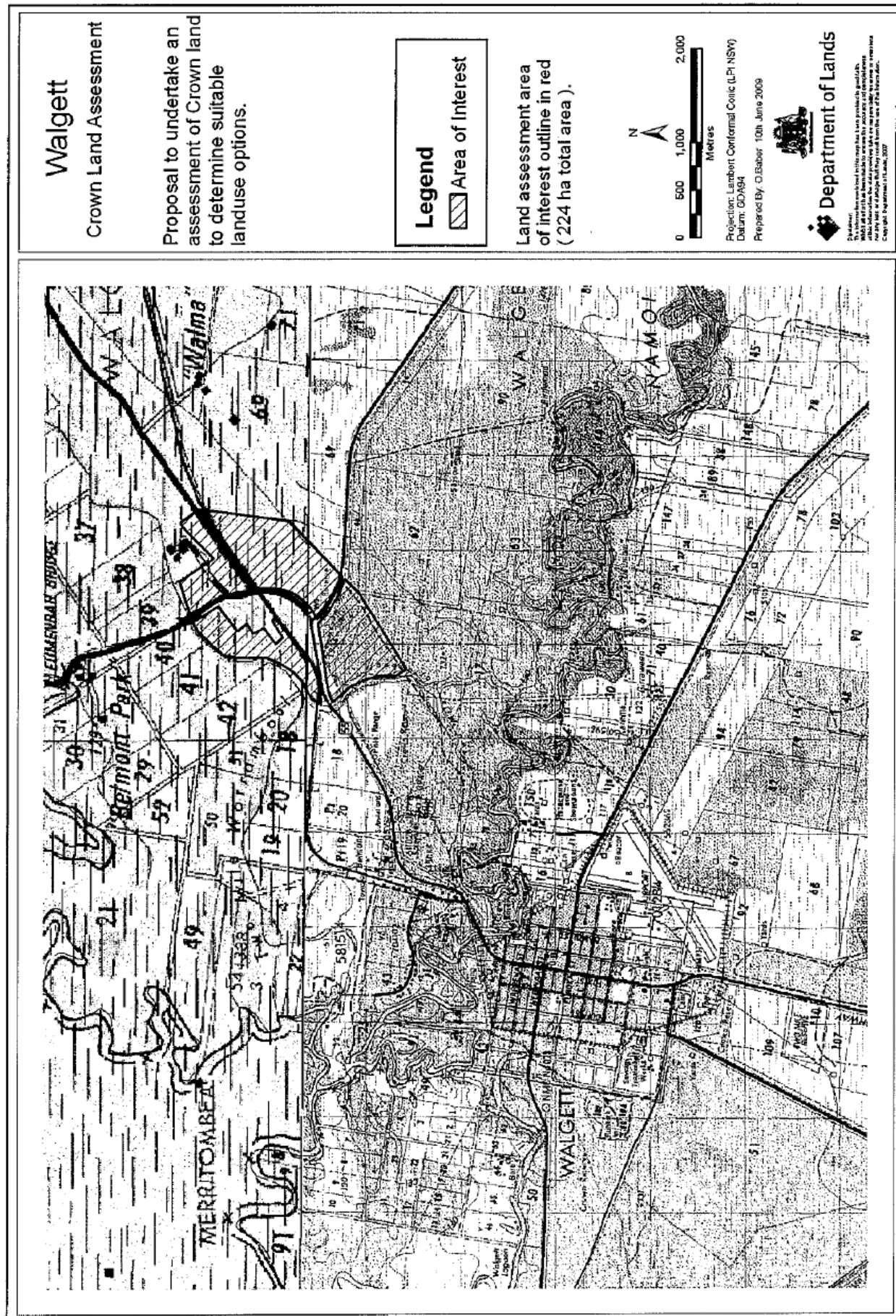
Your response by 3rd July 2009 would be appreciated.

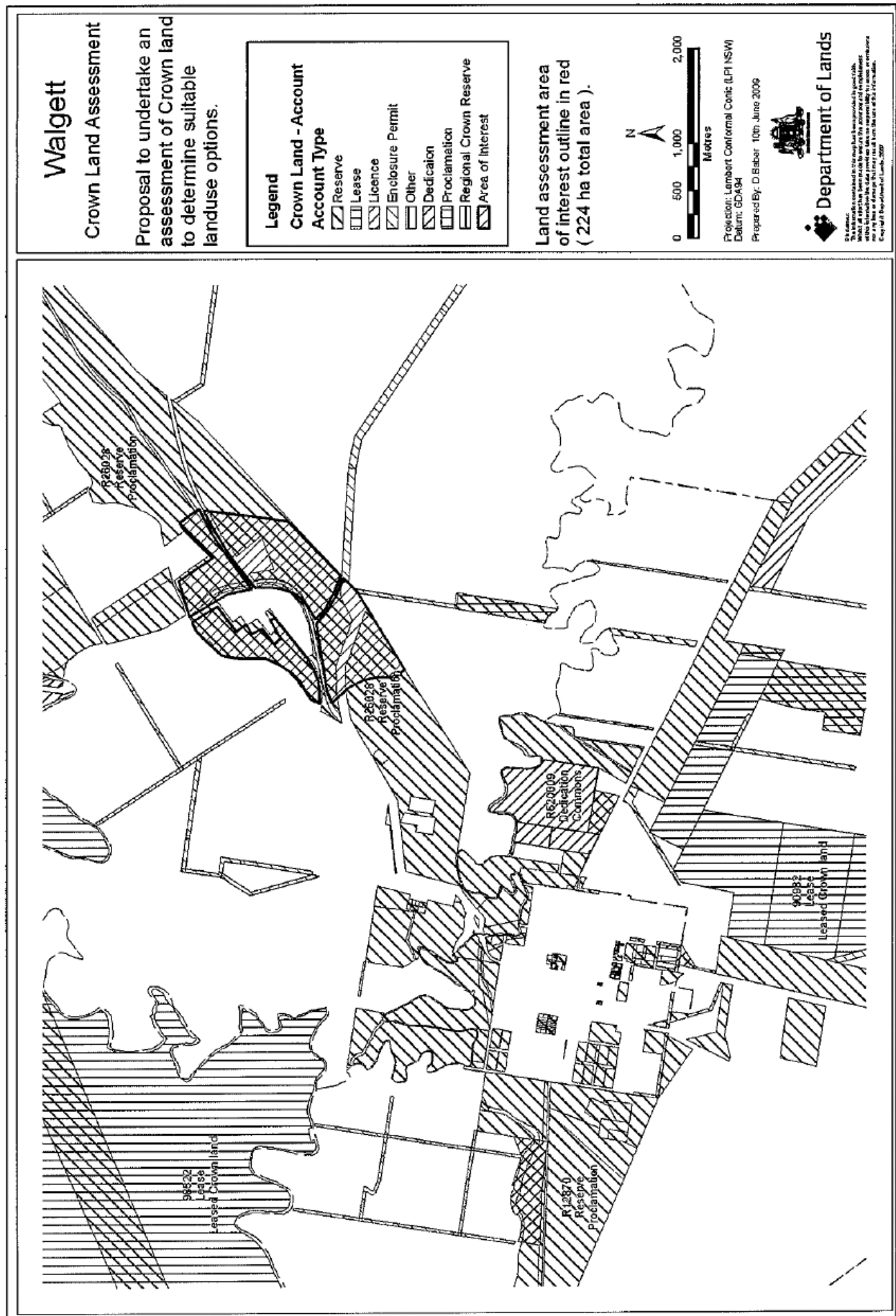
Information provided will assist the Department in preparing a draft land assessment, which will then be placed on public exhibition later in July 2009 for a minimum of 28 days (a copy of the draft land assessment will be sent to the Council).

If you have any questions please contact me on 6750 6401, or David Baber on 6750 6411.

Yours sincerely,


Ross Harris 10/6/2009
Program Manager
Land Administration
Central Region (North)





18. FIRE DAMAGED HERITAGE BUILDING, COLLARENEBRI

REPORTING SECTION: Planning and Regulatory Services

AUTHOR: Matthew Goodwin - Director Planning and Regulatory Services

FILE NUMBER: 235/06/26/00

Summary:

Walgett Shire Council's Heritage Advisor has prepared a report relating to a fire damaged building in Wilson St., Collarenebri that had been proposed for heritage listing. It is recommended that Council resolve to note the report and take action in accordance with his recommendations.

Discussion (including issues and background):

Recently the former bakery located on lot 3, section 4, DP 769262 in Wilson Street, Collarenebri was extensively damaged by fire. Since then the former bakery has been demolished.

Walgett Shire Council's Heritage Advisor, High Ground Consulting (Ray Christison), subsequently visited the site on 13 May 2009 and prepared a report on the various buildings located on the site (Attachment A). Within the Community Based Heritage Study report, endorsed by Council at a meeting held on 20 May 2008, Denyer's store and the old bakery shop have been recommended for listing as heritage items within a Local Environmental Plan.

The Heritage Advisor's report dated 18 May 2009 now recommends that the building known as Denyer's store no longer be considered for listing as a heritage item within an Local Environmental Plan.

The bulk of this report was previously submitted to a meeting held on 23 June 2009 where Walgett Shire Council resolved:

That consideration of the report be deferred until the July Meeting to allow for an inspection to be carried out.

Relevant Reference Documents:

Report of the Community Based Heritage Study dated April 2008.
Walgett Shire Council minutes for 20 May 2008.

Stakeholders:

Owner of land involved, Walgett Shire Council and the public.

Financial Implications:

Nil

Recommendations:

That Walgett Shire Council resolve to:

- 1. Note the report dated 18 May 2009 prepared by Walgett Shire Council's Heritage Advisor, Ray Christison, regarding proposed heritage buildings located on lot 3, section 4, DP 769262.**
- 2. Adopt the recommendations contained in that report, as follows:**
 - (a) Remove the former Denyer's Store building from the draft Heritage Schedule to allow for demolition and re-use of materials.**
 - (b) Retain the former bakery building on the Heritage Schedule and allow the owner to undertake modifications that:**
 - * Retain as much as possible of the existing fabric and outline of the building.**
 - * Retain the outline of the existing building and ovens.**

Attachments:

Heritage Advisor's report dated 18 May 2009

Attachment A – Heritage Advisor's report dated 18 May 2009



High Ground Consulting

(Hammusk Pty Ltd)
116 Hassans Walls Road
LITHGOW NSW 2790

ABN: 67 070 055 319
(02) 6353 1812
0419 438 609

highground@swiftdsl.com.au

General Manager
Walgett Shire Council
PO Box 31
WALGETT NSW 2832

ATT: Matthew Goodwin, Director Planning and Regulatory Services

Dear Matthew,

Fire damaged buildings – Wilson Street, Collarenebri

On 13 May 2009 I inspected two former retail premises located in Wilson Street, Collarenebri that have been listed in the draft heritage schedule for the new Walgett Shire LEP. I also discussed the owner's intentions in relation to the buildings on site following the recent destructive fire.

These premises are as follows:

- Item 107 - Denyer's Store (former), Lot 3 Sect 4, DP 769262
- Item 138 – Old Bakery and shops, Lot 3 Sect 4, DP 769262

The buildings located on Lot 3 Sect 4, DP 769262 can be described as follows;

- **Denyer's Store** (former) – This consists of two gable-roofed timber-framed retail structures placed side-by-side, constructed in Federation Carpenter Style and clad in weatherboard. At some time during their life, possibly in the 1930s, these structures have been joined by the addition of a shop front across their street facades and the construction of a passageway between the rear of both buildings. These buildings are in poor condition with numerous signs of impending structural failure evident. The owner has commenced removing flooring material from this structure.
- **Cottage** – A cottage is located immediately behind the former Denyer's Store. This may have been constructed at the same time as the retail premises. The owner of the property is currently restoring this building.
- **Old Bakery shop** – Formerly located on the street frontage to the north of Denyer's Store this building was recently destroyed by fire.
- **Old Bakery** – This building is located east of the former bakery shop. It is a simple gable-roofed structure with board and batten walls and a large brick oven at its rear. A substantial corrugated iron clad extension has been constructed on the southern side of the bakery. This building appears sound, although slightly fire damaged. The owner wishes to convert it into a residence.
- **Bakery store** – This corrugated iron clad structure is located at the rear of the block. It has been restored by the current owner.



Heritage significance

The heritage inventory sheets identify the cultural heritage significance of this complex as follows:

- Item 107 - A rare surviving 19th century weatherboard gable-roofed shop with inter-war shop front and parapet, dating from Collarenebri's period of growth and prosperity in the Federation years.
- Item 138 – A rare 19th century group of shops and associated bakery of timber slab and corrugated iron, dating from Collarenebri's period of growth and prosperity in the Federation years.

Discussions with owner

The owner of the property wishes to undertake the following actions:

- **Denyer's Store** – Given the condition of these buildings the owner wishes to demolish and re-use salvageable materials in the restoration of the cottage, bakery and bakery store. He has already commenced doing so.
- **Denyer's Store cottage** – Currently being restored.
- **Bakery Shop** – clear debris from the fire affected area.
- **Bakery** – Proposed modification to convert into a residence. It is intended to clad over the existing board and batten structure. I have suggested that this be done with corrugated iron recycled from Denyer's Store. The owner wishes to demolish the former baking ovens, which are in poor condition, and re-use the bricks elsewhere.
- **Bakery store** – This building is currently being restored.

Recommendations

Given the condition of the structures on the site it is proposed that the following actions be taken:

1. Remove the former Denyer's Store building from the draft Heritage Schedule to allow for demolition and re-use of materials.
2. Retain the former bakery building on the Heritage Schedule and allow the owner to undertake modifications that:
 - a. Retain as much as possible of the existing fabric and outline of the building.
 - b. Retain the outline of the existing building and ovens.

Yours faithfully

Ray Christison
Heritage Advisor
Walgett Shire Council
18 May 2009

19. LOCAL APPROVALS POLICY

REPORTING SECTION: Planning and Regulatory Services

AUTHOR: Matthew Goodwin - Director Planning and Regulatory Services

FILE NUMBER: 315/01/02/21

Summary:

Recently Walgett Shire Council publicly exhibited a draft Local Approvals Policy (LAP) and this report recommends that Council adopt the exhibited policy.

Discussion (including issues and background):

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

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

Activities that require approval under Section 68 of the LGA, include installing manufactured homes, plumbing work, operating a system of sewage management, sandwich boards, street awnings and operating a caravan park.

The current LAP was adopted by Walgett Shire Council on 19 December 2006 but did not commence until 13 February 2007, after the Director General of the Department of Local Government had consented to the local exemption provisions. It will expire on 18 September 2009, which is 12 months after the declaration of the poll for the 2008 Council election (in accordance with Section 165(4) of the LGA).

The draft LAP attached to this report was submitted to the 28 April 2009 Walgett Shire Council meeting where Council resolved to:

1. Endorse the draft Walgett Shire Council Local Approvals Policy.
2. Notify the public of the draft Walgett Shire Council Local Approvals Policy through the Lightning Ridge News and the Walgett Spectator.
3. Place the draft Walgett Shire Council Local Approvals Policy on public exhibition and invite written submissions from the public on the draft policy.

The draft LAP was placed on public exhibition from 22 May to 3 July 2009, and submissions were accepted during that period. Public notification of the exhibition period occurred via notices in the following newspapers, as follows:

- Walgett Spectator – 3-6-2009, 10-6-2009 and 24-6-2009.
- The Ridge News – 4-6-2009, 11-6-2009 and 25-6-2009.

No submissions were received during the public exhibition period.

Compared to the current LAP, the most significant changes proposed in the draft are:

- Addition of exemption criteria for operating a 'system of sewage management' (C6 activity, see page 13-16 of the draft LAP).
- Addition of exemption criteria to 'install a solid fuel heating appliance' (F4 activity, see page 23 of the draft LAP).
- Addition of exemption criteria for 'amusement devices' (F5 activity, see page 23-24 of the draft LAP).
- Deleting redundant references to 'places of public entertainment' and 'temporary structure' approvals. As a result of legislative amendments in 2007, such matters are now dealt with under the Environmental Planning and Assessment Act 1979 and State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007.

It should be noted that the new proposed exemption criteria for operating a 'system of sewage management' have been developed with the intention of avoiding the requirement for low risk on site sewage disposal systems to be formally approved, provided they are operated in an appropriate manner and setting. Higher risk systems still require formal approval including those which are:

- Not operated in accordance with basic health standards.
- Located within 250m of a perennial watercourse.
- Located in a rural setting within 100m of a residence on an adjoining property.
- Located in a village setting within 5m of a residence on an adjoining property.

Formal approval requirements are appropriate for higher risk systems because it will enable them to be evaluated on a regular basis. Systems that are operating in a poor manner can be addressed via a range of measures including advice, conditions on activity approvals and, where appropriate, an order requiring works to rectify any significant deficiencies.

The following points summarise matters that need to be addressed to enable the LAP to be formalised:

1. After considering all submissions received, the Council may decide to amend, adopt without amendment, or not to adopt the LAP (LGA S.161(1)).
2. If the amendments are not substantial in the Council's opinion, then it may adopt the amended without further public exhibition (LGA S.161(2)).
3. If the amendments are substantial, then the LAP must be publicly exhibited once more in accordance with the LGA, as described above (LGA S.161(2)).
4. A council must get the approval of the Director General of the Department of Local Government for the part of the LAP relating to exemptions from the necessity to obtain approval (LGA S.162).
5. The council must give public notice of the adoption of a LAP (LGA S.166)).

Relevant Reference Documents:

- Local Government Act 1993 – particularly Chapter 7.
- Local Government (General) Regulation 2005.
- Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.
- Department of Local Government Practice Note 14 titled Local Approvals Policies, issued March 1996.
- Planning Circular PS08-12 titled 'Entertainment in pubs, bars, cafes and restaurants' issued 18 December 2008 by the Department of Planning.
- State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007.

- Environmental Planning and Assessment Act 1979.

Stakeholders:

Public, Walgett Shire Council, Department of Local Government

Financial Implications:

The primary cost associated with an LAP is wages for staff involved in preparing and implementing the policy. Some advertising costs have also been incurred. All costs are being met from existing budgets.

Exemption provisions within the LAP may reduce income derived from activity application fees. However the community will benefit from reduced 'red tape' and more staff time will be available to deal with other matters.

Recommendations:

That Walgett Shire Council:

1. **Adopt the Walgett Shire Council Local Approvals Policy, as publicly exhibited from 22 May 2009 to 3 July 2009.**
2. **Write to the Director General of the Department of Local Government seeking approval for part of the Walgett Shire Council Local Approvals Policy relating to exemptions from the necessity to obtain approval.**
3. **If approval is obtained from the Director General of the Department of Local Government, then give public notice of the adoption of the Walgett Shire Council Local Approvals Policy via advertisements in the Lightning Ridge News and the Walgett Spectator.**

Attachments:

Local Approvals Policy



WALGETT SHIRE COUNCIL

LOCAL APPROVALS POLICY

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1 PRELIMINARY

1.1 WHAT IS THE TITLE OF THIS POLICY?

This policy ("the policy") is called the Walgett Shire Council Local Approvals Policy.

1.2 WHAT IS THE STATUS AND PURPOSE OF THIS POLICY?

(1) The Policy is a local approvals policy prepared and adopted under Chapter 7, Part 3 of the Local Government Act 1993 ("the Act").

(2) The purpose of this Policy is to supplement provisions of the Act and the Local Government (General) Regulation 2005 by:

- Part 1: Specifying the circumstances in which a person is not required to obtain a particular approval from the Council.
- Part 2: Specifying criteria, which the Council must consider when determining whether or not to grant approval to a particular activity.
- Part 3: Specifying other matters relating to such approvals that are not dealt with by the Act or Regulations.

1.3 WHAT ARE THE GENERAL AIMS OF THE POLICY?

The Policy aims:

- (a) To ensure consistency and fairness in the manner in which the Council deals with applications for approval;
- (b) To encourage and assist effective participation of local communities in decision-making.
- (c) To make the Council's policies and requirements for approvals readily accessible and understandable to the public;
- (d) To assist Council to fully pursue its charter under Section 8 of the Act.
- (e) To apply common or consistent requirements and procedures to all types of approval.

1.4 WHEN DID THE POLICY COMMENCE?

The Policy commenced on [DATE].

NOTE: This Policy was adopted by the Council on [DATE].

Adoption of the Policy was publicly notified in [NEWSPAPERS] on [DATE].

Exemption provisions for [APPROVAL TYPES] approvals contained within Part 1 of this policy were granted consent ([CONSENT DETAILS]) by the Director General, Department of Local Government in a letter to Walgett Shire Council dated [DATE].

| | |
|--|----|
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1.5 WHEN HAVE AMENDMENTS BEEN MADE TO THE POLICY?

The Policy incorporates the amendments as listed.

| Amendment No | Date Adopted | Minute No | Date Commenced | Notified in Local Paper |
|--------------|--------------|-----------|----------------|-------------------------|
| Nil | Nil | Nil | Nil | Nil |

1.6 WHEN WILL THE POLICY BE REVOKED?

The Policy is automatically revoked at the expiration of 12 months after the declaration of the poll for that election, unless the Council revokes it sooner.

NOTE: Under Section 165(4) of the Act, automatic revocation of the policy occurs 12 months after the declaration of the poll for a Council election.

1.7 WHERE DOES THE POLICY APPLY?

The Policy applies to all land within the Walgett Shire local government area.

1.8 TO WHAT APPROVALS DOES THE POLICY RELATE?

The Policy applies to approvals for the following activities which are listed in the Table to Section 68 of the Act. These activities require approval from Council.

| | | |
|---|--|--|
| Part A – Structures 1. Install a manufactured home, moveable dwelling or associated structure on land. 2. & 3. Repealed. | Part B – Water supply, sewerage, and stormwater drainage work. 1. Carry out water supply work. 2. Draw water from a Council water supply or a standpipe or sell water so drawn. 3. Install, alter, disconnect or remove a meter connected to a service pipe. 4. Carry out sewerage work. 5. Carry out stormwater drainage work. 6. Connect a private drain or sewer with a public drain or sewer under the control of a Council, or with a drain or sewer which connects with such a public drain or sewer. | Part C – Management of waste. 1. For fee or reward, transport waste over or under a public place. 2. Place waste in a public place. 3. Place a waste storage container in a public place. 4. Dispose of waste into a sewer of the Council. 5. Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility. 6. Operate a system of sewage management (within the meaning of section 68A). |
|---|--|--|

| | | |
|---|---|---|
| Part D – Community land 1. Engage in a trade or business. 2. Direct or procure a theatrical, musical or other entertainment for public. 3. Construct a temporary enclosure for the purpose of entertainment. 4. For fee or reward, play a musical instrument or sing. 5. Set up, operate or use a loudspeaker or sound amplifying device. 6. Deliver a public address or hold a religious service or public meeting. | Part E – Public roads 1. Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the roadway. 2. Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road. | Part F – Other activities 1. Operate a public car park. 2. Operate a caravan park or camping ground. 3. Operate a manufactured home estate. 4. Install a domestic oil or solid fuel heating appliance, other than a portable appliance. 5. Install or operate amusement devices (within the meaning of the Construction Safety Act 1912). 6. (Repealed) 7. Use a standing vehicle or any article for the purpose of selling any article in a public place. 8. (Repealed) 9. (Repealed) 10. Carry out an activity prescribed by the regulations or an activity of a class or description prescribed by the regulations. |
|---|---|---|

1.9 WHAT DEFINITIONS APPLY?

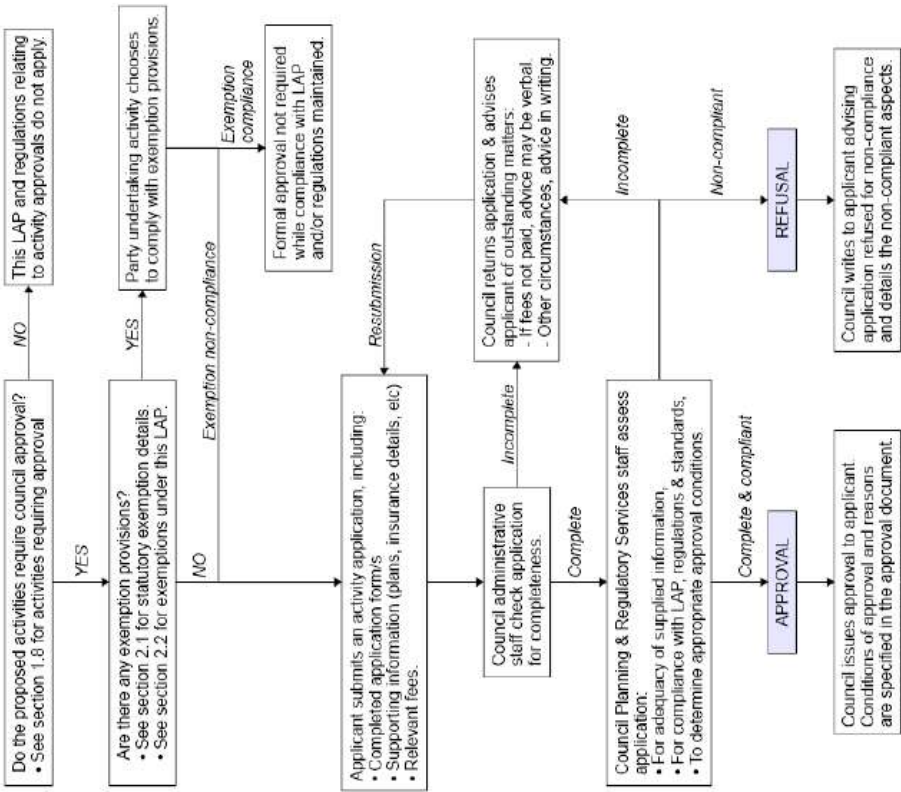
Expressions used in the Policy are defined in the Dictionary at the end of the Act (the “Act Dictionary”). A partial extract from that dictionary is included in Part 3 of this LAP.

1.10 WHAT ARE THE NOTES IN THE TEXT?

Notes in the text are explanatory notes, and do not form part of the Policy. They are provided to assist understanding.

1.11 HOW ARE APPLICATIONS PROCESSED?

The flow chart below summarises how activity applications are processed by Walgett Shire Council, and how this Local Approvals Policy (LAP) relates to such applications.



1.12 WHAT ARE OTHER RELEVANT DOCUMENTS?

The following documents are related, either directly or indirectly, to the Policy:

- (a) Local Government Act 1993 – particularly Chapter 7.
- (b) Local Government (General) Regulation 2005.
- (c) Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.
- (d) Department of Local Government Practice Note 14 issued March 1996 titled Local Approvals Policies.

NOTE: Parts of the practice note are out of date due to changes in legislation. For example Section 68 no longer deals with any building approvals.

(e) Other legislation may also be applicable, depending on the type of activity involved, for example the Protection of the Environment Operations Act 1997, the Environmental Planning and Assessment Act 1979, etc..

NOTE: Section 163 of the Act provides that the Policy is void if it is inconsistent with the Act or the regulations, to the extent of the inconsistency.

Where a local approvals policy contains more onerous criteria than those prescribed by the Act or regulations, section 164 of the Act renders that portion of the policy void.

2 PART 1 - EXEMPTIONS FROM THE NECESSITY TO OBTAIN APPROVAL

2.1 WHAT EXEMPTIONS ARE PROVIDED FOR UNDER THE REGULATIONS?

The following activities may be exempt from the need to obtain prior approval of the Council. The relevant provisions of the Act or regulations may specify conditions applicable to exemptions and reference should be made to the relevant provisions before proceeding with the proposed activity.

Please note that Clause 81 of the Local Government (General) Regulation 2005 states that:

- (1) If a person is exempt (because of a local approvals policy) from the requirement to obtain approval for an activity, the exemption is subject to the condition that the activity comply with the standards referred to in clauses 8, 31, 44, 51, 55, 68 and 73.
- (2) However, the activity must so comply only to the extent that the provisions (and the standards to which they refer) would apply to the activity if the activity had not been the subject of an exemption under the local approvals policy.
- (3) However, if the local approvals policy specifies, as the circumstances (or as part of the circumstances) for the exemption, that the activity is carried out in such part of an area, or such an area, as is specified in the policy, subclauses (1) and (2) do not apply to the activity.
- (4) Subclause (3) does not prevent a local approvals policy from specifying compliance with one or more of the standards referred to in subclause (1) as part of the circumstances for an exemption under section 158 (3) of the Act.

2.1.1 Exemptions – Manufactured or moveable homes (A1 activity)

| ACTIVITY | REGULATION |
|---|---|
| Installation of moveable dwellings and associated structures in caravan parks and camping grounds, provided the site is not liable to flooding and the installation occurs with the consent of the holder of the approval to operate the caravan park or camping ground concerned. | Clause 74 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 |
| Installation of not more than 2 caravans, campervans or tents on any land, so long as they are not occupied for more than 2 days at a time and are not occupied for more than 60 days (in total) in any single period of 12 months. | Clause 77(a) of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 |
| Installation of not more than one caravan or campervan on land occupied by the owner of the caravan or campervan in connection with that owner's dwelling-house, so long as it is used for habitation only by the owner or by members of the owner's household and is maintained in a safe and healthy condition. | Clause 77(b) of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 |
| Installation of a caravan or campervan on pastoral or agricultural land, so long as it is merely occupied seasonally by persons employed in pastoral or agricultural operations on the land. | Clause 77(c) of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 |

| | |
|--|--|
| Installation of a caravan, campervan or tent on Crown reserves or on land that is reserved or dedicated under the Forestry Act 1916. | Clause 78 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 |
|--|--|

2.1.2 Exemptions – Drawing water from a Council water supply or standpipe (B2 activity)

| ACTIVITY | REGULATION |
|--|---|
| A council employee acting in the course of his or her employment may draw water from a water supply system or standpipe without the prior approval of the council. | Clause 24 of the Local Government (General) Regulation 2005 |

2.1.3 Exemptions – Transport waste (C1 activity)

| ACTIVITY | REGULATION |
|---|--|
| The transporting of waste over or under a public place for fee or reward if: <ul style="list-style-type: none"> The activity is licensed under the Protection of the Environment Operations Act 1997, or The waste is being transported through the area of the Council and is not being collected or deposited in that area. | Clause 48(a) of the Local Government (General) Regulation 2005 |

2.1.4 Exemptions – Place waste in a public place (C2 activity)

| ACTIVITY | REGULATION |
|--|--|
| The placing of waste in a public place, if it is done in accordance with arrangements instituted by the Council. | Clause 48(b) of the Local Government (General) Regulation 2005 |

2.1.5 Exemptions – Discharge of domestic sewage into a sewer (C4 activity)

| ACTIVITY | REGULATION |
|--|--|
| The discharge of sewage of a domestic nature into a sewer of the council, if it is done in accordance with arrangements instituted by the council. | Clause 48(c) of the Local Government (General) Regulation 2005 |

2.1.6 Exemptions – Dispose of effluent into a sewer (C4 activity)

| ACTIVITY | REGULATION |
|---|--|
| The disposal of septic tank effluent into a sewer of the council, if the premises are within a Common Effluent Drainage District declared by the council. | Clause 48(d) of the Local Government (General) Regulation 2005 |

2.1.7 Exemptions – Install, construct or alter a waste treatment device (C5 activity)

| ACTIVITY | REGULATION |
|---|--|
| The installation, construction or alteration of a waste treatment device, if that installation, construction or alteration is done: <ul style="list-style-type: none"> under the authority of a licence in force under the Protection of the Environment Operations Act 1997, or in a vessel used for navigation, or in a motor vehicle registered under the Road Transport (Vehicle Registration) Act 1997 that is used primarily for road transport. | Clause 48(e) of the Local Government (General) Regulation 2005 |

2.1.8 Exemptions – Operate a system of sewage management (C6 activity)

| ACTIVITY | REGULATION |
|--|--|
| So much of the operation of a system of sewage management as is limited to an action carried out: <ul style="list-style-type: none"> under the authority of a licence in force under the Protection of the Environment Operations Act 1997, or in a vessel used for navigation, or in a motor vehicle registered under the Road Transport (Vehicle Registration) Act 1997 that is used primarily for road transport | Clause 48(f) of the Local Government (General) Regulation 2005 |
| Despite the other provisions of this Regulation, a person who purchases (or otherwise acquires) land on which any sewage management facilities are installed or constructed may operate a system of sewage management without the approval required under section 68 of the Act for the period of 3 months after the date on which the land is transferred or otherwise conveyed to the person (whether or not an approval is in force, as at that date, in relation to the operation of a system of sewage management on that land). Further, if the person duly applies, within the period of 2 months after the date on which the land is transferred or otherwise conveyed to the person, for approval to operate the system of sewage management concerned, the person may continue to operate that system of sewage management without approval until the application is finally determined | Clause 47 of the Local Government (General) Regulation 2005 |

2.1.9 Exemptions – Use of a loudspeaker or amplifying device on community land (D5 activity)

| ACTIVITY | REGULATION |
|--|---|
| A loudspeaker or sound amplifying device may be set up, operated or used on community land without the prior approval of the council if it is done in accordance with a notice erected on the land by the council or if it is done in the circumstances specified, in relation to the setting up, operation or use (as the case may be), in Part 1 of the local approvals policy applying to the land. | Clause 49 of the Local Government (General) Regulation 2005 |

2.1.10 Exemptions – Domestic oil or solid fuel heating appliance (F4 activity)

| ACTIVITY | REGULATION |
|---|---|
| A domestic oil or solid fuel heating appliance (other than a portable appliance) may be installed without the prior approval of the council if details of the appliance are included in plans and specifications for the relevant building approved under Part 4.A of the Environmental Planning and Assessment Act 1979. | Clause 70 of the Local Government (General) Regulation 2005 |

2.1.11 Exemptions – Operation of a public car park (F1 activity)

| ACTIVITY | REGULATION |
|--|---|
| A public car park may be operated without the prior approval of the council if approval for its erection or operation has already been given by the council in connection with another approval or development consent and the car park complies with any applicable conditions of that approval or development consent. | Clause 66 of the Local Government (General) Regulation 2005 |

2.1.12 Exemptions – Amusement devices (F5 activity)

| ACTIVITY | REGULATION |
|--|---|
| Amusement devices not required to be registered under the Occupational Health and Safety Regulation 2001 may be installed or operated without the prior approval of the council. | Clause 71 of the Local Government (General) Regulation 2005 |
| A small amusement device may be installed or operated without the prior approval of the council if: <ul style="list-style-type: none"> the ground or other surface on which the device is to be or has been erected is sufficiently firm to sustain the device while it is in operation and is not dangerous because of its slope or irregularity or for any other reason, and the device is registered under the Occupational Health and Safety Regulation 2001, and the device is erected and operated in accordance with all conditions relating to its erection or operation set out in the current certificate of registration issued for the device under those Regulations, and there exists for the device a current log book within the meaning of those Regulations, and in the case of a device that is to be or is installed in a building, fire egress is not obstructed, and there is in force a contract of insurance or indemnity for the device that complies with clause 74. | Clause 78 of the Local Government (General) Regulation 2005 |
| In the regulation small amusement device means an amusement device that is designed primarily for the use of children 12 years of age or under (includes such amusement devices as mini-Ferris wheels, battery operated cars and miniature railways but, in the case of rotating amusement devices, includes only those devices that have a maximum rotation of 14 revolutions per minute). | |

2.2 WHAT EXEMPTIONS ARE PROVIDED FOR UNDER THIS LAP?

By virtue of this Local Approvals Policy, a person, company or organisation is exempt from the need to obtain a particular approval of the Council in the circumstances specified below, in addition to any exemptions available under the regulations.

2.2.1 Exemptions – Operate a system of sewage management (C6 Activity)

Although the exemption provisions below are quite wide ranging, formal approval is still required for all systems of sewage management

- o Located in the Village zone at Cumborah where a near surface aquifer is prone to contamination by effluent.
- o In a rural zone that is located within 250m of a perennial watercourse.
- o That do not comply with any of the exemption scenarios specified below.

Village land

Exemption from approval to operate a system of sewage management (within the meaning of section 68A) (Activity C6) is available to a landholder in the circumstances specified below:

- (a) The system is located on land is zoned as village (or a similar urban zone) at Carinda, Burrien Junction or Rowena.

NOTE: Connection to a Council operated sewerage or effluent system is not available in these villages.

- (b) The system is located on a lot that is greater than 2000 square metres in area, or was created prior to the commencement of the Walgett Local Environmental Plan.

NOTE: In the clayey soil conditions that dominate the Walgett Shire, a minimum area of 2000 square metres is generally required for the ongoing operation and maintenance of an on site sewage system.

- (c) All storage and discharge parts of the system are located at least:
 - (i) 5 metres from the boundary of the land.
 - (ii) 250 metres away from any mapped perennial water course.
- (d) The system does not include a long drop (cesspit) toilet.
- (e) The system is operated and maintained so that in normal operating conditions:
 - (i) Nutrients, contaminants, pathogens, insects or vermin are not dispersed from the system.
 - (ii) The system must not discharge into any watercourse or onto any land other than its related effluent application area.
 - (iii) Persons cannot come into contact with untreated sewage or effluent (whether treated or not) in their ordinary activities on the premises concerned.
- NOTE:** Normal operating conditions do not include circumstances that are beyond the control of the person operating the system of sewage management (such as a fire, flood, storm, earthquake, explosion, accident, epidemic or warlike action).
- (f) The system must comply with clauses 36 and 37 of the Local Government (General) Regulation 2005, where relevant.

- (g) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (h) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (i) Walgett Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

Rural land

Exemption from approval to operate a system of sewage management (within the meaning of section 68A) (Activity C6) is available to a landholder in the circumstances specified below:

- (a) The system is operated on land zoned primary production (or a similar non-urban zoning).
- (b) The system is located at least:
 - (i) 100 metres away from any residence on an adjoining property, and;
 - (ii) 250 metres away from any mapped perennial water course.
- (c) The system is operated and maintained so that in normal operating conditions:
 - (i) Nutrients, contaminants, pathogens, insects or vermin are not dispersed from the system.
 - (ii) The system must not discharge into any watercourse or onto any land other than its related effluent application area.
 - (iii) Persons cannot come into contact with untreated sewage or effluent (whether treated or not) in their ordinary activities on the premises concerned.

NOTE: Normal operating conditions do not include circumstances that are beyond the control of the person operating the system of sewage management (such as a fire, flood, storm, earthquake, explosion, accident, epidemic or warlike action).

- (d) The system must comply with clauses 36, 37 and 38 of the Local Government (General) Regulation 2005, where relevant.
- (e) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (f) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (g) Walgett Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

'Preserved' opal fields

Exemption from approval to operate a system of sewage management (within the meaning of section 68A) (Activity C6) is available to a landholder on the 'preserved' opal fields in the circumstances specified below:

- (a) The system is operated on land that is part of the 'preserved' opal fields.

Additional regulatory requirements for sewage management systems
 The following clauses of the Local Government (General) Regulation 2005 apply to many sewage management systems in addition to the exemption requirements detailed previously.

36 Sewage management facilities generally

A sewage management facility:

- (a) must be made of durable and non-corrosive components, each having an expected service life of at least:
 - (i) 5 years, in the case of a mechanical or electrical component, and
 - (ii) 15 years, in any other case, and
- (b) must be installed or constructed:
 - (i) in accordance with the appropriate specifications and in accordance with good trade practice, and
 - (ii) so as to allow ease of access for maintenance, and
 - (iii) with regard to the health and safety of users, operators and persons maintaining the facility, and
- (c) must be installed or constructed so as to make appropriate provision for access to and removal of contents in a safe and sanitary manner, and
- (d) must, if it is attached to be a permanent fixture, be anchored to prevent movement.

37 Closets for certain toilet systems

- (1) A human waste storage facility must not be installed in any part of a building unless that part of the building complies with the following requirements:
 - (a) it is adequately ventilated to the outside air,
 - (b) the walls and roof are of weatherproof material,
 - (c) the floor is of material that is impervious to water and is drained,
- (2) The part of the building in which a human waste storage facility (other than a water closet) is permanently installed must be designed and located so as to allow human waste to be removed without being carried through any dwelling-house or public building or any building in which any person may be, or may be intended to be, employed in any manufacture, trade or business.

38 Cesspits

- (1) A cesspit:
 - (a) must be deep, dark and fly-proof, and
 - (b) must be constructed and maintained so as to prevent both the access of surface waters to it and the escape of matter from it, and
 - (c) must not be located where it can possibly pollute any water used or likely to be used for human consumption or for any domestic or dairy purposes, and
 - (d) must not be located where the normal level of the ground water is less than one metre below the bottom of the cesspit.
- (2) If a cesspit is emptied, its contents must be disposed of in a sanitary manner and in accordance with any requirements of the council.

- (b) The system is located at least:
 - (i) 5 metres from the boundary of the land on which it is located,
 - (ii) 50 metres from any residence located on an adjoining property, and,
 - (iii) 250 metres away from any mapped perennial water course.
 - (c) The system is operated and maintained so that in normal operating conditions:
 - (i) Nutrients, contaminants, pathogens, insects or vermin are not dispersed from the system,
 - (ii) The system must not discharge into any watercourse or onto any land other than its related effluent application area.
 - (iii) Persons cannot come into contact with untreated sewage or effluent (whether treated or not) in their ordinary activities on the premises concerned.
- NOTE:** *Normal operating conditions do not include circumstances that are beyond the control of the person operating the system of sewage management (such as a fire, flood, storm, earthquake, explosion, accident, epidemic or warlike action)*
- (d) If the system includes a long drop (cesspit) toilet it must be operated and maintained so that:
 - (i) It is located within a blind drill hole.
- NOTE:** *Pits must not be linked to current or former opal mine workings because they pose a health risk to current and future opal mining operations.*
- (ii) The drill hole is located in rock that has a low permeability.
- NOTE:** *Most drill holes on the preserved opal fields will encounter rocks such as claystone, silicified claystone or clayey sandstone which have a low permeability and can contain untreated sewage. On rare occasions a drill hole will encounter unconsolidated gravel which cannot contain effluent, hence it must not be used for a long drop toilet.*
- (iii) Pits must be ceased to be used when the waste is within 1.5 metres of ground level. They must then be backfilled with clean earth.
- NOTE:** *Waste needs to be confined to the pit and it should not be used beyond its capacity.*
- (iv) Grey water is not directed into the toilet pit.
- NOTE:** *Directing grey water into the pit is likely to overload the system.*
- (e) The system must comply with clauses 36, 37 and 38 of the Local Government (General) Regulation 2005, where relevant.
 - (f) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
 - (g) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
 - (h) Walgett Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

2.2.2 Exemptions – Trade or business on community land (D1 Activity)

Non-profit community based organisation

Exemption from approval to engage in a trade or business on community land (Activity D1) is available to a non-profit community based organisation in the circumstances specified below:

- (i) The proposed activity does not conflict with any other previously booked on the same land.
- (ii) The activity occurs either:
 - (i) On a Crown Reserve, with the prior written consent of the Reserve Trust and in accordance with any leases or licences that may be necessary for the use of the land; OR,
 - (ii) On freehold land owned by Council with the prior written consent of the Council.
- (k) The area of operations must be maintained in a clean, tidy and attractive state at all times.
- (l) If food is being sold, then the 'food business' must be registered with the NSW Food Authority.

NOTE: Food businesses can register for free online through the web site www.foodnotify.nsw.gov.au OR for a fee through Council.

- (m) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (n) The party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$10,000,000 that covers the activities involved and the context in which they will be undertaken.
- (o) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (p) Walgett Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

Owner operated business at a community event

Exemption from approval to engage in a trade or business on community land (Activity D1) is available to an owner operated business or stall in the circumstances specified below:

- (a) The activity is undertaken in conjunction with a community event, such as the Walgett Show or the Lightning Ridge Opal Festival.
- (b) The party undertaking the activity is registered with the organisers of the community event.
- (c) The activity occurs either:
 - (i) On a Crown Reserve, with the prior written consent of the Reserve Trust and in accordance with any leases or licences that may be necessary for the use of the land; OR,
 - (ii) On freehold land owned by Council with the prior written consent of the Council.
- (d) The area of operations must be maintained in a clean, tidy and attractive state at all times.
- (e) If food is being sold, then the 'food business' must be registered with the NSW Food Authority.

NOTE: Food businesses can register for free online through the web site www.foodnotify.nsw.gov.au OR for a fee through Council.

- (f) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (g) The party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$10,000,000 that covers the activities involved and the context in which they will be undertaken.
- (h) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (i) Walgett Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

2.2.3 Exemptions – Entertainment for public on community land (D2 Activity)

Exemption from approval to direct or procure a theatrical, musical or other entertainment for the public on community land (Activity D2) is available in the circumstances specified below:

- (a) The proposed activity is undertaken:
 - (i) by a non-profit community based organisation for less than three days; OR,
 - (ii) by a company or organisation to provide entertainment for the general community, such as a circus, play or opera performance, for less than three days.
- (b) The activity occurs either:
 - (i) On a Crown Reserve, with the prior written consent of the Reserve Trust and in accordance with any leases or licences that may be necessary for the use of the land; OR,
 - (ii) on freehold land owned by Council with the prior written consent of the Council.
- (c) Any necessary approvals that may be required from any state government agencies are obtained prior to the event, such as:
 - (i) Liquor licence through the Licensing Court, via the Licensing Court Registry (Local Court House).
 - (ii) Fireworks approvals from the Workcover Authority of NSW.
- (d) The proposed activity does not conflict with any other previously booked on the same land.
- (e) The area of operations must be maintained in a clean, tidy and attractive state at all times.
- (f) If food is to be sold, then the 'food business' must be registered with the NSW Food Authority.

NOTE: Food businesses can register for free online through the web site www.foodnotify.nsw.gov.au OR for a fee through Council.

- (g) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (h) The party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$10,000,000 that covers the activities involved and the context in which they will be undertaken.
- (i) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.

- (i) Walgett Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

2.2.4 Exemptions – For a fee or reward, play a musical instrument or sing on community land (D4 Activity)

Exemption from approval to, for a fee or reward, play a musical instrument or sing on community land (Activity D4) is available in the circumstances specified below:

- (a) The activity is undertaken in conjunction with a major community event, such as the Lightning Ridge Goat Races.
- (b) The party undertaking the activity is registered with the organisers of the community event.
- (c) The activity occurs either:
 - (i) On a Crown Reserve, with the prior written consent of the Reserve Trust and in accordance with any leases or licences that may be necessary for the use of the land, OR,
 - (ii) on freehold land owned by Council with the prior written consent of the Council.
- (d) The activity must not be offensive or cause disturbance.
- (e) The activity must not obstruct the flow of vehicle traffic or pedestrian flows.
- (f) The area of operations must be maintained in a clean, tidy and attractive state at all times.
- (g) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (h) The party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$10,000,000 that covers the activities involved and the context in which they will be undertaken.
- (i) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (j) Walgett Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

2.2.5 Exemptions – Set up, operate or use a loudspeaker or sound amplifying device on community land (D5 Activity)

Exemption from approval to set up, operate or use a loudspeaker or sound amplifying device on community land (Activity D5) is available in the circumstances specified below:

- (a) The activity is undertaken in conjunction with a community event, such as the Walgett Show or Rodeo.
- (b) The activity occurs either:
 - (i) On a Crown Reserve, with the prior written consent of the Reserve Trust and in accordance with any leases or licences that may be necessary for the use of the land, OR,
 - (ii) on freehold land owned by Council with the prior written consent of the Council.
- (c) The activity must not be offensive or cause significant disturbance outside the venue.

- (d) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.

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

2.2.6 Exemptions – Set up, operate or use a loudspeaker or sound amplifying device on community land (D5 Activity)

Exemption from approval to set up, operate or use a loudspeaker or sound amplifying device on community land (Activity D5) is available in the circumstances specified below:

- (a) The activity is undertaken in conjunction with a private function, such as a birthday party.
- (b) The activity occurs either:
 - (i) On a Crown Reserve, with the prior written consent of the Reserve Trust and in accordance with any leases or licences that may be necessary for the use of the land, OR,
 - (ii) on freehold land owned by Council with the prior written consent of the Council.
- (c) The activity must not be offensive or cause significant disturbance outside the venue.
- (d) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (e) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (f) Walgett Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

2.2.7 Exemptions – Expose any article on public road (E2 Activity)

An E2 activity approval allows the holder to “*expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road*”. This includes advertising sandwich board, shop awnings and dining or café tables on, or overhanging, a public road corridor. Details of exemptions under this LAP for exposing articles on a public road are provided below.

Selling and displaying items on the footpath - Business

Exemption from approval to expose items for sale on a public road is available for a business (Activity E2) in the circumstances specified below

- (a) The activity is being undertaken by the business owner at the front of their business premises, and involves the sale of merchandise normally available inside the shop.
- (b) Food is not sold.
- (a) If the activity occurs on a footpath, then a minimum 3m width of footpath must remain available for pedestrian use at all times.
- (b) If the activity occurs on a footpath then all trading tables, displays and equipment must be located adjacent to buildings.
- (c) The area of operations must be maintained in a clean, tidy and attractive state at all times.
- (d) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (e) The party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$10,000,000 that covers the activities involved and the context in which they will be undertaken.
- (f) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (g) Walgett Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

Sandwich boards

Exemption from approval to erect a sandwich board is available for a business (Activity E2) in the circumstances specified below:

- (a) The sandwich board is established by a business within the public road corridor (footpath area) immediately at the front of the business.
- (b) Boards should generally have a maximum height of 1.0 metre and maximum width of 1.0 metre.
NOTE: *Some leeway will be shown for sandwich boards that were in regular use prior to the commencement of this policy, in that they may exceed the size restrictions by up to 30%.*
- (c) Sandwich boards must be placed in locations where they do not create any unnecessary physical or visual obstruction. This includes ensuring that access for elderly and disabled people is maintained.
- (d) Sandwich boards must be removed from the street during non-trading hours.

- (e) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (f) The party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$10,000,000 that covers the activities involved and the context in which they will be undertaken.
- (g) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (h) Walgett Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

Awnings

Exemption from approval to have an awning that overhangs a public road corridor is available for a business (Activity E2) in the circumstances specified below:

- (a) The awning was in existence prior to the commencement of this LAP.
- (b) The awning is maintained in a structurally sound condition, and painted in colours sympathetic to the surrounding streetscape, at all times.
- (c) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (d) The party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$10,000,000 that covers the activities involved and the context in which they will be undertaken.
- (e) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (f) Walgett Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

Street banners

Exemption from approval to have a street banner overhanging public road corridor (Activity E2) is available in the circumstances specified below:

- (a) Street banners shall only be fixed to structures installed by Council or Country Energy specifically for that purpose.
- (b) Street banners shall only be erected and installed by staff of Council or Country Energy.
NOTE: *Erection of street banners can be hazardous in the presence of overhead powerlines and traffic.*
- (c) Street banners shall be constructed of a durable material that will withstand all weather conditions, including a wind velocity of up to 33 metres per second.
- (d) Street banners must primarily advertise community events. Details of event sponsors may represent up to a maximum of 30% of the total banner area.
- (e) Street banners must be maintained in a tidy and attractive state at all times.

- (f) Banners should be erected for a maximum of two weeks prior to an event and two days after the event.
- (g) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (h) The party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$10,000,000 that covers the activities involved and the context in which they will be undertaken.
- (i) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (j) Walgett Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

2.2.8 Exemptions – Solid fuel heating device (F4 Activity)

Exemption from approval to install a solid fuel heating appliance, other than a portable appliance (Activity F4), is available in the circumstances specified below:

- (a) The activity is undertaken in a residence which has been approved by Council via a Construction Certificate or Compiling Development Certificate.
 - (b) The device is installed in accordance with the manufacturers instructions.
 - (c) The device is operated in such a manner that it does not cause a public nuisance via smoke or odour.
- NOTE:** *The Protection of the Environment Operations Act 1997 and associated regulations provide that air pollution can be an offence.*
- (d) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
 - (e) Walgett Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

2.2.9 Exemptions – Amusement devices (F5 Activity)

Exemption from approval to install or operate amusement devices (within the meaning of the Construction Safety Act 1912) (Activity F5) is available in the circumstances specified below:

- (a) The activity is undertaken in conjunction with a community event, such as the Walgett Show, Walgett Rodeo, Lightning Ridge Goat Races or the Lightning Ridge Opal Festival.
- (b) The party undertaking the activity is registered with the organisers of the community event.
- (c) The ground or other surface on which the device is to be or has been erected is sufficiently firm to sustain the device while it is in operation and is not dangerous because of its slope or irregularity or for any other reason.
- (d) The device is registered under the Occupational Health and Safety Regulation 2001.
- (e) The device is erected and operated in accordance with all conditions relating to its erection or operation set out in the current certificate of registration issued for the device under those Regulations.

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- (f) There exists for the device a current log book within the meaning of those Regulations.
- (g) In the case of a device that is to be or is installed in a building, fire safety egress is not obstructed.
- (h) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.
- (i) The party undertaking the activity must maintain a current public liability insurance policy, with a minimum insured value of \$10,000,000 that covers the activities involved and the context in which they will be undertaken.
- (j) Council accepts no liability for any injury or damage associated with any activity undertaken, or purportedly undertaken, under the provisions of this exemption.
- (k) Walgett Shire Council retains the right to issue a written revocation of an exemption status for any failure to comply with the terms of the exemption requirements. A written appeal can be lodged with Council against any decision to revoke an exemption.

2.2.10 Exemptions – Selling in a public place (F7 Activity)

Community based organisation

Exemption from approval to use a standing vehicle or any article for the purpose of selling any article in a public place (Activity F7) is available to a non-profit community based organisation in the circumstances specified below:

NOTE: *Privately owned land is not a public place. See dictionary at end of document for more information.*

- (a) The organisation provides written notification to Walgett Shire Council at least one week prior to the event. Notifications must include details of the date, time and nature of a proposed activity. They can be made by fax (6828 1608), e-mail (admin@walgettshire.com) or letter (General Manager, Walgett Shire Council, P.O. Box 31, Walgett NSW 2832).

NOTE: *Council will maintain a register of these notifications.*

- (b) The proposed activity does not conflict with any other previously booked in the same town.

NOTE: *Generally Council will only consent to one stall or market per week in any town.*

- (c) If the activity occurs on a footpath, then a minimum 3m width of footpath must remain available for pedestrian use at all times.

- (d) If the activity occurs on a footpath then all trading tables, displays and equipment must be located adjacent to buildings.

- (e) The area of operations must be maintained in a clean, tidy and attractive state at all times.

- (f) Trading can only take place at the front of a business or home where the occupier of that business or home has given their consent for the activity.

- (g) If food is to be sold, then the 'food business' must be registered with the NSW Food Authority.

NOTE: *Food businesses can register for free online through the web site www.foodnfoity.nsw.gov.au OR for a fee through Council.*

- (h) The party undertaking the activity must ensure that Council staff have full access, on demand, to all buildings, structures and documents associated with any exemption claimed under this policy so that compliance with the conditions of exemption can be verified.

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

3 PART 2 - CRITERIA COUNCIL MUST CONSIDER WHEN DETERMINING APPLICATIONS

3.1 GENERAL MATTERS FOR CONSIDERATION UNDER REGULATIONS

The regulations to the Local Government Act 1993 prescribe a number of matters that must be considered by Council when dealing with an activity application, as detailed under the respective headings below.

3.1.1 Consideration criteria – water supply, sewerage and stormwater drainage (B1, B4 and B5 Activities)

Clause 13 of the Local Government (General) Regulation 2005 specifies matters that must be taken into consideration by Council, as follows:

The council must not approve an application for an approval allowing water supply, sewerage or stormwater drainage work to be carried out unless it is satisfied that the activity as proposed to be carried out will comply with any applicable standards set out or referred to in Part 2 of Schedule 1 and with any other applicable standards or requirements set out or referred to in this Regulation.

Clause 15 of the Local Government (General) Regulation 2005 specifies matters that must be taken into consideration by Council, as follows:

- (1) This clause applies to the following activities:
 - (a) carrying out water supply work,
 - (b) drawing water from the council water supply or a standpipe,
 - (c) installing, altering, disconnecting or removing a water meter connected to a service pipe,
 - (d) carrying out sewerage work,
 - (e) carrying out stormwater drainage work.
- (2) In determining an application for the purposes of section 68 of the Act for an approval to do any of the activities to which this clause applies, the council must have regard to the following considerations:
 - (a) the protection and promotion of public health,
 - (b) the protection of the environment,
 - (c) the safety of its employees,
 - (d) the safeguarding of its assets,
 - (e) any other matter that it considers to be relevant in the circumstances.

Part 2 of Schedule 1 of the Local Government (General) Regulation 2005 specifies mandatory standards for water supply, sewerage and stormwater drainage work, including that such works must comply with the New South Wales Code of Practice—Plumbing and Drainage (also known as the Plumbing and Drainage Code of Practice).

3.1.2 Consideration criteria – place building waste storage container on a road (C3 Activity)

Clause 27 of the Local Government (General) Regulation 2005 specifies matters that must be taken into consideration by Council, as follows:

In determining an application for approval to place on a road a building waste storage container, the council is to take into consideration any requirements or guidelines relating to the location, size and visibility of building waste storage containers that are notified to the council from time to time by the Roads and Traffic Authority

3.1.3 Consideration criteria – sewage management facilities (C5 Activity)

Clause 29 of the Local Government (General) Regulation 2005 specifies matters that must be taken into consideration by Council, as follows:

- (1) In determining an application for approval to install, construct or alter a sewage management facility, the council must take into consideration the matters specified in this clause.

- (2) Environment and health protection matters

The council must consider whether the proposed sewage management facility (or the proposed sewage management facility as altered) and any related effluent application area will make appropriate provision for the following:

- (a) preventing the spread of disease by micro-organisms,
- (b) the prevention of the spread of foul odours,
- (c) preventing contamination of water,
- (d) preventing degradation of soil and vegetation,
- (e) the discouragement of insects and vermin,
- (f) ensuring that persons do not come into contact with untreated sewage or effluent (whether treated or not) in their ordinary activities on the premises concerned,
- (g) the re-use of resources (including nutrients, organic matter and water),
- (h) the minimisation of any adverse impacts on the amenity of the land on which it is installed or constructed and other land in the vicinity of that land.

- (3) Guidelines and directions

The council must consider any matter specified in guidelines or directions issued by the Director-General in relation to the matters referred to in subclause (2).

3.1.4 Consideration criteria – applications relating to public roads (E1 & E2 Activities)

Clause 50 of the Local Government (General) Regulation 2005 specifies matters that must be taken into consideration by Council, as follows:

In determining an application for an approval under Part E of the Table to section 68 of the Act the council must take into account the provisions of the Roads Act 1993 and any relevant standards and policies of public authorities applying to the use of the road.

3.1.5 Consideration criteria – operation of a public car park (F1 Activity)

Clause 53 of the Local Government (General) Regulation 2005 specifies matters that must be taken into consideration by Council, as follows:

In determining an application for approval to operate a public car park the council is to take the following matters into consideration:

- (a) the Roads and Traffic Authority's views about the application,
- (b) the effect of the car park on the movement of vehicular traffic and pedestrian traffic,
- (c) whether the number of vehicles proposed to be accommodated is appropriate having regard to the size of the car park and the need to provide off-street parking facilities within the car park for the temporary accommodation of vehicles,
- (d) whether the means of ingress and egress and means of movement provided or to be provided within the car park are satisfactory,
- (e) whether there will be adequate provision for pedestrian safety and access for people with disabilities,
- (f) whether the internal design of parking facilities and system of traffic management are satisfactory,
- (g) whether, in the case of a car park that is a building, adequate ventilation is provided or to be provided,
- (h) the Occupational Health and Safety Act 2000, and the regulations made under that Act, as regards the safety of persons who will be employed at the proposed car park or of persons who will go there,
- (i) whether there will be adequate provision for the management of stormwater and the minimisation of stormwater pollution.

3.1.6 Consideration criteria – operate a caravan park or camping ground (F2 Activity)

The Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 contains mandatory requirements for the operation of a caravan park and camping ground. As a result, Council will evaluate all relevant activity applications to ensure that:

- (a) Supporting plans and documents clearly demonstrate an intention to comply with the requirements of the regulation.
- (b) Where such an intention is not demonstrated, an assessment will be made of whether it is feasible for the applicant to comply and hence whether it is appropriate to issue a conditional approval or hold the application pending the supply of the necessary information.

3.2 GENERAL MATTERS FOR CONSIDERATION UNDER THIS LAP

Under the terms of this Local Approvals Policy, the following matters must be considered in addition to any matters prescribed by the regulations for the respective activity applications.

3.2.1 LAP criteria – Trade or business on community land or use standing vehicle for selling any article in a public place (D1, & F7 Activities)

This section applies to applications for approval to engage in a trade or business on community land (D1 activity) and to use a standing vehicle or any article for the purpose of selling any article in a public place (F7 activity).

For all applications relating to the trading or selling on community land, public roads or public places, Council will consider the following matters in connection with the respective applications:

- (1) If food is proposed to be sold, that the activity has been registered with the NSW Food Authority.
- (2) The potential for interference with pedestrian or vehicle traffic.
- (3) The potential for conflict with any other activity previously approved in the same town.

NOTE: *Under the Trade Practices Act 1974 Council cannot refuse to issue an approval on the basis that an activity competes with existing businesses, as that would be anticompetitive. However Council can refuse to consent to an activity that does not comply with this L A P, or unreasonably interferes with an aspect of public amenity.*

- (4) Whether any items proposed to be sold may constitute a danger to the public.

3.2.2 LAP criteria - expose any article on public road (E2 Activity)

An E2 activity approval allows the holder to "expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road". This includes a sandwich board, shop awning, street banner and dining tables on, or overhanging, a public road corridor.

Selling and displaying items on the footpath

The following matters will be considered in connection with any application for selling and displaying items on the footpath (Activity E2):

- (a) Applications will only be considered from the owner of the land immediately adjoining the public road alignment relating to the footpath between their land and the public road.
- (b) Applications must be accompanied by written details of why it is necessary to sell and display items from the footpath.
- (c) Whether the applicant has a current public liability insurance policy, with a minimum insured value of \$10,000,000 that covers the trading activities and the context in which they will be undertaken.
- (d) Whether a minimum 3m width of footpath will remain available for pedestrian use at all times.
- (e) That all trading tables, displays and equipment can be located adjacent to buildings.

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Sandwich boards

Sandwich boards are temporary features that can be readily moved. The following matters will be considered in connection with any application for establishing sandwich boards (Activity E2):

- (a) Applicants should substantiate in writing why it is necessary to establish a sandwich board at a location other than within the public road corridor immediately at the front of their business.

NOTE: *Unless there are compelling reasons to do otherwise, Council will not normally approve a sandwich board in a location other than immediately in front of their business.*

- (b) That the sandwich board is a maximum of 1.0 metre high and 1.0 metre wide.
- (c) The potential for the sandwich board to cause unnecessary physical or visual obstruction. This includes interference with access for elderly and disabled people.
- (d) Whether the applicant has a current public liability insurance policy, with a minimum insured value of \$10,000,000 that covers the trading activities and the context in which they will be undertaken.

Advertising signs

Advertising signs are structures, posters, murals or the like that are typically fixed to poles or buildings. Such signs are regulated via State Environmental Planning Policy 64 – Advertising and Signage (SEPP64), not through this LAP or the Local Government Act 1993.

NOTE: *Under SEPP64 advertising signs can only be approved via a Development Application for a maximum of 15 years at a time.*

Awnings

The following matters will be considered in connection with any application for an awning overhanging a public road corridor (Activity E2):

- (a) New applications will only be considered where all structures associated with the awning are located on private land. In other words no supporting poles or any other structures are to infringe upon a public road corridor.

NOTE: *Private development on public land is inappropriate.*

- (b) Whether the applicant has a current public liability insurance policy, with a minimum insured value of \$10,000,000 that covers the trading activities and the context in which they will be undertaken.

Street dining

The following matters will be considered in connection with any application for street dining (Activity E2):

- (a) Applications will only be considered where it is proposed that dining will be undertaken on a hard wearing surface, preferably pavers or cement.
- (b) Whether a minimum 3m width of footpath will remain available for pedestrian use at all times.
- (f) That all tables, chairs and equipment can be located adjacent to buildings.
- (c) Whether the applicant has a current public liability insurance policy, with a minimum insured value of \$10,000,000 that covers the trading activities and the context in which they will be undertaken.

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4 PART 3 - OTHER MATTERS RELATING TO APPROVALS

4.1 REFUND OF FEES

In certain circumstances where an application is not fully processed by Council, an applicant may be eligible for the refund of activity application fees. Refund requests must be made by the applicant in writing. Such requests will be determined in accordance with the table below.

| |
|---|
| FULL REFUND |
| <ul style="list-style-type: none">• Applications withdrawn by the applicant immediately after lodgement, prior to any administrative processing taking place (other than receipting of fees). |
| 40% REFUND |
| <ul style="list-style-type: none">• Applications withdrawn by the applicant where approval or refusal has not been issued. |

4.2 STANDARD CONDITIONS

The Local Government (General) Regulation 2005 prescribes standard conditions for activity approvals involving public entertainment, water supply, sewerage and stormwater drainage. The Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 prescribes standard conditions for approvals for caravan parks and camping grounds.

The standard conditions prescribed by the regulations are quite detailed and they have not been reproduced here. Copies of the regulations are available from the internet at <http://www.legislation.nsw.gov.au/>

4.3 WHEN DOES AN APPROVAL OR EXEMPTION LAPSE?

4.3.1 Approvals

An approval under Section 68 of the Local Government Act 1993 or Section 92 of the Environmental Planning and Assessment Act 1979 lapses five years after the date from which the approval operates, unless:

- (1) The approval states otherwise; or,
- (2) The activity has been physically substantially commenced within the meaning of the applicable act.

An extension of an approval may be granted if:

- (1) A request is received by Council in writing prior to the date on which the approval would have lapsed; and,
- (2) Council determines that the approval should be extended.

Street banners

The following matters will be considered in connection with any application for street banners (Activity E2):

- (a) No approvals will be issued for a street banners that advertise commercial products or businesses.

NOTE: Exemption provisions apply under this LAP for street banners erected for non-profit community based organisation that advertise community events.

4.3.2 Exemptions

Any exemption under this Local Approvals Policy, or the regulations, has no effect unless all the specified conditions of the exemption are met. Any breach of the conditions would mean that the exemption provisions no longer apply to the activity or activities involved.

Exemption provisions within the Local Approvals Policy cease to have effect once the policy lapses.

4.4 DICTIONARY

The dictionary below represents a partial extract from the dictionary of the Local Government Act 1993 and should be read in conjunction with this Local Approvals Policy.

amusement device means an amusement device that are plant affecting public safety within the meaning of section 135 of the *Occupational Health and Safety Act 2000*, and includes any other device that is declared by the regulations to be an amusement device for the purposes of this Act.

approval means an approval that is in force under this Act.

building includes part of a building and any structure or part of a structure, but does not include a moveable dwelling or associated structure or part of a moveable dwelling or associated structure.

community land means land that is classified as community land under Division 1 of Part 2 of Chapter 6.

council means the council of an area, and includes an administrator.

drain means a drain for the carrying off of waters other than sewage.

dwelling, in Division 1 of Part 8 of Chapter 15, means a building or part of a building used as a place of dwelling.

entertainment includes:

- (a) amusement provided by means of any ride or device or by any other means (such as pin-ball machines and video games), and
 - (b) an exhibition, sporting event or contest,
- but does not include amusement provided by means of an approved gaming machine within the meaning of the *Gaming Machines Act 2001*, and does not include anything that is declared by the regulations not to be entertainment for the purposes of this definition.

erection, in relation to building, includes any structural work and any alteration, addition or rebuilding.

fittings, in relation to any premises connected to a water main or sewer, means all apparatus (other than pipes or fixtures) used or intended to be used in connection with the conveyance of water to, or of permitted discharges from, the premises.

fixtures, in relation to water supply, sewerage or drainage, means all apparatus (other than pipes or fittings) used or intended to be used for the collection or retention of water or permitted discharges for ultimate delivery into a sewer.

human waste means human faeces and urine.

human waste storage facility means a device for holding or disposing of human waste, including a cesspit, septic tank, septic closet, water closet, chemical closet, humus closet and combustion closet.

licensed premises means premises the subject of:

- (a) a licence under the *Liquor Act 1982*, or
- (b) a certificate of registration under the *Registered Clubs Act 1976*.

that are used or intended to be used for the purpose of providing entertainment.

manufactured home means a self-contained dwelling (that is, a dwelling that includes at least one kitchen, bathroom, bedroom and living area and that also includes toilet and laundry facilities), being a dwelling:

- (a) that comprises one or more major sections, and

- (b) that is not a registrable vehicle within the meaning of the *Road Transport (Vehicle Registration) Act 1997*,

and includes any associated structures that form part of the dwelling.

moveable dwelling means:

- (a) any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or
- (b) a manufactured home, or
- (c) any conveyance, structure or thing of a class or description prescribed by the regulations for the purposes of this definition.

operational land means land that is classified as operational land under Division 1 of Part 2 of Chapter 6.

place of public entertainment means:

- (a) a drive-in theatre, or
- (b) an open-air theatre, or
- (c) a theatre or public hall, or
- (d) licensed premises.

premises means any of the following:

- (a) a building of any description or any part of it and the appurtenances to it,
- (b) land, whether built on or not,
- (c) a shed or other structure,
- (d) a tent,
- (e) a swimming pool,
- (f) a ship or vessel of any description (including a houseboat),
- (g) a van.

public car park means any premises used for the purpose of accommodating vehicles of members of the public on payment of a fee, but does not include a pay parking space under the *Road Transport (Safety and Traffic Management) Act 1999* prescribed by the regulations.

public entertainment:

- (a) means entertainment to which admission may ordinarily be gained by members of the public on payment of money, or other consideration, as the price or condition of admission and an entertainment does not cease to be a public entertainment merely because:
 - (i) some (but not all) persons may be admitted to the entertainment otherwise than on payment of money, or other consideration, as the price or condition of admission, or
 - (ii) such payment, or other consideration, is demanded as the charge for a meal or other refreshment, or for any other service or thing, before admission to the entertainment is granted or as the charge for the entertainment after admission to the entertainment has been granted, and
- (b) includes a public meeting.
- (c) (Repealed)

public meeting means an assembly held for a public purpose to which admission may ordinarily be gained by members of the public (whether or not on payment of money, or other consideration, as the price or condition of admission), but does not include an assembly held for the purpose of religious worship only.

public place means:

- (a) a public reserve, public bathing reserve, public baths or public swimming pool, or
- (b) a public road, public bridge, public wharf or public road-ferry, or
- (c) a Crown reserve comprising land reserved for future public requirements, or
- (d) public land or Crown land that is not

- (i) a Crown reserve (other than a Crown reserve that is a public place because of paragraph (a), (b) or (c)), or
- (ii) a common, or
- (iii) land subject to the *Trustees of Schools of Arts Enabling Act 1902*, or
- (iv) land that has been sold or leased or lawfully contracted to be sold or leased, or
- (e) land that is declared by the regulations to be a public place for the purposes of this definition.
- public reserve** means:
- (a) a public park, or
- (b) any land conveyed or transferred to the council under section 340A of the *Local Government Act 1919*, or
- (c) any land dedicated or taken to be dedicated as a public reserve under section 340C or 340D of the *Local Government Act 1919*, or
- (d) any land dedicated or taken to be dedicated under section 49 or 50, or
- (e) any land vested in the council, and declared to be a public reserve, under section 37AAA of the *Crown Lands Consolidation Act 1913*, or
- (f) any land vested in the council, and declared to be a public reserve, under section 76 of the *Crown Lands Act 1989*, or
- (g) a Crown reserve that is dedicated or reserved:
- (i) for public recreation or for a public cemetery, or
- (ii) for a purpose that is declared to be a purpose that falls within the scope of this definition by means of an order published in the Gazette by the Minister administering the *Crown Lands Act 1989*, being a Crown reserve in respect of which a council has been appointed as manager of a reserve trust for the reserve or for which no reserve trust has been established, or
- (h) land declared to be a public reserve and placed under the control of a council under section 52 of the *State Roads Act 1986*, or
- (i) land dedicated as a public reserve and placed under the control of a council under section 159 of the *Roads Act 1993*, and includes a public reserve of which a council has the control under section 344 of the *Local Government Act 1919* or section 48, but does not include a common.
- public road** means a road which the public are entitled to use.
- road** includes:
- (a) highway, street, lane, pathway, footpath, cycleway, thoroughfare, bridge, culvert, causeway, road-ferry, ford, crossing, by-pass and trackway, whether temporary or permanent, and
- (b) any part of a road and any part of any thing referred to in paragraph (a), and
- (c) any thing forming part of a road or any thing forming part of any thing referred to in paragraph (a).
- sewerage work** means the construction, alteration, extension, disconnection, removal, ventilation, flushing, cleansing, maintenance, repair, renewal or clearing of any sewerage service pipes or fittings or fixtures communicating or intended to communicate, directly or indirectly, with:
- (a) a septic tank, an effluent or a sullage disposal system, or
- (b) any sewer of a council.
- and includes work of sanitary plumbing and work of house drainage.
- temporary structure** includes:
- (a) a booth, tent or other temporary enclosure, whether or not a part of the booth, tent or enclosure is permanent, and
- (b) a mobile structure.

- theatre or public hall** means any building or part of a building that is used or intended to be used for the purpose of providing public entertainment or conducting public meetings.
- waste** means:
- (a) effluent, being any matter or thing, whether solid or liquid or a combination of solids and liquids, which is of a kind that may be removed from a human waste storage facility, sullage pit or grease trap, or from any holding tank or other container forming part of or used in connection with a human waste storage facility, sullage pit or grease trap, or
- (b) trade waste, being any matter or thing, whether solid, gaseous or liquid or a combination of solids, gases and liquids (or any of them), which is of a kind that comprises refuse from any industrial, chemical, trade or business process or operation, including any building or demolition work, or
- (c) garbage, being all refuse other than trade waste and effluent, and includes any other substance defined as waste for the purposes of the *Protection of the Environment Operations Act 1997*, and a substance is not precluded from being waste merely because it is capable of being refined or recycled.
- water supply work** means the construction, alteration, extension, disconnection, removal, flushing, cleansing, maintenance, repair, renewal or clearing of any pipes or fittings of any water service communicating or intended to communicate, directly or indirectly, with any water main of a council, but does not include changing a washer.

END.

20. RURAL ADDRESSING STATUS REPORT**REPORTING SECTION:** Planning and Regulatory Services**AUTHOR:** James Abel - Geographic Information Systems Co-ordinator**FILE NUMBER:** 100/03/00/00**Summary:**

This report provides an overview of the status of Walgett Shire Council's Rural Addressing program and makes certain recommendations in response to recent letters received from affected land holders.

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. Rural addressing has been implemented in compliance with the Australian Standard 4819:2003 Geographic Information – Rural and Urban Addressing.

The rural addressing program has involved several stages as summarised in the table below.

| STAGE | SUMMARY |
|-----------------------|--|
| Locality names | <p>Walgett Shire Council established names for localities by gazettal on 11 Aug 1995 after undertaking public consultation.</p> <p>The locality boundaries define areas of the Shire that are associated with particular towns and villages. They do not reflect the locations used in mailing addresses that are based on Australia Post's mail runs.</p> |
| Surveying rural roads | During 2007 Walgett Shire Council undertook a differential GPS survey of all rural roads within the Shire. At the same time accurate data was collected on the position of rural property entrances relative to the roads (geocoding). |
| Road name review | <p>Between 20 Nov 2007 and 16 Dec 2008 Walgett Shire Council reviewed road names for compliance with the Australian Standard and found that 65 did not comply.</p> <p>Subsequently Council engaged in extensive public consultation during May 2008 regarding proposed road name changes and the reasons for the proposals. Thirteen submissions were received which prompted a second round of consultation regarding 12 roads.</p> <p>Council ultimately adopted 109 road names at a meeting held on 2 Sep 2008.</p> |
| Road name submission | The names adopted by Council were submitted to the Geographical Names Board of NSW in September 2008. In a letter dated 30 Sep 2008 the board rejected 5 names on the basis that they were too long or similar to other road or street names within the Shire. |

STAGE SUMMARY

Road name revision At a meeting held on 28 Oct 2008 Walgett Shire Council resolved to undertake a third round of public consultation with a view to addressing the names that had been rejected by the board. Subsequently Council resolved to adopt certain amended names at a meeting held on 16 Dec 2008.

Road name gazettal Address notification Rural road names within the Walgett Shire were gazetted on 13 Feb 2009. In May 2009 563 letters were sent to rural property owners notifying them of their location based rural address. The letter also provided a brief overview of rural addressing and details on how to access more detailed information from Council (in person or via Council's web site).

The letters were accompanied by a fridge magnet printed with each property's new location based rural address.

In response to the address notification letters, Council's Geographic Information Systems Coordinator received numerous phone calls from rural landholders inquiring about the rural addressing system. Several letters were also received. Key issues that were raised included:

Mail delivery concerns arising from the difference between the name of the town/village in current mail delivery address compared to new locality based address.

Changed road names.
Inappropriate locality boundaries.
Incorrect property names.
Incorrect access points.

Issue – Mail delivery

The most frequent concern comes from residents wanting to know how the new rural address will affect their mail delivery. Such queries have been referred to Australia Post, which is presently reviewing its mail delivery arrangements with a view to enabling location based mailing addresses to be used.

Australia Post has stated that it will notify rural residents when they should start using their location based address for postal purposes.

Issue – Changed road names

There has been some correspondence between Walgett Shire Council and a landholder concerned that there has not been enough public consultation regarding road name changes (Attachments 1 to 4).

Issue – Inappropriate locality boundaries

Three written submissions were received indicating that current locality boundaries did not reflect the actual location of particular properties (Attachments 5,6 and 7). Helen Hall from "Sorrento" (a neighbour of Ross Slack-Smith) also verbally indicated a strong desire to be included within the Lightning Ridge locality, not Cumborah. Maps showing the locations of the affected properties are included as attachments 8, 9 and 10.

The Geographical Names Board of NSW has indicated that minor amendments to locality boundaries may be able to be processed immediately, if Walgett Shire supports the changes.

Issue – Incorrect property names

Issue – Incorrect access points

Incorrect property names and access points are being amended in Council's digital data sets as they arise, including during the installation of the rural address number posts.

Outstanding work

The installation of the rural addressing numbered posts is approximately one third complete. It is expected that all access points will be signposted within the next 6 to 8 weeks, weather permitting. It is also anticipated that updating road name signage for the recently gazetted road names will be completed within about 6 months.

As the installation of posts and signage nears completion, work will proceed with updating Council's corporate data base with the new rural addresses. Where appropriate, these addresses will be adopted by Council as the mailing address once Australia Post has confirmed that they are ready to utilise the new address system. A copy of the resulting data will be forwarded to the Department of Lands for distribution to state government agencies (including emergency services) and utility companies.

Maps showing locality boundaries, rural road names, rural homesteads and their rural address numbers will be distributed to local offices of the NSW Police, ambulance, fire brigade, Rural Fire Service and State Emergency Services. They will also be published on Walgett Shire Council's web site as pdf documents.

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.

Geographical Names Board of New South Wales, Position & Extent of Geographic Names Policy, Version 1.2, 09 June 2004

Council report - 20th November 2007

Council report - 17th June 2008

Council report - 2nd September 2008

Council report - 28th October 2008

Council report - 16th December 2008

Stakeholders:

Walgett Shire Council, rural landholders, emergency service providers, public.

Financial Implications:

A grant of \$9,020 dollars (GST inclusive) has been received from the Department of Lands to contribute towards the purchase of rural addressing posts. A grant of \$40,000 has been approved from the Natural Disaster Mitigation Program (\$20,000 received and another \$20,000 will be paid upon project completion). Property posts and numbers were purchased for about \$37,000.

Costs associated with updating road signs will be met from budgets established for that purpose. Quotes have not yet been obtained for these signs.

Recommendations:

That Walgett Shire Council:

- 1. Note the report on the status of the rural addressing project provided by Walgett Shire Council's GIS Co-ordinator.**
- 2. Note the five written submissions received from rural landholders regarding issues associated with the rural addressing project.**
- 3. Write to the Geographical Names Board of NSW, including a copy of GIS Co-ordinator's report on the status of the rural addressing project (as submitted to the 28 July 2009 meeting of Walgett Shire Council) and request that the board amend locality boundaries within Walgett Shire so that:**
 - (a) The property "Rugby" is moved from the locality of Collarenebri to Lightning Ridge, as per the map in attachment 8.**
 - (b) The properties "Muttibun" and "Sorrento" are moved from the locality of Cumborah to Lightning Ridge, as per the map in attachment 9.**
 - (c) The property "Chelmsford" is moved from the locality of Burren Junction to Rowena, as per the map in attachment 10.**
- 4. Write to all parties who made written submissions regarding issues associated with the rural addressing project and advise them of this resolution.**

Attachments:

WALGETT SHIRE COUNCIL AGENDA

01-JUN-2009 MON 04:49

G&D OBRIEN

FAX NO. 0268290182

P. 01/02

URGENT

"Neirbo Plains"

abn: 65 988 153 643

P.O. Box 693, Lightning Ridge, NSW, 2834.

TEL: (02) 6829 0488

FAX: (02) 6829 0182

email: neirbo44@bigpond.com

Mr. Matthew Goodwin,
Director Planning and Regulatory Services,
Walgett Shire Council,
P O Box 31,
Walgett, NSW, 2832.

1st June, 2009

Dear Sir,

Re: Rural Addressing within Walgett Shire

I refer to your letter dated 14th May 2009 only received on 22nd May, 2009.

Whilst understanding the necessity for a rural address, we were dismayed at the lack of consultation as well as the name chosen for this road. Whilst you mentioned that submissions had been called for during 2007, I have no recollection of the issue being advertised in the local paper which I receive every week or through any other media. Further, we have not heard any discussion on the issue whatsoever which would be natural on such an important and personal issue.

This is a very personal issue particularly for those residents who have lived on a road for a generation and would think notification could have been included with the rate notice mailing. I have spoken to my neighbours and we cannot understand what significance, historically or otherwise, the name 'Burranbaa' has to the district or why it was chosen. It is difficult to pronounce, spell and may well create confusion for the services it is intended to assist particularly as there is another property with the same name ("Burrenbah") although slightly different spelling in the County of Finch. There is also a "Burran Burran" on the Mungindi Road.

To appreciate the history of this road and the environment, I make the following comments:

1. The only property which this road cuts through is Neirbo Plains.
2. In the late 50s /early 60s, when the route of this road was being considered, Council wrote to all the surrounding landholders. The previous owner of Neirbo Plains was the only one to give his consent for the road to go through this property.

.../2

WALGETT SHIRE COUNCIL AGENDA

01-JUN-2009 MON 04:49

G&D O'BRIEN

FAX NO. 0268290182

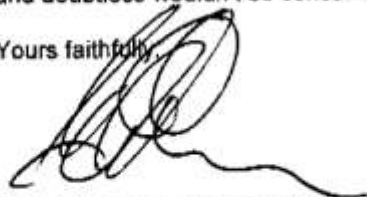
P. 02/02

- 2 -

3. Neirbo Plains was once part of Angledool Station before being subdivided to become part of the Western Division at the turn of the century and well before the creation of the Walgett Shire Council. The Angledool Pastoral Lease was granted in 1885 when the whole of Neirbo Plains was known as "Porcupine Paddock".
4. The road commences at the T-intersection and travels through the largest paddock on Neirbo which still retains the name "PORCUPINE".

We propose that Council consider renaming this road **PORCUPINE ROAD**. There are four properties with access to the road in question, three of which have given their support for Porcupine Road – Neirbo Plains (Gerard & Denise O'Brien), Oakey Point (Don Campbell), Myall (Doug & Annette Wilson). The fourth, "Burrenbaa" has an absentee landowner, has never lived at the property and doubtless wouldn't be concerned one way or another.

Yours faithfully,



GERARD & DENISE O'BRIEN

ATTACHMENT 2

JA:MG: 100/03/00/00

James Abel

4 June 2009

Gerard & Denise O'Brien
"Neirbo Plains"
PO Box 693
LIGHTNING RIDGE NSW 2839

Dear Mr & Mrs O'Brien,

Re: Rural addressing within Walgett Shire

Thank you for your letter dated 1st June 2009, regarding the allocation of your rural address as part of the implementation of Walgett Shire Council's rural addressing program.

Council is implementing rural addressing as part of an Australian wide initiative to provide a unique address to all rural properties that complies with the Australian Standard AS/NZ 4819:2003 Geographic information – Rural and urban addressing.

As part of the rural addressing program, Council conducted extensive public consultation, explaining rural addressing and seeking submissions regarding the naming of roads throughout Walgett Shire. This included public notices in the Ridge News on the 1st, 8th, 15th and 22nd of May 2008.

Council then considered numerous submissions and it undertook further public consultation regarding certain names. No submissions were received regarding Burranbaa Road. This name was officially gazetted by the Geographic Names Board of NSW on the 13th February 2009.

The concerns that you have raised regarding the naming of Burranbaa Road will be brought to Council's attention in due course and you will be informed of any decision that arises.

If you require any further information, or would like to arrange a meeting to discuss any issues, please contact our Council's Geographic Information Systems Coordinator Mr. James Abel on telephone number 6828 6147.

Yours faithfully,

Matthew Goodwin
Director of Planning and Regulatory Services

ATTACMENT 3

"Neirbo Plains"
abn: 65 988 153 645
P.O. Box 693, Lightning Ridge, NSW, 2834.
TEL: (02) 6829 0488 FAX: (02) 6829 0182
email: neirbo44@bigpond.com

The General Manager,
Walgett Shire Council,
P O Box 31,
Walgett, NSW, 2832.

15th June, 2009

Dear Sir,

Re: **Rural Addressing within Walgett Shire**

We wish to address the matter of road naming and request that this issue be dealt with by Council at their next meeting on 23rd June, 2009 as a late item.

We do appreciate the importance and need for a rural address however we are very unhappy about the consultation process. We have spoken with Mr. Matthew Goodwin who advises that public notices appeared in the local paper in May 2008 which resulted in very few submissions. This is not surprising as we have been unable to find anyone throughout the Shire who was aware of this project. We believe other avenues of notifying ratepayers on this important issue could have been adopted; notification included with the rate notice; notification to organizations for distribution to their members; and/or notification via email.

Following are our objections to the road name:

1. The naming of our road is a very personal matter. This property is not only where we live, it is also our livelihood and therefore an intrinsic part of our lives. This is important as the name will, to all intents and purposes remain for eternity. An analogy would be like having a baby and then a government department claims the naming rights.
2. Mr. Goodwin writes there were no submissions received by Council regarding the naming of "Burranbaa Road". So who decided on naming the road? This road has only ever been referred to as Angledool Road, never Burranbaa.

- 2 -

3. There are four properties situated on this road, including Burranbaa, whose owner incidentally is an absentee landholder. The road commences at the T-intersection and Neirbo Plains is the only property it dissects for about 6 kms. The Burranbaa entrance is only about 500 metres from Neirbo Plain's front gate. We believe this could cause confusion for emergency services who may not have received all the address details and end up wasting valuable time attending the wrong property with serious consequences for anyone requiring immediate medical aid. As you would be aware we are involved in one of the most potentially hazardous industries and cannot afford to take chances.
4. Further potential confusion may arise from the fact there are two other properties with very similar names within the district, "Burrenbah" and "Burran Burran".
5. There are four properties on this road and believe it would be less confusing to choose a more generic, though significant name. In our letter to Matthew Goodwin, we have suggested "Porcupine Road" as Neirbo Plains was known as "Porcupine Paddock" when it was still part of Angledool Station in 1885. This is the paddock where the station used to run their draught horses and remnants of those holding yards are still in existence. The paddock from the T intersection still retains the original name of porcupine.
6. We have discussed the above with our neighbours who have given their support. Don Campbell from Oakey Point and Doug & Annette Wilson from Myall. Burranbaa's owner is an absentee landholder.

We are disturbed that more effort was not made to tap into local knowledge to avoid some of the problems and confusion which have already surfaced. Rural ratepayers are paying for this project and should, we feel, have been consulted more closely on such a personal issue.

Please advise Council's decision on this matter at your earliest opportunity.

Yours faithfully,



GERARD & DENISE O'BRIEN

c.c. Mayor Ian Woodcock

**Walgett Shire
Council
REC'D**

22 JUN 2009

FILE: 100/03/00/00

LETTER No: 3320

REFER: JA

COPT:

ATTACHMENT 4

MG:MG: 100/03/00/00

James Abel

3 July 2009

Gerard & Denise O'Brien
"Neirbo Plains"
PO Box 693
LIGHTNING RIDGE NSW 2839

Dear Mr & Mrs O'Brien,

Re: Rural addressing within Walgett Shire

Thank you for your letter dated 15th June 2009, regarding the naming of Burranbaa Road.

You requested that your letter be considered by Walgett Shire Council at a meeting held on 23 June 2009. Your letter arrived at Council on 22 June 2009.

The agenda for Council meetings is finalised about 2 weeks in advance to enable the business paper to be distributed to, and considered by, Councillors. In that context your letter was not submitted to the Council meeting held 23 June 2009.

It is expected that your letter will be referred to the Council meeting scheduled for 10.00AM on Tuesday 28 July 2009 at Rowena Hall.

If you require any further information, please contact Walgett Shire Council's Geographic Information Systems Coordinator, James Abel, on telephone number 6828 6147.

Yours faithfully,

Matthew Goodwin
Director of Planning and Regulatory Services

ATTACHMENT 5

27-5-09
P.E & S.C. Scoles
"Rugby"
P.O. Box 230
Lightning Ridge NSW 2834
PH: 68290717
Fax: 68290718
Email: scolesrugby@bigpond.com

To The General Manager
Walgett Shire Council
Walgett NSW 2832

Dear Sir,

We have just been notified of the changes to rural addressing in the Walgett Shire. The letter was dated 14th May and addressed to PE Scoles "Carinya" Collarenebri NSW 2833. Which is why we would have received the letter so late and could be the reason we have never received any other correspondence regarding this matter as that is not our postal or residential address.

Our present address in the white pages from Walgett Shire is "Rugby" Dunabral Road Walgett which has caused us all sorts of problems.

We agree that the new rural addressing programme is good. But will not achieve the intended outcomes when there has been no consultation with the property owner.

Our new address you have given us is "Rugby" 1373 Ridge Road Collarenebri NSW 2833. We request that our address be changed to **"Rugby" 1373 Ridge Road Lightning Ridge** with the access post placed at the "Rugby" entrance opposite 'Carinya' The locality boundaries do not reflect our location. We are 23kms from Lightning Ridge and 75 kms from Collarenebri. Our mailing address is "Rugby" PO Box 230 Lightning Ridge.

Yours Sincerely,
Peter & Sue Scoles



ATTACHMENT 6

Walgett Shire
Council
REC'D

06 JUL 2009

R & GJ SLACK-SMITH

"MUTTABUN" WALGETT NSW 2832

PO BOX 1547 LIGHTNING RIDGE NSW 2834

PHONE: (02) 6829 0376 FAX: (02) 6829 0084

FILE: 100/03/00/00

LETTER No: 3614

FACSIMILE TRANSMITTAL SHEET

TO: GENERAL MANAGER FROM: ROSS SLACK-SMITH REFER: JR.

COMPANY: WALGETT SHIRE COUNCIL DATE: 3.7.09 COPY:

FAX NUMBER: TOTAL NO OF PAGES INCL COVER 1

PHONE NUMBER:

RE: RURAL ADDRESSING.

COMMENTS: DEAR SIR,

MY PROPOSED ADDRESS OF CUMBORAH
DEFINITELY WILL NOT MEET ANY OF YOUR PROPOSED
OBJECTIVES OF RURAL ADDRESSING.

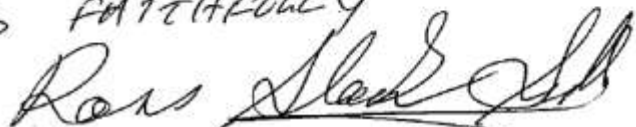
MUTTABUN IS PROBABLY 80 KILOMETRES FROM
CUMBORAH.

YOU HAVE WRITTEN TO ME AT MY CURRENT
ADDRESS "MUTTABUN" WALGETT. I RECEIVE MY
CORRESPONDENCE ON A MAIL SERVICE THAT
REFLECTS THAT ADDRESS.

I DON'T INTEND TO WRITE ANY FURTHER
ON THE MATTER BECAUSE I THINK I AM
WASTING MY TIME. HOPEFULLY THERE IS
SOMEONE IN YOUR EMPLOY THAT CAN SEE
THE STUPIDITY OF THE CURRENT SITUATION

IS EASY TO FIND BY NUMBER MUTTABUN

YOURS FAITHFULLY



ATTACHMENT 7

Page 1 of 1

James Abel

From: Jw and Rj Cook [jwrj.cook@bigpond.com]
Sent: Wednesday, 8 July 2009 1:13 PM
To: James Abel
Subject: Rural addressing

To the general manager, Walgett Shire Council

I am writing in regard to the recent changes to rural addresses. I live at Chelmsford, Rowena, and it seems that with the changes to the addressing system, our property now falls under Burren Junction. I am hoping that this can be changed back to Rowena, as this makes much more sense. We are serviced by the Rowena post office and have mail delivered to our mail box on the property three times a week. I also run a school bus for the Rowena Public School and work at the Rowena Preschool. Our property is only 20km from Rowena, whereas we are over fifty from Burren and have no links to the town.

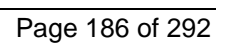
It would be very much appreciated if you could take this into account and consider keeping our Rowena address.

Thank you

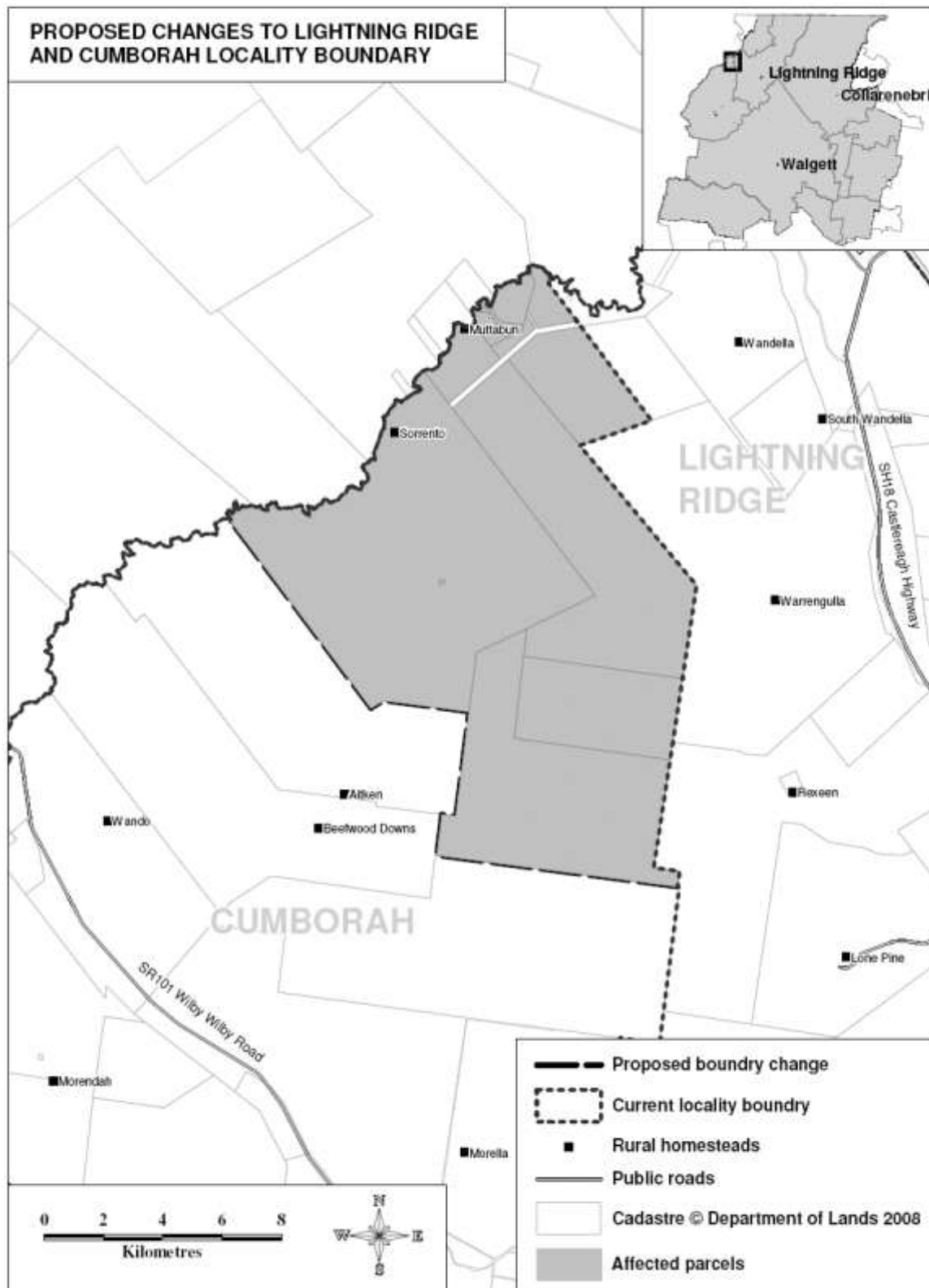
yours sincerely,
Rebecca cook

jwrj.cook@bigpond.com

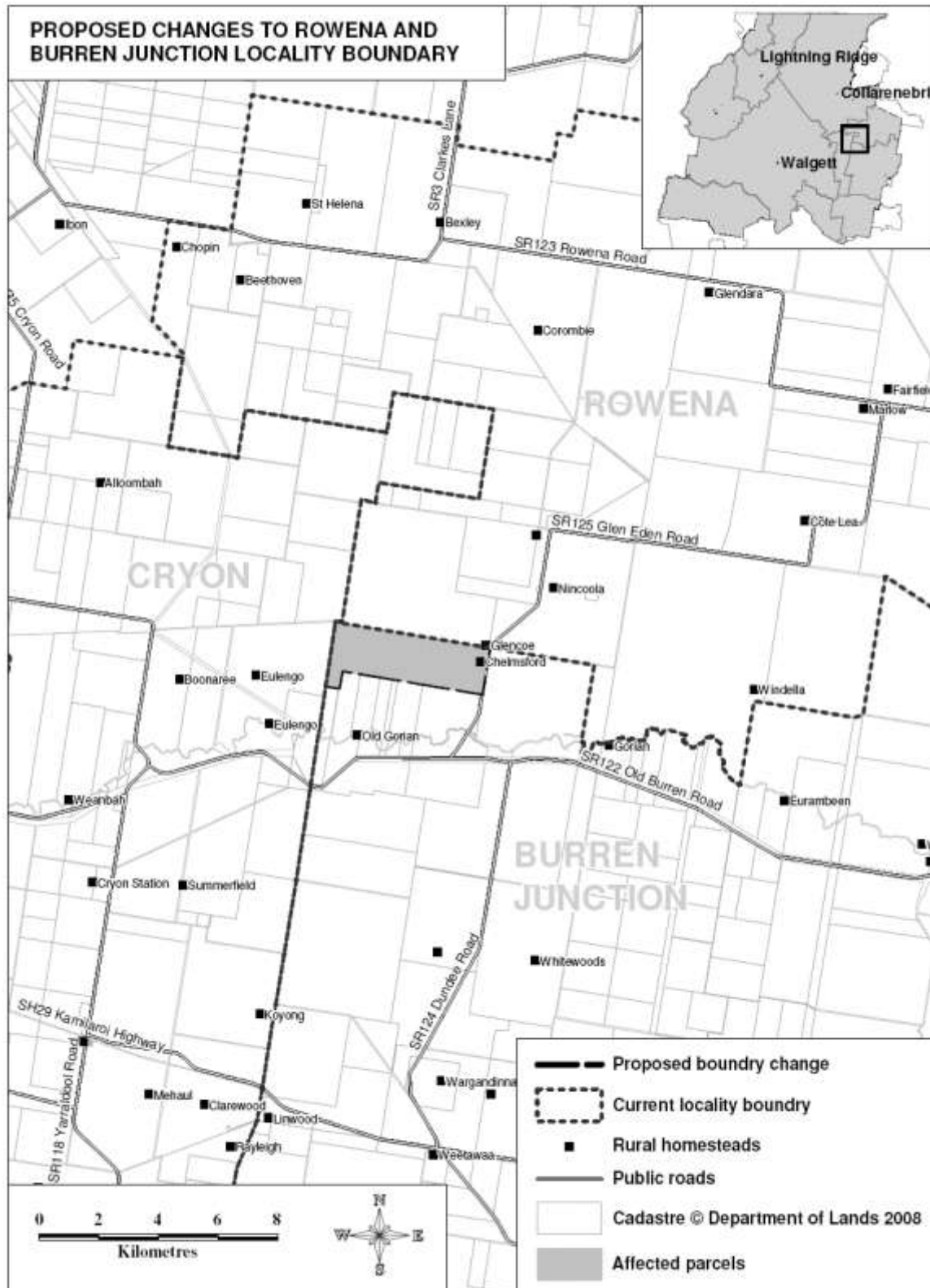
8/07/2009



ATTACHMENT 9



ATTACHMENT 10



21. DEVELOPMENT APPLICATION – SUPERMARKET, LIGHTNING RIDGE

REPORTING SECTION: Planning & Regulatory Services
AUTHOR: Matthew Goodwin – Director of Planning & Regulatory Services
FILE NUMBER: DA 2009005

Summary:

A Development Application has been lodged for a supermarket and shops at Lightning Ridge. It is recommended that Walgett Shire Council approve the application subject to appropriate conditions of development consent.

Discussion (including issues and background):

Gary Lawrence has lodged a Development Application for a supermarket complex on land owned by the Lightning Ridge Bowling Club (Lot 3 DP 40628, lot 150 DP 45069, lot 160 DP725281 and lot 79 DP 43258). The total proposed building floor area is 2,457 square metres which includes six shops, with floor areas between 55 and 85 square metres. One of the six shops is proposed to be a bottle shop.

The location of the development is shown in Figure 1. Design details of the development are provided in:

- Figure 2 - Uses - existing and proposed,
- Figure 3 - Site plan and shadow diagram and;
- Figure 4 - Building elevations.

Six objections were received to the proposed development (see attachments A to G). A range of concerns were raised, including:

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



FIGURE 2 – USES – PROPOSED AND EXISTING

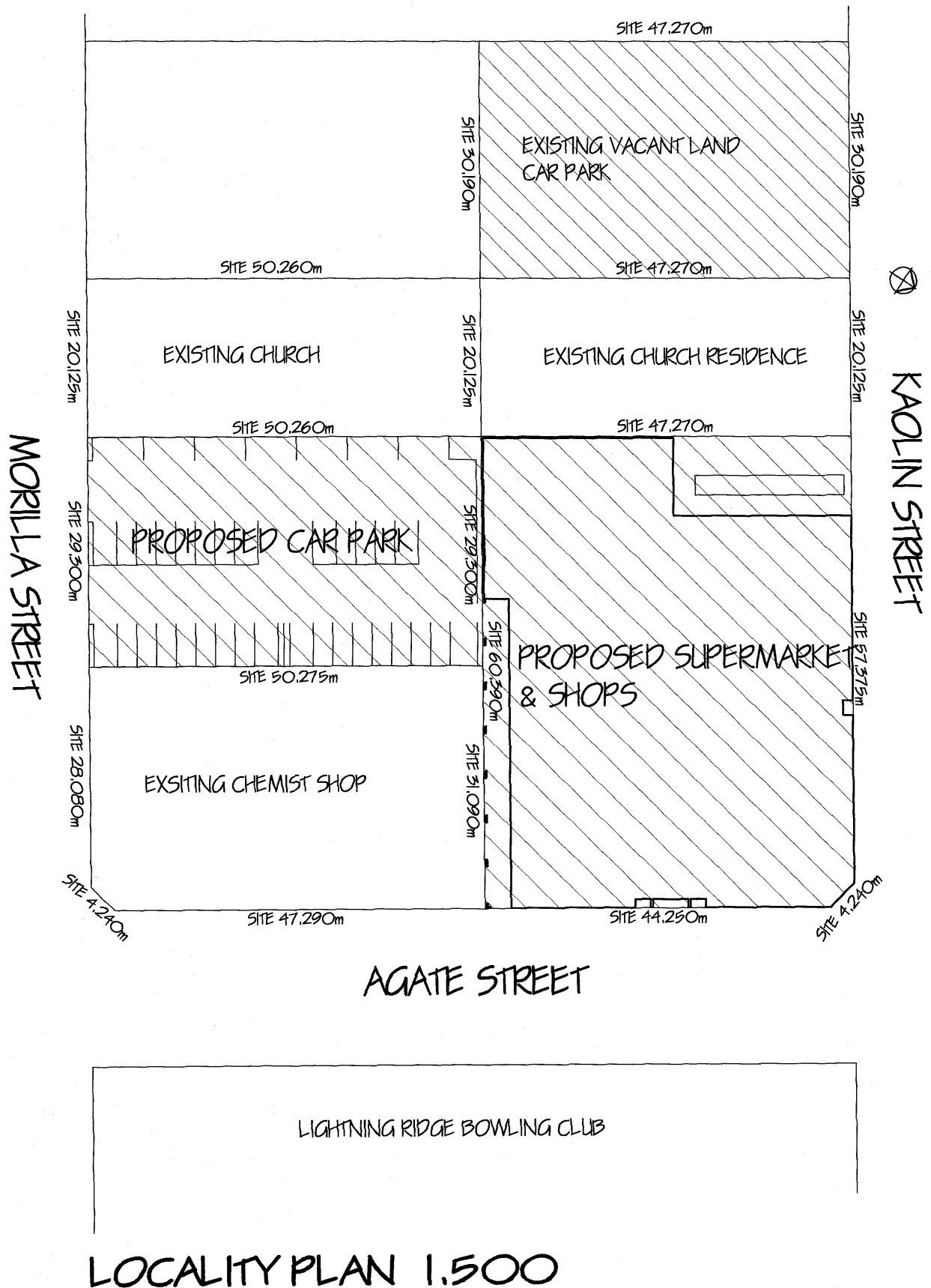


FIGURE 3 – SITE PLAN AND SHADOW DIAGRAM

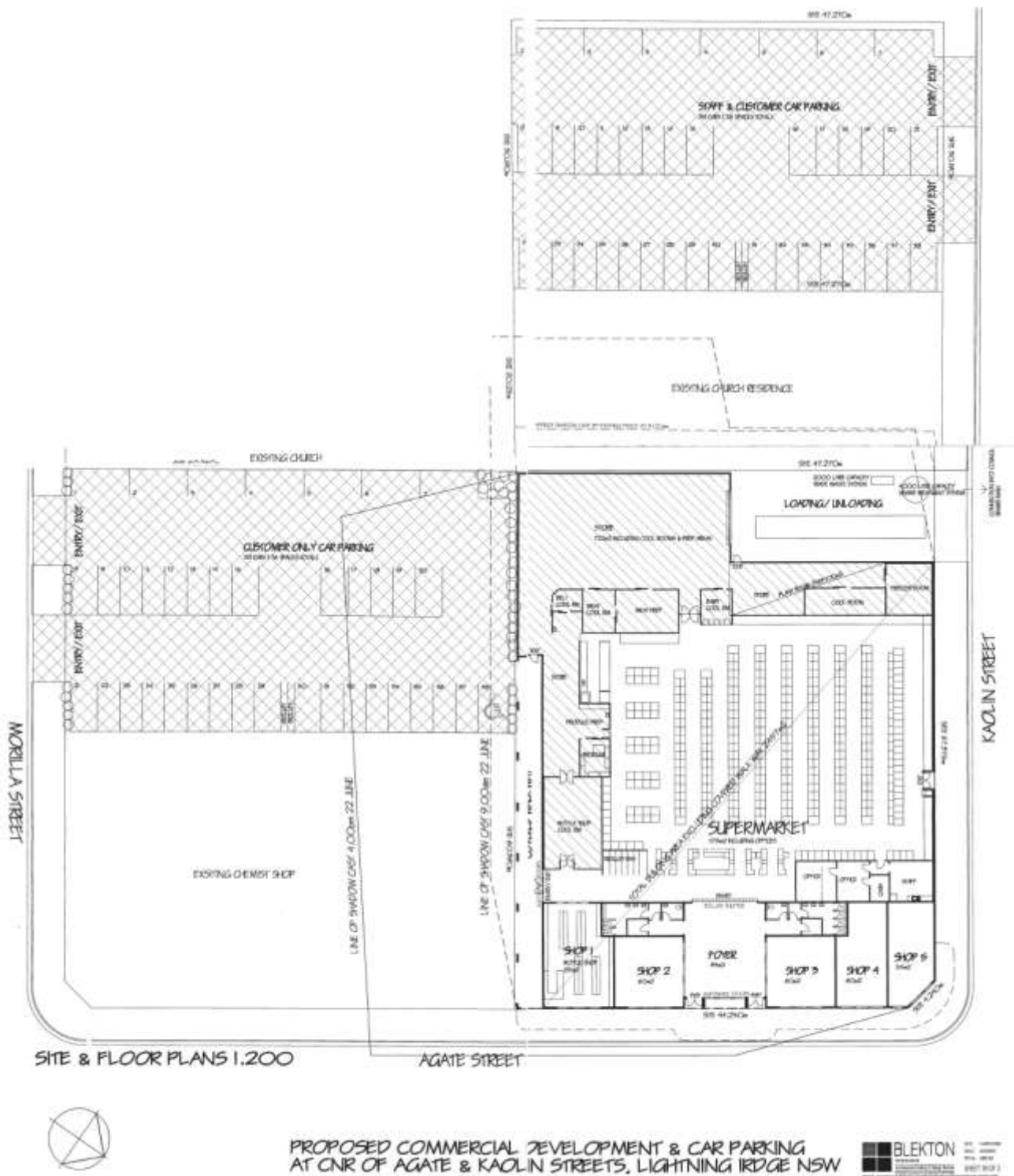
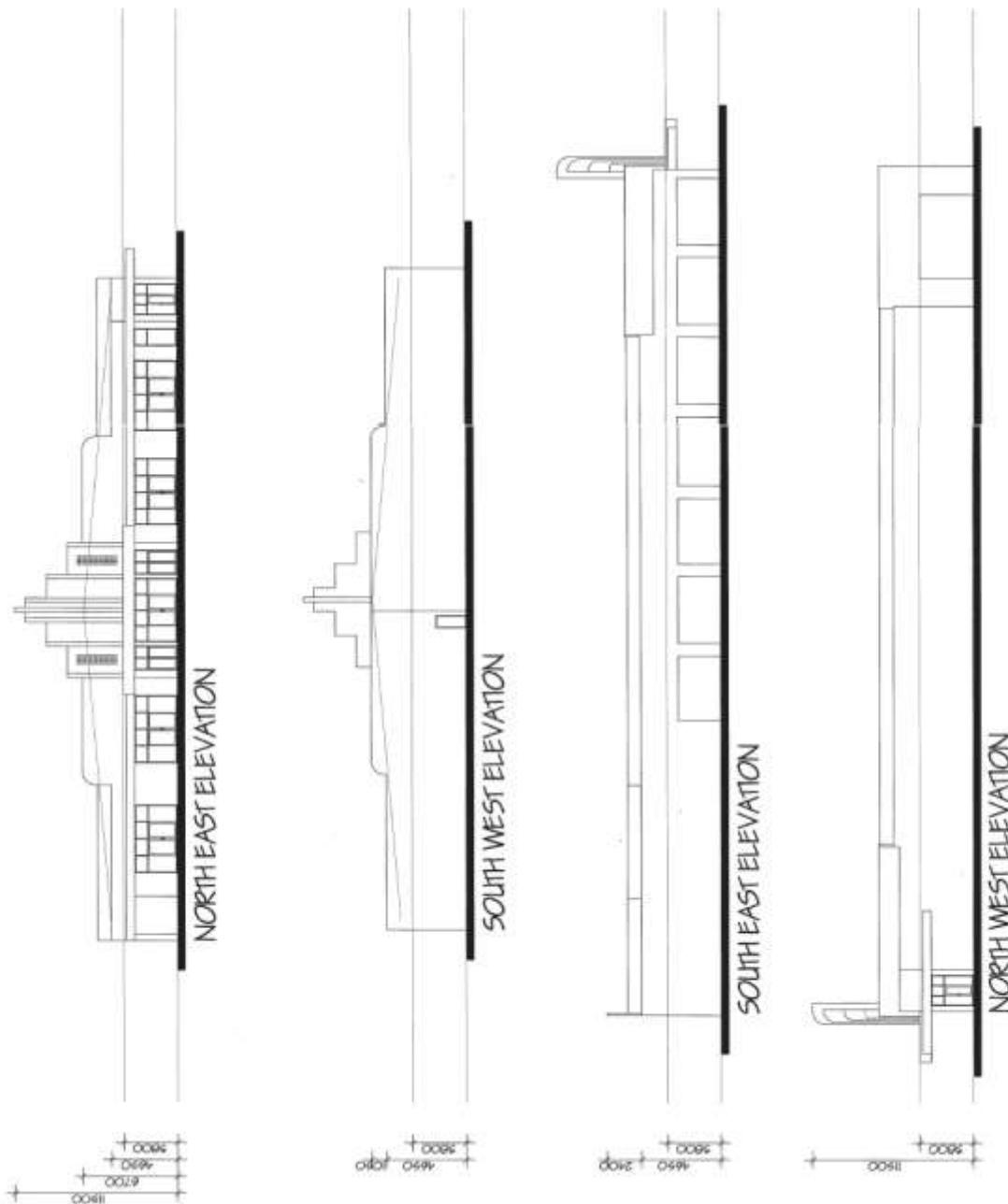


FIGURE 4 – BUILDING ELEVATIONS



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



Stakeholders:

Applicant & Walgett Shire Council

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. 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 a commercial development under the code 1 car park is required for each 37 square metres of floor space ($2457\text{m}^2/37=66.4$ spaces). The applicant's plans provide for 76 spaces, which is significantly more than the minimum that Council expects.

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.

The development site is located in a town block where the predominant land use is commercial (service station, caravan park, shop, chemist). Other non-commercial land uses also exist (historical museum, hall, church). The church residence is the only land use which could be regarded as inconsistent with the predominantly commercial character of the block. In that context, the most significant potential negative impacts which may arise, especially for the church residence are:

- Noise disturbance.
- Light disturbance.

It is expected that these and other potential issues can be managed by appropriate conditions of development consent. In particular it is recommended that a condition of development consent be imposed requiring the developer to erect and maintain a barrier to reduce the potential for noise and light to affect the church residence.

Anecdotal evidence suggests that Kaolin Street receives relatively low volumes of predominantly light traffic. It is proposed to establish a loading dock and car park that will both be accessed via Kaolin St. Increased traffic volume and weight is a likely result. If approved it would be appropriate to impose development consent conditions which require upgrading of the street, and establishing pedestrian access, at the developer's expense.

Overall the economic impacts of the development are likely to be positive due to a second large supermarket entering the local economy. Land values adjoining the site may increase due to the presence of the supermarket. Presumably the developer will not proceed unless their business plan indicates there is a viable opportunity.

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

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

The site is serviced by Council water and effluent mains. No prior land use is known that is likely to be associated with any significant contamination. Current nearby land uses are predominantly non-residential in nature.

Opal mining may have occurred on the site, or in the vicinity, some time ago. If it did occur, it is likely to have been quite shallow in nature and hence pose a relatively low and minor risk to this development.

The Walgett Shire Growth Management Study and Strategy adopted by Council proposes that this land be zoned Commercial.

Overall the site appears to be suitable for the 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.

Six objection letters were received that raised various issues. The most significant issues can be managed by appropriate conditions of development consent.

REGULATIONS

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 -

CONCLUSION

Overall the applicant is proposing to establish a shopping complex in a context where commercial land use is dominant. The most significant potential impacts on neighbours and public infrastructure can be minimised by appropriate conditions of development consent.

Approval of the proposed shopping complex, subject to appropriate conditions of development consent, appears to be appropriate.

Financial Implications:

Not applicable.

Recommendations:

- 1. That Walgett Shire Council resolve to approve Development Application 2009005 in the name of Gary Lawrence for a shopping complex on Lot 3 DP 40628, lot 150 DP 45069, lot 160 DP725281 and lot 79 DP 43258 subject to the conditions of development consent listed in Attachment H.**

Attachments:

Attachment A – Objection letter



Anglican Diocese of Armidale

Assistant to the Bishop

Telephone: (02) 6772 4491 Fax: (02) 67729261 Email: assttobish@northnet.com.au

Date: Monday 30th March 2009.

To: Director Planning and Regulatory Services
Mr. Matthew Goodwin
Walgett Shire Council
PO Box 31
Walgett NSW 2832

Dear Sir,

A. Re. Development Application 2009/05 **– a Submission from the Anglican Diocese of Armidale**

(Note Key: an asterix [*] indicates the issue is of primary importance through immediate felt impact.)

1. We have been alerted to the Development Application 2009/05.

a) Identification of adjacent property which will be impacted by the proposed development:

- (1) The vicarage is on Lot 78 DP 4325
- (2) The Church and hall is on Lot 14 Section 9 DP 758612

b) A correction re ownership of this Church land and property.

Ownership of the Church land in question which forms the basis of this submission is currently in the hands of the Corporate Trustees of the Anglican Diocese of Armidale, having been transferred from the former owners the Anglican Diocese of Bathurst. The Corporate Trustees of the Diocese of Armidale act on the direction of the Synod of that Diocese or in its stead the Diocesan Council. The Diocesan Council has appointed a panel of consultants to the Bishop on the matters to do with the church land and buildings at Lightning Ridge.

c) Authority to make a submission

Both the local vicar, Rev. Michael Keith (as current resident of the vicarage and responsible for the provision of services to the general public) as well as the technical owners of the land (the Diocese of Armidale, who are concerned for the provision of quality services to the general public of Lightning Ridge), are competent to make submissions to the Shire Council with respect to the Development Application in question.

As Acting Chairman of the Bishop's Panel of Consultants, and as a former Anglican vicar of Lightning Ridge (for the years 1985 to 1991 inclusive) I make this submission on behalf of the Anglican Diocese of Armidale.

d) We propose to make this initial comprehensive submission with the possibility of a subsequent submission with further details if that becomes appropriate.

B. Our initial submission is:

- a) That the proposed development will:
 - (1) seriously impact negatively on the minister and his family who provide services to the public;
 - (2) likely reduce effective use of the Church-Hall complex
 - (3) significantly damage the Armidale diocese's ability to provide quality services to the general public at Lightning Ridge and its district.
- b) To strenuously object to the proposed supermarket development as presented in the DA Plans;
- c) To suggest some modifications to the plans which might lessen the impact of some of the problems posed by the DA in the event that the DA is approved by the Shire Council and which might make the vicarage liveable and the Church-Hall complex useable.

C. Our reasons for objecting are as follows.**1. The Development Application is incomplete and therefore inadvertently misleading**

- a) The Plan does not show :
 - (1) The location of the minister's residence or of the Church or of the Church hall and therefore fails to alert the public to the potential negative impact of that development on the minister, his family and the members of the public in the Church and hall.
 - (2) The location of the bedrooms in the vicarage.
 - (3) Any vegetation plantings or fences for screening and visual aesthetics between vicarage and the development (supermarket and Kaolin Street car park) and between the Church/hall and the Morilla Street car park (- although such plantings are acknowledged to be needed between the supermarket and the Morilla Street car park and between the Morilla Street car park and Morilla Street.)
- b) The Statement of Environmental Effects is incomplete:
 - (1) Section 2. Fails to mention 'all known' 'previous' 'uses' of the land.
In fact, significant areas of land to be developed have been used as accommodation both as residential accommodation and as motel/caravan park accommodation.
 - (a) The proposed car park off Morilla Street originally had a residential dwelling owned by the late Mr. and Mrs. Harold Hodges who donated the land to the Church, and for a Church, and on which the Anglican Church and Vicarage are currently located. This dwelling was sold (I think to a Mrs. Petrovick in either the late 1980's or early 1990's) and the new owner demolished the dwelling.
 - (b) The proposed car park off Kaolin Street, originally was the bottom half of the old Tram-O-Tel and contained caravans, which housed a number of permanent and semi-permanent residents as well as temporary tourists.
 - (2) Section 11. Re 'flooding'. The Kaolin Street area is flat low land and may need checking for minor flooding risk. Any flooding may cause escaping effluent with consequent health impact issues.
 - (3) Section 12. Re 'previous ... mining activity'. There appeared to be some evidence of older mine shafts when I was there, of which we needed to be careful for our children safety. One was used as a sink-drain for grey water from one of the caravans. How extensive the mining had been could not be determined by visual observation since preparation had gone into developing the Tram-O-Tel site before we had arrived. My guess is that it was probably of low intensity.
- c) The Statement of Environmental Effects worryingly suggests that the developer perhaps has not consciously considered the possible negative implications of the development for their neighbours and the community:
 - (1) Section 4. Re 'impact ... upon neighbours'. The response states only the laudable positive general contribution of the proposed development to the community ('Add to shops in local

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area.') It fails to address any possible negative impact that it may have on actual neighbours abutting the development.

(2) Section 6. Re. 'impact ... on the local community.' This has been read simplistically in easily measured financial terms ('More jobs') and fails to consider the serious risk of losing those harder to measure but critically important life-changing quality services provided by the vicar and the Church which are necessary for the well being of the community, social cohesion of families and groups, the happiness levels of individuals and the enjoyment of daily living.

(3) Section 7. Re 'types of [existing] development on surrounding land'. 'Residential' needs to be added to the list – referring to the vicarage. (Are there other residences?)

(4) Section 8, which prompts consideration of possible negative impact with its itemized list such as 'noise, vibration, light or any other form of disturbance' is passed over with a simple 'No'.

(5) Section 9, which requires some forethought in reducing negative impact is likewise considered 'Not applicable'.

(6) Section 10. Re 'increase ... of traffic'.

(a) The stated 'a little' is unrealistic, especially given:

(i) the large number of customers which would be required to generate that level of cash flow needed to make this size of supermarket financially viable, and given

(ii) the 76 parking spaces allocated in the proposed car parks which, (on the perhaps conservative[?] assumptions of the car parks being only ½ full at any one time, customers remaining in the shops and market for an average of one ½ hour at a time, the shopping hours be from 8 am to 10 pm,) would give a rough estimate of 1,064 vehicles per day!?

(iii) the delivery and service vehicles in the loading dock (perhaps 3-4 per day?) , and given

(iv) the staff and employee vehicles (20 vehicles?).

(b) We estimate that there will likely be a significant increase of traffic.

d) The remainder of this submission primarily will attempt to address these sections, particularly:

(1) Section 8. 'Will ... (there be) ... any increase .. of noise, vibration, light or any other form of disturbance on adjoining lands?describe'.

(2) Section 9. 'describe what will be done to reduce the affects of that disturbance on neighbours'

2. Absence of consultation

a) The developer has not initiated any consultation with us as the owner, or with the current minister as the occupier of the vicarage, with respect to possible impact, and how a mutually respectful and professional discussion might resolve any issue.

3. Negative impact upon the vicar and his family living in the vicarage (and possibly upon home business and public meetings held in the vicarage)

a) The area marked 'loading dock', 'sewerage treatment system' and 'trade waste system'

(1) The developer has wisely located these at the furthest maximum distance from the public foyer of the supermarket and from the entrances to the proposed shops. This is perhaps a tacit admission (which we would agree with) that these pose problems that need to be managed, namely such issues as:

(a) Noise and vibration

(b) Odours and fumes

(c) Visual unsightliness (poor aesthetics)

(d) Health risks

(e) Privacy loss

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b) Loading dock

- (1) This is directly adjacent to the vicarage and within five metres of family bedrooms.
- (2) It is highly likely that the negative impacts will unavoidably be:
 - (a) Noise* – deliveries would normally begin at 4:00 am, and may occur at other times in the night. They will be generating engine noise and unloading handling noise. Sleep will be difficult and interrupted.*
 - (b) Vibration* – delivery trucks are often large with heavy engines generating vibration in surrounding structures (floor, wall, windows.)
 - (c) Diesel exhaust fumes* – which inevitably will be drawn into the evaporative coolers on the vicarage and through open windows, and blow across the backyard. This poses:
 - (i) Potential health issues.
 - (ii) Unpleasant smells and odours* - affecting living conditions and sleep.*
 - (d) Visual unsightliness
 - (e) Privacy loss* – drivers and ground handlers will have line of sight into the bedrooms.

c) Sewerage treatment system

- (1) This is in close proximity to the vicarage, family bedrooms and backyard.
- (2) The potential negative impacts may involve:
 - (a) Unpleasant smells.* The necessary size of the system will create a high order problem unless ventilation systems ensured that odours were totally contained or conveyed away from the residence.
 - (b) Health issues if:
 - (i) flies and insects are attracted
 - (ii) sewerage is not totally contained;
 - (iii) flooding becomes an issue;
 - (c) Visual unsightliness
 - (d) Noise* – of sewerage truck if there are no sewerage mains.

d) Trade waste system

- (1) This is close proximity to the vicarage, family bedrooms and backyard.
- (2) We assume this will not only involve packaging but also garbage bins, etc.
- (3) The potential negative impacts may involve:
 - (a) Smells and odours*
 - (b) Health issues if:
 - (i) Flies and insects are attracted and have access
 - (ii) Vermin are attracted and have access
 - (c) Visual unsightliness
 - (d) Noise* – of garbage disposal trucks

e) Other possible equipment and machinery in the loading dock area

- (1) e.g. air-conditioners, cool room motors etc.
- (2) Negative impacts
 - (a) Noise* – which presumably must impact 24/7.
 - (b) Unsightliness

f) Night Lighting*

- (1) Presumably this would be for both the loading dock area and the Kaolin Street car park which for public and private security would likely to be on all night.
- (2) If there is no screening of this on the vicarage the negative impact impact will be on:
 - (a) Sleep* - difficulty sleeping at night.

g) Traffic

- (1) This is of both vehicle and pedestrian arising from the Kaolin Street car park and Kaolin Street (which though sealed is narrow with no curb & guttering and with an unsealed foot-walk.)
- (2) The car park immediately abuts the vicarage and combined with the increased vehicle and pedestrian traffic both night and day will have negative impact:
 - (a) Noise* – especially impacting on sleep at night and when required during the day.
 - (b) Dust – entering evaporative air-conditioner, windows, settling on washing on clothesline.
 - (c) Privacy loss – the family will not be able to use the Kaolin Street backyard without constant exposure to the public gaze. Bedrooms and other rooms will be open to the public gaze.

h) Flooding

- (1) The land at the Kaolin Street area is low lying. The complete removal of any possibility of flooding has not been established beyond doubt to our satisfaction. Perhaps the Shire Council has historical flooding data that would settle this issue? Does the developer have historical data that would justify their confident 'No'?
- (2) If flooding should occur then the possible impact may be:
 - (a) Health - through the release of effluent from the sewerage treatment system.
 - (b) Odours and unpleasant smells
- (3) If flooding is a risk then the finished ground level of the sewerage system becomes critical.

i) Stormwater

- (1) If the finished ground level is high then possible negative impact would be
 - (a) Flooding of the vicarage backyard which is low lying.

j) Overshadowing

- (1) Depending on the final height of the supermarket there is likely to be negative impact:
 - (a) Solar access – a loss of morning sun in the winter.

k) Radiant heat

- (1) The proximity of the large wall mass of the supermarket may have a negative impact:
 - (a) Heat load – on the walls of the vicarage during mid-summer will possibly affect environmental comfort levels inside the vicarage.

l) Security

- (1) The increase density of people and the creation of potential hidden corners are likely to have negative impact:
 - (a) Security compromised - to the house and possessions in the backyard.
 - (b) Safety - of the vicar's family and children

m) Visual obstruction

- (1) The north western corner of the supermarket will have a negative impact:
 - (a) Scenic loss – the scenic view across the sports ground to the timber line will be partially obstructed to the north east by the walls of the supermarket.

n) Summary

- (1) The primary negative impact* upon the vicar and his family would appear to be noise, vibration, lighting at night, dust, fumes and odours arising from the proposed location of the docking bay, sewerage treatment system, trade waste system and the Kaolin Street car park.
- (2) These will be continual and ongoing
- (3) They will seriously impact upon the vicar who is on constant call to the community and needs a place of quiet and rest to refresh at any time during the night or day in order to provide quality services to the community and district.
- (4) It therefore appears to be unreasonable to place a loading dock, garbage and sewerage areas near habitable rooms of the house.

4. Negative impact at the Church and Hall on Public Worship and Public Meetings

a) The Morilla Street car park

(1) This is in immediate proximity to the Church and Hall.

(2) Negative impact:

(a) Noise* – this will significantly intrude upon public worship and public meetings. This will arise from engine and exhaust noise from vehicles entering and leaving the car park and parking in the car park near the Church and hall, as well as from people conversation.(b) Parking space* – the increased traffic means that Morilla Street parking for the Church and hall will be inevitably encroached upon. There would be a reluctance of the regular members of the Church to use the car park owned by the supermarket and constructed for the supermarket clientele (- a small matter of public etiquette and ethics.)(c) Health – increased exhaust fumes.(d) Safety – for pedestrians attending public meetings and approaching from the eastern end of Morilla Street.(e) Security – to Church and Hall due to increased numbers of people in the vicinity.(f) Stormwater – if the car park is sealed it will lead to increase run-off which would lead to flooding if not managed with adequate drainage.(g) Visual – less aesthetically pleasing.(h) Damage - to church and hall and associated structures through careless vehicle parking.**5. Loss of quality services to the Lightning Ridge community and district**a) Most people are unaware of the real value of the Church to its community and therefore can easily dismiss or lose its services. It is difficult to prove the role of the minister in the community, since our services are largely invisible and hidden from the public by their very nature, and must remain so, since they involve:

(1) Issues of confidentiality and privacy;

(2) Issues of security and personal safety;

(3) Issues of individual sensitivities;

(4) Personal values that cannot be easily quantified in monetary terms.

b) Nevertheless it does lead to:

(1) Individual lives salvaged;

(2) People transformed;

(3) Family units strengthened;

(4) Community capacity built;

(5) Social capital invested.

c) Most of this is provided free or at very low cost, since the Church remains a genuine not-for-profit organization committed to the well-being of the community, and therefore wishing its most disadvantaged members to benefit from its community services as well as the financially comfortable. Its services are therefore significantly subsidized by many very dedicated members both locally and further a-field. Success in service delivery inevitably leads to such things as a reduced demand on the public purse since it reduces the need for public welfare and other services. Public expense foregone is hard to measure but no less real.d) It may be helpful to give a glimpse some of the wide-ranging services provided by the diocese to both the community of Lightning Ridge and its wider district, both currently and at various times through its vicars, Church facilities, regional personnel and state and national organizations and resources.

(1) Education

(2) Marriage support

(3) Wedding services.

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- (4) Family support (through pastoral care, counselling and life-skills)
- (5) Children's ministry
- (6) Youth work
- (7) Women's ministry (marriage, families, etc)
- (8) Men's ministry (male identity, marriage, families, conferences, support network)
- (9) General and specialist individual counselling (both initial and professional referral)
- (10) Drug and alcohol counselling
- (11) Gambling counselling
- (12) Financial counselling
- (13) Depression and anxiety counselling
- (14) Suicide prevention
- (15) Hospital patient support
- (16) Aged care support
- (17) Grief support
- (18) Funeral services
- (19) Home visiting
- (20) Farm property visiting
- (21) Probation and parole support
- (22) Disadvantaged groups support
- (23) School student support
- (24) Indigenous Australians support
- (25) Drought relief and support
- (26) Stock fodder delivery
- (27) Christmas hampers
- (28) Spiritual support (public worship, Christian education)
- (29) General social events
- (30) Support and involvement in community organizations
- (31) Chaplaincy services (to Ambulance, SES, Police, Fire Brigade, Rural Fire Service)
- (32) Location of missing persons (and family reunion)
- (33) Worldview critiques, philosophical and big-picture issues
- (34) Analyses of social and civil good-order structures.
- (35) Perspectives and frameworks for individual meaning and happiness.
- (36) Etc.

e) Some of the above can be verified through consultation with particular local and regional representatives of community and government organizations such as:

- (1) Schools
- (2) Hospitals
- (3) General medical practitioners
- (4) Police
- (5) Mental health
- (6) Aged care facilities
- (7) Funeral directors
- (8) Department of Primary Industry
- (9) NSW Farmers Federation
- (10) Counselling Services
- (11) DOCS
- (12) Fire Brigade

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- (13) Ambulance
- (14) SES
- (15) Bush Church Aid Society
- (16) Diocesan Registry Office and Regional Archdeacons.

f) It can be readily seen therefore that in order for the vicar to directly provide or oversee the provision of the above he needs to be multi-skilled. He needs to be specialist trained in one or two areas, be a jack-of-all-trades in many other areas and fully aware of a great many more, and able to call upon and coordinate a huge range of resources. And he needs to be on call and available 24/7. This is not just any job.

g) So quietness, refreshing sleep and recuperation at critical times is essential* if the provision of quality services to the community and district is to be maintained and developed.

6. Conclusion

- a) If the development goes ahead unchanged it would very likely:
 - (1) Make the vicarage unliveable.*
 - (2) Seriously reduce the ability of the vicar to provide quality services to the community and district.*
 - (3) Make uncertain effective use of the Church-Hall complex.*
 - (4) Make it difficult for the local church and diocese to attract future vicars and their families to the town.*

D. Some suggested modifications to lessen the impact of the proposed development

1. Relocation of the loading dock

- a) Either:
 - (1) Further along Kaolin Street where noise can be dissipated across the street to the playing fields.
 - (2) On the corner of Kaolin and Agate Streets, if the Bowling Club does not object.

2. Relocation of the septic tank/sewerage management system

- a) Either:
 - (1) To be placed further along Kaolin Street
 - (2) On the corner of Kaolin and Agate Streets, if the Bowling Club does not object.
 - (3) Between the supermarket and the Morilla Street car park and eastwards furthest away from the Church building. (If the public objects then our main point is proven.)

3. Relocation of the waste management facility

- a) Either:
 - (1) To be placed further along Kaolin Street
 - (2) On the corner of Kaolin and Agate Streets, if the Bowling Club does not object.
 - (3) Between the supermarket and the Morilla Street car park and eastwards furthest away from the Church building. (If the public objects then our main point is proven.)

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4. Relocation of any noisy machinery or equipment (such as air conditioners, cool room machinery)

- a) To be placed either:
 - (1) Further along Kaolin Street where noise can be dissipated across the street to the playing fields.
 - (2) On the corner of Kaolin and Agate Streets, if the Bowling Club does not object.
 - (3) Between the supermarket and the Morilla Street car park and eastwards furthest away from the Church building (noise there may not be a problem for vehicles in the car park).

5. Total enclosure of the loading dock etc with demonstrably very efficient sound-absorbing walls, roof and door.

- a) This to be pursued failing relocation and as a bare minimum.
- b) It would require:
 - (1) A proven reduction in decibel readings to acceptable levels and/or stated community standards.
 - (2) That any exhaust ducting would need to face away from the vicarage and be appropriately muffled.
 - (3) That the running operation of the door mechanism was silent.
- c) Perhaps this could be reinforced with a restriction on deliveries, and the servicing of onsite sewerage and trade waste, to the hours of 9 am and 5 pm.

6. Increase the setback to increase buffer effect

- a) Between
 - (1) The supermarket and the vicarage
 - (2) The two car parks and the vicarage and Church.
- b) This would reduce impact from:
 - (1) Overshadowing
 - (2) Noise

7. Install wheel-stops in both car parks

- a) Between car park and:
 - (1) Vicarage
 - (2) Church and hall.
- b) This would:
 - (1) Prevent cars from striking and damaging the fence and vegetation screening or inadvertently entering vicarage or Church grounds.
 - (2) Assist buffer effect.

8. Erect demonstrably efficient sound proof fences of sufficient height

- a) Between:
 - (1) Vicarage and the Kaolin Street car park,
 - (2) Vicarage and the Morilla Street car park,
 - (3) Church and Hall and the Morilla Street car park
- b) This would:
 - (1) Reduce noise

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- (2) Preserve the privacy of family members in their bedrooms, kitchen and laundry, back-yard and front-yard.

9. Extend the planting of existing thick and/or attractive vegetation as landscaping

- a) Between:
 - (1) Vicarage and supermarket;
 - (2) Vicarage and the Kaolin Street car park
 - (3) Church and Hall and the Morilla Street car park.
- b) This would
 - (1) Screen against:
 - (a) Noise;
 - (b) Light at night;
 - (c) Radiant heat from the supermarket wall mass.
 - (2) Improve the visual quality and aesthetics (as presumably already recognized by the developer between supermarket and Morilla car park and that car park and Morilla Street itself.)
- c) (Perhaps the measure could be further extended to the residents accommodated to the south and west of the Kaolin Street car park, and to the east of the Morilla Street car park.)

E. A further proposal (radical modification?)

1. A land swap between the Church and the owner of the land (presumably still the Bowling Club) and/or the developer.

- a) This is not an issue that the Shire Council is directly involved in, but there may be advantages to the Council in its proposed Local Environmental Plan.
- b) Proposal: That the owner swaps the land of the proposed Morilla Street car park for the land on which the vicarage is currently located.
- c) This was previously proposed by the Bowling Club (and developer) to the Church during 2008.
 - (1) Discussions had not thoroughly canvassed all the options before appearing to stall.
 - (2) It may be in the interest of both parties to re-open the discussions making possible the best trade-off advantages for both.
- d) Possible advantages to the developer:
 - (1) The contingent merging all of the land owned by the Club inside a common boundary.
 - (2) Allow for re-design to create a more efficient business with increased customer comfort?
 - (a) Removal of the very long walk of customers from the Kaolin Street car park.
 - (b) Removal of the medium length walk of customers from the Morilla Street car park.
 - (c) Easier access for all vehicle borne customers to the (re-positioned) shopping foyer.
 - (d) One car park instead of two.
 - (e) Increased shop floor space with the removal of the covered walkway from the Morilla Street car park.
 - (3) Reduce the risk (however small) that the Shire Council would refuse the current DA?
 - (4) Economy of scale?
 - (5) (Other) ...?

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e) Advantages to the Church

- (1) It would solve all the issues facing the public use of the Church building.
- (2) It would solve almost all of the serious issues currently facing the vicar and family
- (3) It would begin to solve some of the strategic issues facing the owner (the Diocese of Armidale)
- (4) The church land would remain contiguous.
- (5) (Other) ..?

f) Advantages to the community and district of Lightning Ridge

- (1) It would continue to receive at a quality level the (almost invisible but valuable) services provided by the Church.
- (2) (Other) ...?

g) Possible advantages to Walgett Shire Council:

- (1) Success in achieving a more uniform 'commercial' use of this zone?
 - (a) I.e. instead of the town block being divided into two, it would be immediately commercially contiguous on its western side.
 - (b) Possible eventual removal of the vicarage as one of the last residential dwellings from that town block.
 - (i) The developing Local Environmental Plan (LEP) is mooted that this entire town block be zoned 'commercial' and not residential.
 - (ii) If this is the future, the Anglican Diocese needs to take stock, work with the objectives of the Council and perhaps make some radical decisions regarding the use of existing land and plant.
 - (iii) This may require:
 - (a) Sale and relocation of at least the vicarage.
 - (b) Some appropriate zoning given to the Church under 'Special Activities' in the LEP and which would assist the vicar and Church to care for the community..
- (2) Community harmony
- (3) (Other) ...?

F. Summary

1. There will be serious negative impact upon

- a) *The minister and his ability to provide quality services to the community
- b) *The use of the Church and hall as the venue for the delivery of some of those services
- c) *The ability of the Anglican diocese to provide those services both now and in the future.
- d) *The community through the loss of those services.

2. Requested clarification of procedure and due process:

I assume from the very short time allowed for submissions to be made (14 days closing on Wed 1st April) that there is some urgency about the Shire Council's decision on the DA.

- a) Should I therefore expect that a reply to this submission will be given to us within one to two weeks?
- b) And should I expect that we would be allowed time to make a further submission to Council by way of response to that reply and before a final determination is made by Council?

Yours Sincerely,

Ven. Clifford C. Ainsworth.
Acting Chair Bishop's Consultants Panel

Dictionary

Anglican – the Christian denomination that goes by that name.

Bowling Club – The Lightning Ridge Bowling Club. Referred to as the 'Club'.

Church – the building in which the congregation normally meets.

Diocese – the regional level of organization of the Anglican church-denomination. Lightning Ridge is located within the Armidale diocese which includes the New England Tablelands and North West Slopes and Plains between the Queensland Border and a line stretching from the Liverpool Range to Walgett.

Hall – public meeting room semi-attached to the northern end of the Church.

Vicar – the minister of religion (clergyman) occupying the vicarage, and supplying services to the public.

Vicarage – the dwelling occupied by the vicar (minister) i.e. the minister's residence.

All Mail To: The Ven. Clifford C. Ainsworth, Assistant to the Bishop – PO Box 198, Armidale, NSW 2350

Attachment B – Objection letter

Lightning Ridge Community Church
(Anglican Diocese of Armidale)

COPY



You matter to God

REC'D

General Manager
Walgett Shire Council
PO Box 31
Walgett NSW 2832

07 APR 2009

FILE: 09 2009/0006

1st April 2009



E-MAILED

07/04/2009

LETTER No: 1832

REFER: JRB

Ref: Development Application 2009/05

COPY:

Dear Sir,

We are in receipt of the letter dated 18 March regarding the abovementioned Development Application. Whilst we support any development that is good for the community, we have a number of concerns regarding this development that are not addressed in the Application. Therefore we lodge an OBJECTION to the proposal on the following basis:

- 1) Whilst the applicant acknowledges the existence of the Church on the adjacent boundary, it does not address the fact that the church development incorporates the residence of the church's Vicar and family. Significantly it should be noted that this is the residence of a family and is usually occupied 24 hours per day. Both the Vicar and the family play a very important role in the church community and to the benefit of the wider community in general. The scale and nature of the proposed development in the very close proximity to, and on both sides of the private residence of the Vicar will have some significant personal impact as well as the flow on effect to the community in general.
- 2) The applicant has assessed that the development will not increase the amount of noise, vibration, light, air pollution, smells & odours or any other form of disturbance on adjoining lands. This is clearly not correct. Neither does the application indicate that the development will in any way mitigate or reduce any such disturbance. We therefore draw your attention to a number of these impacts that we consider to be significant as follows:

PO Box 440 (Morilla Street)
Lightning Ridge NSW 2834

Ph/fax: (02) 6829 0597
Email: lrcc@westnet.com.au

- a) **Noise:** A supermarket will obviously require refrigeration and air conditioning plant to operate 24 hours. It will also desire to receive deliveries outside its normal opening hours. Deliveries will typically involve refrigerated trucks and semi-trailers using brakes, idling, reversing and the operation of forklift trucks to move pallets. Workers may also use raised voices and undertake other noisy activities, including the operation of the roller door which may result in the disturbance of the occupants. Garbage removal will also usually occur outside normal opening hours and involve trucks and the loading of large metal waste bins. All of these activities generate noise which is likely to be above the existing background noise levels. It is unreasonable to expose the private residence to this sort of noise pollution. Additionally, we consider that this should be properly assessed, especially as the existing night-time background noise levels will be extremely low. Additional noise, especially at night will prevent the quiet enjoyment of the property.
- b) **Light:** The car parks and loading dock will need to be adequately illuminated during its use, and also at other times to maintain pedestrian safety and security. Currently these areas are unlit. The applicant has not provided sufficient information to assess what impact this lighting will have, nor has it addressed how it will control and prevent the spill of obtrusive light onto the Vicarage or other properties. Spill light of the level required for a car park will impact the capacity for the vicarage to be used as a family residence and diminish the privacy currently experienced by the Vicar's family if not properly and adequately managed and it is unreasonable for light to spill into this and other residential areas.
- c) **Smells and odours:** A supermarket will, by the nature of its business, generate a higher than normal volume of putrescible waste. It will also tend to have a high percentage of disinfectants from cleaning in its sewage, which will lead to ineffective operation of the site's septic system. Both the waste bins and the septic have been located adjacent to the fence of the vicarage and outside a number of windows to the three bedrooms. We consider this location inappropriate and unreasonable for the health and wellbeing of people living in the vicarage. Furthermore, the development proposes to have cars parking within metres of the bedroom and kitchen windows of the vicarage, this will result in exhaust fumes readily entering the residence. Furthermore, the exhaust fumes from delivery vehicles and forklifts and the like in the loading dock area and on Kaolin Street (when stopped directly outside the property) can not be prevented from spreading into the garden area and also entering the residence via open windows or the evaporative cooling system. It is unreasonable to expect the occupants to vacate the garden and/or close windows and/or shut down the cooling system when air pollution, such as exhaust, smells and odours spread into the residential area. This will expose the occupants to serious occupational health and safety hazards that do not currently exist.
- d) **Attraction of vermin:** We have already mentioned that the waste from the development is identified as being located outside the vicarage's bedroom windows and that it contains a high volume of rotting food. It also contains a high volume of paper packaging. The development proposal does not show any assessment of the volumes of waste that are likely to be generated by the

development or the frequency with which the waste will be removed from the site. We consider that it is likely that the proposed waste facilities are inadequate to contain this waste and prevent contaminated run-off leaving the site. This will result in the attraction of vermin including cockroaches, mice, rats (plus snakes to eat the rats & mice), feral cats and dogs which will also impact upon the vicarage due to its close proximity and result in an unnecessary burden upon the church and a hazard for the health and wellbeing of people living in the vicarage.

- e) **Privacy:** The development proposes to construct two car parks, one against the side boundary of the vicarage and one against the side boundary of the church. It also proposes to construct a loading dock against the other side boundary of the vicarage. The extent of these impacts have not been assessed by the applicant, nor has the development incorporated any mitigating measures to address these concerns as follows:
 - i) The side boundary of the vicarage facing the proposed car park does not have a suitable fence for the construction of a car park. People in the car park will have a direct view into the vicarage and there is nothing to prevent vehicles hitting or breaching the fence when parking directly against it. Apart from frequent damage to the church's property, this also presents a safety hazard to children who might be playing in the yard near the fence.
 - ii) The side boundary of the church facing the other proposed car park also has car spaces directly against the boundary and within metres of the side doors of the building's meeting space. A church, by its nature, uses this space for quiet prayer, reflection, and teaching. The impact of having a car reversing within metres of the meeting space where people are sitting and trying to hear a speaker, let alone enjoy a time of silence, is unacceptable. The applicant has not shown any form of fence or other mitigation measure to address this impact.
 - iii) The development also proposes to have the loading dock against the fence of the vicarage. Given the size of the development, it is reasonable to presume that large trucks will be entering the loading dock. Due to their high driving position, they will have full view of the vicarage, both its yard and directly into bedroom windows, which would be only metres from the truck. This is considered to be an unacceptable invasion of the privacy of a residential dwelling.
 - f) **Shading and reflected heat:** The application indicates that the development will have one wall immediately adjacent to the side boundary of the vicarage. It does not indicate how high this wall will be, what surface treatment it will have, or what overshadowing effects will result. Due to an insignificant set-back from the boundary this part of the building is likely to block out all morning sun from part of the vicarage, which will increase heating costs for the residence in winter. In summer, it will increase cooling costs and make the adjacent yard unusable due to the reflected heat.
- 3) The applicant has not addressed the issue of **community safety** as part of the development. A number of aspects of the development are detrimental to the church facilities and will not contribute to improved community safety in Lightning Ridge: The

car parks and loading dock will potentially be attractive locations for people to loiter after the supermarket is closed. Due to its location and design, the loading dock will be an especially high risk area for assault and other criminal activity and is directly adjacent to bedrooms in the vicarage. The car park, and especially the Kaolin Street car park, will also be a high risk location because of the limited opportunities for passive surveillance. This is likely to result in the adjacent properties experiencing an increased rate of theft and break-ins, therefore imposing a need for additional security measures and a cause for concern for the personal safety of the occupants;

- 4) The applicant has assessed that there will be "a little increase" in **traffic** in the area as a result of the development. We consider that this impact will be significant in the following ways:
- a) **Change of traffic patterns:** Should the development proceed, it would reasonably be expected that a proportion of the traffic that currently travels to the existing supermarket in Opal Street and some of the traffic that is attracted to the surrounding convenience stores will instead travel to the proposed development. Should the existing supermarket close, as a result of competition, given that market growth is limited, virtually all of the traffic from the existing supermarket would be attracted to the proposed development. We consider that this outcome is reasonably likely given the recent demise of a second supermarket and the generally soft economic climate. Given that the existing supermarket would be one of the top three highest traffic generators in the town, these impacts should be addressed thoroughly by the applicant so that the impact can be properly assessed and addressed.
 - b) **Change in heavy vehicle movements:** The applicant has not identified the size, frequency, or time of day that deliveries will be made to the proposed development. Truck movements, especially in areas where there is currently no heavy vehicle traffic, such as Kaolin Street, would make a significant difference to the amenity of the area.
 - c) **Significant change in use of Kaolin Street:** The development proposes to have approximately 50% of its car parking accessed from Kaolin Street, opposite sporting fields. Currently this street has negligible traffic and has no kerbing or permissive parking controls. The applicant has not addressed (i) how illegal parking on the adjacent verges will be discouraged, (ii) what provision will be made for the pedestrians to access the shops from the car park, (iii) how conflicts between delivery vehicles and pedestrian and vehicular traffic will be managed, or (iv) when combined with the traffic generated by the adjacent sporting fields, whether road safety and capacity can be maintained. We are concerned that the vehicular access off Kaolin Street to the Vicarage will become regularly obstructed by parked cars, and that cars and trucks will damage the stormwater drains from the Vicarage and generally damage the grassed verge area and the Vicarage's fence. Under current conditions, Kaolin Street becomes flooded by water after rain (above around 20ml in a short timeframe). This has a significant impact on both vehicular and pedestrian access to the carpark during such periods. In addition,

the grassed verge becomes soft and muddy after rain and any wheel ruts that dry out will cause a health and safety risks to pedestrians.

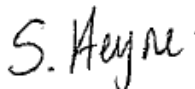
5) Flow-on Impact to the Vicar's Family, Church Community and Wider Community

The proposal will have an unsustainable impact upon the church ministry, and is incompatible with the Vicarage located directly adjacent to the building and loading dock area. The Vicar and the Vicar's family play a vital role in the church community and wider Lightning Ridge community, including the extensive surrounding farming areas and also the Cumborah, Grawin and Goodooga communities. The Vicar's work regularly extends to include, but not limited to) mental health assistance, including suicide prevention, aged care, funeral services and grief support, pastoral care and counselling, crisis care, support for people with addictions, mens groups, visitation, practical assistance to those in need, children and youth work, teaching and a presence within the school for both students and teachers, as well as the many facets of being the pastor of the church congregation. The nature of this work requires being available at all times of the day and night, much of it is done silently and unseen by the broader community, however the broader community reaps the many benefits from this work for the good of peoples lives. Lightning Ridge is a community in great need, and many of these needs are met by the work of the church in general, and particularly the work of the Vicar and the Vicar's family.

The wider benefit to the community should not be underestimated. This proposal will, in its current form, have a significant negative impact upon the lives of the current Vicar and future Vicars. This will diminish their ability to deliver the valuable services outlined above. Conversely, the church has had a positive presence in the Lightning Ridge Community for nearly 100 years (est. 1912). It is desirable that this presence continue to be a valuable contribution to the Lightning Ridge community and therefore we object to the development application.

We request that you take into consideration our concerns and advise us if any changes are made to the development proposal.

Yours sincerely,

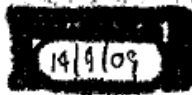


Sue Heyne
Secretary
On Behalf of the Parish Council
Lightning Ridge Community Church
of the Anglican Diocese of Armidale

WALGETT SHIRE COUNCIL AGENDA

Attachment C – Objection letter

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



Reference: DA 2009/05 –Erection of supermarket and associated parking facilities

Dear Sir

I have just learned about the referenced Development Application – DA 2009/05. I ask that Council consider this late submission and reject the application for the following reasons:

1. there will be a negative impact on the ambience of an existing family residence in that the residence will be hemmed in by adjacent car parks, the supermarket and the loading dock;
2. the family residence and the church will be impacted negatively by increased noise pollution in that the sources of noise will increase and noise levels will be greater and intrusive for longer periods of time;
3. security risks for the church and family residence will increase because there will be more activity;
4. the safety of adults, youth and children attending meetings and activities conducted at the church, the family residence, and the yards will be compromised by increased traffic so close to the meeting areas;
5. to surround a family residence with such a development could be interpreted as an attempt to coerce the owner to sell the land; and
6. the quality of life of the residents of the family home will be reduced and is thus likely to compromise psychological health.

This last point in particular is supported by my professional judgement. If required, I would be willing to provide written scientific evidence to support the statement.

Yours faithfully

Lynn Jarman BSc (Hons), Assoc. MAPS, BA
Registered Psychologist (PS0091127)
14 April 2009

PO Box 1415
Lightning Ridge NSW 2834

Attachment D – Objection letter

Page 1 of 1

Emailed reply -

Janet Babic

From: Lightning Ridge [ridge@khangroup.com.au]
Sent: Thursday, 2 April 2009 10:12 AM
To: Janet Babic
Subject: RE: new shop l/ridge

Attention Jo Babic.

May I take this opportunity to introduce myself - Matt Carey, Store Manager at Khans Supa IGA Lightning Ridge.

My purpose in writing is to oppose the building of the proposed new supermarket development for L/Ridge.

I am a strong believer in competition and in principle, this is no exception. However in the present climate, I am of the opinion that this move, at this time, would be extremely detrimental to all concerned for the following reasons:-

Based on past and present sales figures, Lightning Ridge does not have the population to support two supermarkets. I am happy to support this with figures.

Staff numbers in **this** store would need to be dramatically reduced - increasing unemployment in the town.

In closing, as someone who is very familiar with supermarkets from years of experience in the industry, may I respectfully point out that the distance between the overflow car-park and the proposed supermarket entrance is too long. The potential for customer mishaps/accidents is increased over that sort of distance, putting both the supermarket and the Walgett Shire Council in a higher risk litigation bracket.

Should you wish to contact me further, please don't hesitate to phone me on 68 290 418.

Sincerely,
MATT CAREY

Attachment E – Objection letter

Mr L.M & Mrs D.J Bell.

Crocodile Caravan Park.

5 Morilla Street,

Lightning Ridge. NSW. 2834.

30th March 2009.

Dear Sir,

We received your letter concerning the development of a supermarket
DEVELOPMENT APPLICATION 2009/05 on Thursday the 26th March 2009.

As we (Lionel & Debra Bell) are the owner/ operators of a caravan park which operates in the same area as this supermarket is to be situated, we are concerned that our patrons will be disturbed at all hours of the night and early mornings with the coming and going of delivery trucks, fork- lifts and refrigeration units.

Not only will there be noise but also pollution from the above mentioned motors. We have spoken to the Bowls club President and Manager also about the land beside our park that is to be turned into a car park. We have asked that there be lighting, security cameras and also provision for the car park to be locked by either a boom gate or the like as we feel that this will become a hangout for all the youth that hang around our streets at night and create havoc.

Also is it possible to put a time on the unloading of these vehicles so that they would not interfere with the comfort of our patrons and also take into consideration that there needs to be some sort of noise barrier wall erected that would block out the sound of the refrigeration units running.

We feel that this supermarket would be an asset for our town, but we ask that you take into account the above mentioned concerns as we rely totally on the tourist trade and we would not like this new project to have a negative affect on our business.

Thanking You.

Lionel and Debra Bell.

Reply sent 31/3/09.

Attachment F – Objection letter

DA 2009/005

RN. 1774
JRB

BOCC 0014

Lightning Ridge

31-3-09

The General Manager-

PO Box 31

Walgett NSW 2832

COPY**E-MAILED**

3.4.09

Dear Sir,

Ref: DA 2009/05 - erection of
supermarket and associated parking facilities.

The place of the loading dock with
septic tank smelly rubbish bins, noisy
coolrooms equipment, trucks coming and
going all hours (eg 3am every week
day), air-conditioning units running day
and night. The NOISE & SMELL would
be a real health problem to any
one living in the vicarage.

Would you the council like
to live with your families &
try to sleep with young children

and babies in the vicarage house
with this so close with the
NOISE and SMELLY bins?

I ask again would you the
council like to live with your
families with these health hazards
so close?

Would other towns accept these
same conditions for their residence?

Robin Hutchison

Attachment G – Objection letter

Mr L.M & Mrs D.J Bell.

Crocodile Caravan Park.

5 Morilla Street,

Lightning Ridge. NSW. 2834.

30th March 2009.

Dear Sir,

We received your letter concerning the development of a supermarket
DEVELOPMENT APPLICATION 2009/05 on Thursday the 26th March 2009.

As we (Lionel & Debra Bell) are the owner/ operators of a caravan park which operates in the same area as this supermarket is to be situated, we are concerned that our patrons will be disturbed at all hours of the night and early mornings with the coming and going of delivery trucks, fork- lifts and refrigeration units.

Not only will there be noise but also pollution from the above mentioned motors. We have spoken to the Bowls club President and Manager also about the land beside our park that is to be turned into a car park. We have asked that there be lighting, security cameras and also provision for the car park to be locked by either a boom gate or the like as we feel that this will become a hangout for all the youth that hang around our streets at night and create havoc.

Also is it possible to put a time on the unloading of these vehicles so that they would not interfere with the comfort of our patrons and also take into consideration that there needs to be some sort of noise barrier wall erected that would block out the sound of the refrigeration units running.

We feel that this supermarket would be an asset for our town, but we ask that you take into account the above mentioned concerns as we rely totally on the tourist trade and we would not like this new project to have a negative affect on our business.

Thanking You.

Lionel and Debra Bell.

Reply sent 31/3/09.

Attachment H – Recommended conditions of development consent

DRAFT 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.

Conditions related to operations

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.

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

Gen 050

In addition to plans, elevations and sections, the application for a Construction Certificate is to include the following information:

- (a) All structural details including specifications, tie-down and bracing plans and slab design details.
- (b) Details of all proposed fittings and fixtures, fixed equipment, Food Act compliance measures and Fire Safety measures.

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

Gen 070.

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

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

CONSOLIDATION

Sub 021.

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

Lot 79, DP 43258.

Lot 150, DP 45069

Lot 160, DP 725281.

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

WALGETT SHIRE COUNCIL AGENDA

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.

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 "consolidation") 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.

HOURS OF OPERATION

Hrs 010.

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

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

DISABLED BUILDING ACCESS

Dis 030.

Provision of access and facilities is to be made for access by Disabled in accordance with the requirements of the Building Code of Australia.

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

Dis 040.

At least two (2) disabled car parking spaces shall be provided within the proposed car park. The parking space is to have minimum width of 3.8m, with the signage and marking complying with the requirements of AS 2890.1 *Parking facilities-Part 1: Off-street car parking*. A continuous accessible path of travel complying with the requirements of AS 1428.1 *Design for access and mobility*. is to be provided from the parking space to the building.

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

VENTILATION

Ven 010.

Provide an approved system of mechanical ventilation in accordance with the requirements of Part F4.5(b) of the Building Code of Australia.

Reason: To provide adequate ventilation and to ensure that there are no adverse affects on the occupants or the building.

Ven 020.

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

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

PARKING & TRAFFIC

Par 001

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

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

Par 020.

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

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

Par 025

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

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

Par 030.

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

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

ACCESS

Acc 010.

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

Reason: To ensure that public infrastructure is maintained.

Acc 015.

The developer is establish access to Morilla Street shall from the car park located on lot 79 DP43258 and access to Kaolin Street from the car park located on lot 3 DP 40628.. Construction materials and methods are to be to the satisfaction of Walgett Shire Council's Director of Urban Infrastructure.

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

Acc 016.

The developer is to meet the cost of reconstruction of Kaolin Street between Agate Street and Onyx Street to enable access for heavy vehicle traffic delivering goods to the site. This will include providing kerbing, guttering and driveway crossovers. Construction materials and methods are to be to the satisfaction of Walgett Shire Council's Director of Urban Infrastructure.

WALGETT SHIRE COUNCIL AGENDA

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

Acc 017.

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

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

Acc 040.

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

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

Acc 050.

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

Reason: To provide appropriate access to the site.

ENVIRONMENTAL MANAGEMENT

Env001.

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

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

Env 005.

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

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

Env 020.

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

Reason: To 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.

FOOD PREMISES

Foo 011.

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

- (a) Food Safety Standards.
- (b) Australian Standard 4674-2004 *Design Construction and Fit Out of Food Premises*.
- (c) The NSW Food Act 2003.
- (d) Council's Policy for Discharge of Liquid Trade Waste and Liquid Trade Waste Regulation Guidelines issued by the Department of Water and Energy – April 2009.

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

Foo 020.

Plans and specifications showing floor layout and design of all food preparation, food service, food storage, dining area, garbage disposal area, construction and method of installation of all fittings and fixtures, together with floor, wall and ceiling finishes are required prior to Council issuing a Construction Certificate.

Reason: To comply with AS 467-2004 Design, construction and fit-out of food premise, and Building Code of Australia.

Foo 030.

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

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

Foo 040.

All commercial kitchens must be provided with a kitchen exhaust hood that complies with the provisions of AS/NZS 1668.1 *Mechanical ventilation in buildings*, and AS 1668.2 where applicable.

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

FIRE SAFETY

Fir 060.

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

FIRE SAFETY SCHEDULE.

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

- (a) **Fire Hose Reels** complying with the requirements of Part E1.4 of the building code of Australia and AS 1121 "Fire Hose Reels", and AS 2441 "Fire Hose Reels Installation".
- (b) **Portable Fire Extinguishers** complying with the requirements of Part E1.6 of the Building Code of Australia and AS 2444 "Fire Extinguishers Selection".
- (c) **Exit signs** complying with the requirements of Part E4.5 of the Building Code of Australia and AS 2293. "Emergency Evacuation Lighting". Such lighting to be located at each designated exit from the buildings.
- (d) **Emergency Lighting** complying with the requirements of Part E4.2 of the Building Code of Australia and AS 2293.1 "Emergency Evacuation Lighting".

- (e) **An automatic smoke detection and alarm system** complying with the requirements of Specification E2.2a (Clauses 3 or 4 as applicable) of the Building Code of Australia and AS 1670.1 and AS 3786.

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.

Conditions related to construction

SITING/SETOUT

Set 010.

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

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

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

Set 040

The wall of the building is to be fire rated or set back from the property boundary in accordance with the requirements of Specification C1.1 of the Building Code of Australia.

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

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 8.00 a.m. to 5.00 p.m.

Weekends & Public Holidays No construction activities are to take place.

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

Con 020.

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

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

Con 030.

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

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

Con 040.

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

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

Con 050.

Temporary kerb and gutter crossings shall be installed to protect existing kerbs, channels and/or laybacks. Such protection shall consist of timber, concrete, steel or the like and shall not cause any diversion or build-up of drainage flow. Materials that could cause interference with councils 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 110.

Engineer's detail of the roof trusses with a truss layout plan, are to be submitted and approved by Council prior to any roof construction work commencing.

Reason: To ensure structural efficiency of the roof trusses.

Con 120.

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

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

Con 130.

All wet areas are to be waterproofed in accordance with Australian Standard 3740-2004. *Waterproofing Standards*.

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

Con 140.

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

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

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
Termite management.
- (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.

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 035.

Hydraulic services are to be designed and approved by Council prior to the issue of a construction certificate.

Reason: To ensure compliance with NSW Plumbing and Drainage Code of Practice.

Plu 040.

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

Reason: To provide access for periodic water meter reading.

Plu 060.

The top of the buildings overflow relief gully (ORG) shall be a minimum 150mm below the lowest sanitary fixture or the buildings finished floor level, whichever is the lowest and a minimum 75mm above the finished surrounding ground level.

Reason: To prevent ingress of surface stormwater into the sewer and ensure compliance with Australian Standard 3500 Plumbing and Drainage Parts. 1-4 and the Plumbing and Drainage Code of Practice.

Plu 070.

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

Reason: To ensure compliance with AS 3500-2003. Plumbing and Drainage Parts.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 NSW 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 building is to have a drainage system so that:-

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

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

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:

- 1. Temperature control devices require routine maintenance and performance testing. Information on maintenance can be found in AS 4032.2 *Thermostatic mixing valves*.
- 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) By piping to the street gutter.

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

Plu 165.

All gas installations and gas tanks are to comply with the requirements of AS5601-2002 (Gas Installations).

Reason: To ensure compliance with AS 5601-2002 (Gas Installations).

ENVIRONMENTAL MANAGEMENT

Env 010.

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

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

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

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 – Class 6.

- At the commencement of the building work.
- After the building work has been completed and prior to any occupation certificate being issued in relation to the building.
- Footings/piers and slab after placement of moisture barrier, reinforcement and prior to pouring of any concrete.
- Underfloor drainage prior to pouring concrete.
- On completion of blockwork/brickwork and prior to core filling.
- On completion of plumbing pipe installation (hot & cold water service) prior to covering.
- Prior to covering any sewer or stormwater drainage pipe work and connection points.
- Installation of septic tanks and effluent lines prior to backfilling.
- All external sewer drainage prior to covering in trenches, clearly visible and under hydrostatic test.
- Final Inspection of Fire Service installations
- Final Inspection after completion of all works and prior to occupation of 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.

ADVISORY NOTES

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.

END.

22. DEVELOPMENT APPLICATION – PRIMITIVE CAMPING GROUND, WALGETT

REPORTING SECTION: Planning & Regulatory Services
AUTHOR: Matthew Goodwin – Director of Planning & Regulatory Services
FILE NUMBER: DA 2009018

Summary:

A Development Application has been lodged to establish a Primitive Camping Ground at Trevallion Park, Fox Street, Walgett. It is recommended that the application be approved subject to appropriate conditions of consent.

Discussion (including issues and background):

Development Application 2009018 has been lodged by Mr Siegfredo Colralde on behalf of Walgett Shire Council to establish a Primitive Camping Ground. The land is located at Trevallion Park in Fox Street at the southern entrance to the town of Walgett. (See figure 1)

The proposal involves:

1. Create four (4) camp sites for overnight or short stay visitors (see figure 2).
2. The sites will be gravelled and marked by logs.

Figure 1. LOCATION PLAN

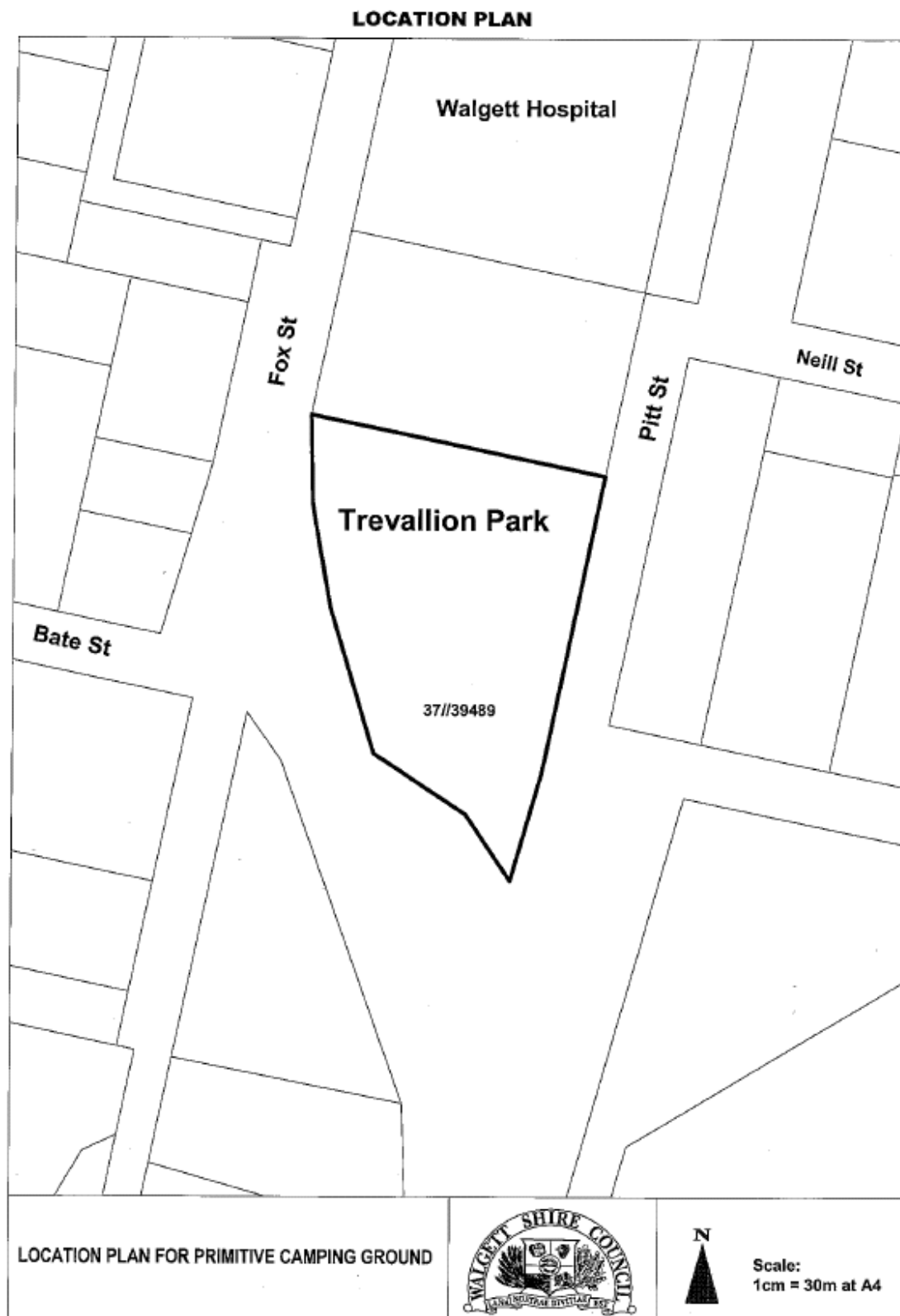
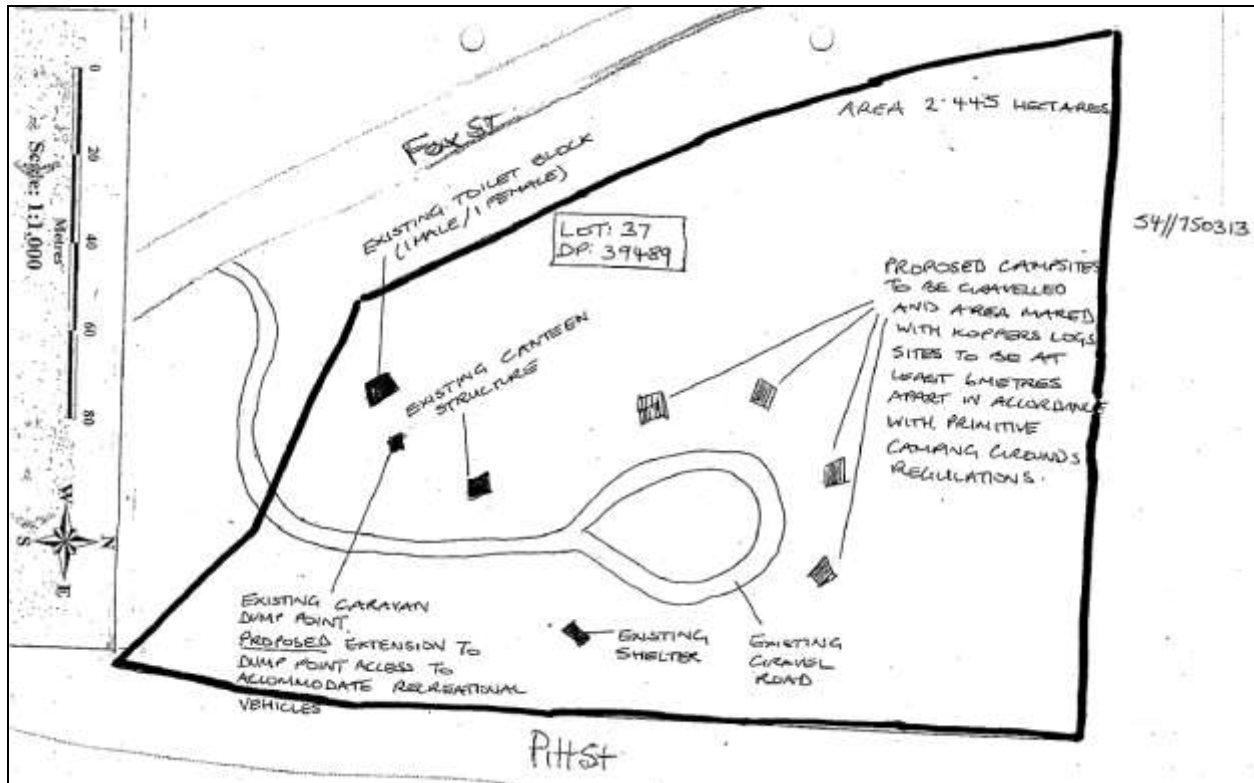


Figure 2. SITE PLAN



Under Walgett Shire Council's "Consent Authority Conflict Policy" (adopted 15 July 2008) this is a medium scale development. The policy establishes certain requirements for such developments, as follows:

Medium scale development:

Where a development is between \$20,000 and \$200,000 in value, or written objections are received, the Development Application will be subject to:

- An assessment prepared by Council staff not involved in compiling the application documentation.
- An assessment review by an appropriately skilled independent party, such as external planning consultants or planners from another Council
- Determination by Council.

Chalmers Paige was engaged to provide an independent assessment of the Development Application and review draft development consent conditions prepared by Council's Planning and Regulatory Services division staff.. The assessment report is included as Attachment B and was prepared by Barry Cotten, the principal of Chalmers Paige who is a Certified Practising Planner.

Relevant Reference Documents:

DA File 2009018

Review of Development Assessment by independent assessor.

Interim Development Order No.1 – Shire of Walgett

Stakeholders:

Walgett Shire Council
Walgett Community

Financial Implications:

Nil

Recommendations:

1. **That Walgett Shire council approve the Development Application for a Primitive Camping Ground at Trevallion Park, Walgett, in accordance with conditions of development consent recommended by Chalmers Paige town planning consultants.**

Attachments:

Attachment A Council staff assessment
Attachment B Chalmers Paige, Consultant Planner's assessment

ATTACHMENT 1. Development consent conditions proposed by Planning and Regulatory Services division staff.

PRESCRIBED CONDITIONS: ENVIRONMENTAL PLANNING REGULATION

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

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).

PRESCRIBED CONDITIONS: LOCAL GOVERNMENT REGULATION

The following conditions prescribed under Part 3, Division 3, Subdivision 9, Primitive Camping Grounds - Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 apply to this development consent.

132 (2)(a)

Camping is not permitted within the primitive camping ground other than on designated sites.

132 (2)(d)

A caravan, annexe or campervan must not be allowed to be installed closer than 6 metres to any other caravan, annexe, campervan or closer than 3 metres to any other tent.

132 (2)(f)

Unoccupied caravans, campervans and tents are not to be allowed to remain in the camping ground for more than 24 hours.

CONDITIONS IMPOSED BY COUNCIL

The following development consent conditions are imposed by Council.

GENERAL

Gen 001.

A sign is to be erected and maintained at the entrance to the site which states:

WALGETT PRIMITIVE CAMPING GROUND

Conditions of use:

- Use designated camp sites only.
- Only one caravan, bus or motor home is permitted per site.
- Maximum of 12 persons in tents per designated camp site.
- Tents must be kept a minimum of 3 metres apart
- Unoccupied caravans, campervans and tents are not permitted to remain for more than 24 hours.
- Maximum length of stay is two nights.

Persons not complying with conditions of use may be fined for breaching section 632 of the Local Government Act 1993.

General Manager

Walgett Shire Council

Reason: To ensure compliance with the principles of clause 132 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. Also to avoid inappropriate use of a Crown Reserve.

Gen 002.

A maximum of four (4) camp sites are to be established on the primitive camping ground area. Each site is to be marked out by logs or similar barriers.

Reason: To ensure compliance with the principle of sub-section 132(2)(b) of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. About 4 hectares are available for use as a primitive camp ground.

Gen 003.

Approval to operate a primitive camping ground Section 68 of the Local Government Act expires five (5) years after the date of development consent.

Reason: Section 103 of the Local Government Act 1993 provides that approvals issued under Section 68 lapse after 5 years. Application can be made to extend or renew the approval within a 3 month period prior to the approval lapsing (see S.107).

Gen 020.

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

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

APPROVED PLANS

Pln 010.

The development shall be implemented in accordance with:

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

except as amended by the conditions of this development consent.

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

ENVIRONMENTAL MANAGEMENT

Env 002

No native trees are to be destroyed in conjunction with this development.

Reason: There is adequate open space available to establish the development without destroying any trees which enhance the environmental values of the area.

ADVISORY NOTES

COVENANTS

It is possible that a covenant may affect the land, which is subject to this certificate. The granting of this certificate does not override any covenant. You should seek legal advice, where appropriate, regarding any covenants that may affect the use of the land.

FLOOD

The applicant/owner is advised that the site may be subject to inundation by floodwater to an unknown depth and velocity. No formal flood studies have been undertaken within the Walgett Shire. In that context the applicant should make their own inquiries regarding the extent, depth and potential affects of flood inundation on the site.

END.

ATTACHMENT 2 Chalmers Paige, Consultant Planner's Assessment

Review of Development Application

| | |
|------------------------------------|--|
| Development Application No. | 2009018 |
| Assessment Number: | 58008 |
| Address: | Lot 37 in DP 39489 Trevallion Park, Walgett |
| Proposal: | Primitive Camping Grounds |
| Owner: | Department of Lands Walgett Shire Council - Trustee |
| Applicant: | Walgett Shire Council |
| Land Zoning: | 2 Village or Township |

Report Introduction

This development application is for Council's consent to the approval of Primitive Camping Grounds within Trevallion Park, Walgett. The Department of Lands is the owner of the site with Walgett Shire Council being the Trustee of the land. It is also noted that Walgett Shire Council the applicant for the development application submission.

Given these circumstance the proposal has been externally reviewed by Chalmers Paige Pty Ltd - Town Planning Consultants, with the development application being referred to a Council meeting for determination.

Summary of Submission processes

| | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | All DA fees paid. |
| <input checked="" type="checkbox"/> | Consent of owner(s) provided. |
| <input checked="" type="checkbox"/> | DA notified in accordance with Council's Notifications Policy. |
| N/A | Acknowledgement letters sent to all persons who lodged submissions. |
| N/A | All issues raised in submissions have been considered in the assessment of the application. |
| <input checked="" type="checkbox"/> | Comments from stakeholders considered in assessment of application. |
| <input checked="" type="checkbox"/> | Relevant matters for consideration (S79C assessment) addressed in report. |
| N/A | Section 94 Contributions calculated (if required). |
| <input checked="" type="checkbox"/> | Standard conditions of consent and extraordinary conditions or reasons for approval prepared. |

Planning Considerations

Consideration has been given to the range of planning matters as prescribed by Section 79C(1) of the Environmental Planning and Assessment Act 1979, with those requiring the consideration of the Council reported below.

| Section 79C 'Matters for Consideration' | Comments |
|---|---|
| Section 79C (1) (a)(i) – Provisions of any environmental planning instrument | <p>SEPP55 Remediation of Land In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7(1)(b) and (c) of SEPP55 and the land is considered to be suitable for the proposed land use.</p> <p>Walgett IDO 1 It is considered that the proposal is consistent with the intent / objectives of the Walgett IDO and to that of the residential and non residential character of the area. The proposal is a permissible use in the zone.</p> |
| Section 79C (1) (a)(ii) – Provisions of any draft environmental planning instrument | No draft planning instruments known. Not Applicable. |
| Section 79C (1) (a)(iii) – Provisions of any development control plan | No Development Control Plans known. Not Applicable. |
| Section 79C (1) (a)(iia) - Provisions of any Planning Agreement or Draft Planning Agreement | Not Applicable. |
| Section 79C (1) (a)(iv) - Provisions of the regulations | Not applicable in this instance. |
| Section 79C (1) (b) – The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality | <p>(i) The environmental impacts of the proposed development on the natural and built environment are addressed in Walgett Councils report.</p> <p>(ii) The proposed development will not have a detrimental social impact in the locality considering the low scale impact and has been addressed in Walgett Councils report.</p> <p>(iii) The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing land use and has been addressed in Walgett Councils report.</p> <p>The assessment has taken into consideration the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.</p> |

WALGETT SHIRE COUNCIL AGENDA

| Section 79C 'Matters for Consideration' | Comments |
|---|--|
| Section 79C (1) (c) – The suitability of the site for the development | The application proposes a suitable site for the development of Primitive Camping Grounds. The land is relatively flat with no significant topographical or environmental features and provides a significant buffer between itself and that of adjoining residents. Additionally, there are no built structures on site to be demolished or constructed. Adequate pedestrian and vehicle access is provided to the site, as is adequate sanitary and water services. |
| Section 79C (1) (d) – Any submissions made in accordance with the EPA Act or EPA Regs | In regards to public submissions it has been noted that “No submission” have been received and requires not further consideration. |
| Section 79C (1) (e) – The public interest | The wider public interest is served by the proposal and its ability to provide an appropriate and compatible land use within this locality. The application is not considered to be Integrated pursuant to Clause 91A of the Environmental Planning & Assessment Act 1979, nor is the site deemed to be located within a Bushfire Prone Land. The assessment process and development proposed will benefit the community and in considered to be in the public interest. |

Conditions of Consent

Pursuant to Division 8A of the Environmental Planning & Assessment Regulations 2000, the appropriate Prescribed Conditions have been imposed.

Pursuant to Clause 132 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005, appropriate Conditions have been imposed.

Pursuant to Section 80A of the Environmental Planning & Assessment Act 1979, appropriate Conditions of consent have been imposed.

The following additional general conditions should also be imposed;

1) *Provisions of Sanitary and Water Services*

Sanitary facilities and water services must be maintained to Australian Standards / Health Regulations at all times.

Reason: To ensure appropriate toilet and water service facilities to service the number of patrons of the development

2) *Sanitary Facilities or people with disabilities*

Sanitary facilities shall be provided to allow for people with disabilities to adequately access in accordance with the Building Code of Australia (BCA). Details demonstrating compliance with these requirements are to be submitted prior to commencement of the use of the site.

Reason: *Equitable access for people with a disability.*

3) *Noise attenuation*

Amplified music is not permitted at any times and all sound producing equipment, machinery or fittings must not exceed more than 5dB(A) above the background level during the day and switched off nightly between the hours of 10.00pm to 6.00am. A sign should be erected indicating the above restrictions.

Reason: *To maintain the existing landscape settings.*

In conclusion the conditions of consent imposed on the development are considered appropriate for the proposed use and satisfactory for the ongoing management and operations of the proposal.

Report Conclusion

After consideration of the development against Section 79C of the Environmental Planning and Assessment Act 1979, and the relevant statutory and policy provisions, the proposal is suitable for the site and is in the public interest. It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

Recommendation

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979, that Council as the consent authority Approve to grant consent to DA 2009019 for Primitive Camping Grounds.

Signed B Cotten Date 13.7.09

Barry Cotten

Chalmers Paige Pty Ltd - Town Planning Consultant

23. DEVELOPMENT APPLICATION – PRIMITIVE CAMPING GROUND, COLLARENEBRI

REPORTING SECTION: Planning & Regulatory Services

AUTHOR: Matthew Goodwin – Director of Planning & Regulatory Services

FILE NUMBER: DA 2009019

Summary:

A Development Application has been lodged to establish a Primitive Camping Ground and caravan dump point at Collarenebri. It is recommended that the application be approved subject to appropriate conditions of consent.

Discussion (including issues and background):

Development Application 2009019 has been lodged by Mr Siegfredo Colralde on behalf of Walgett Shire Council to establish a Primitive Camping Ground and caravan dump point. The land is located on Lot 38 in DP 752263 at the Showground and Sporting Ground, Gwydir Highway, Collarenebri

The proposal involves:

1. Create eight (8) camp sites for overnight or short stay visitors.
2. The sites will be gravelled and marked by logs.
3. Install a caravan dump point and associated plumbing.

Figure 1. LOCATION PLAN

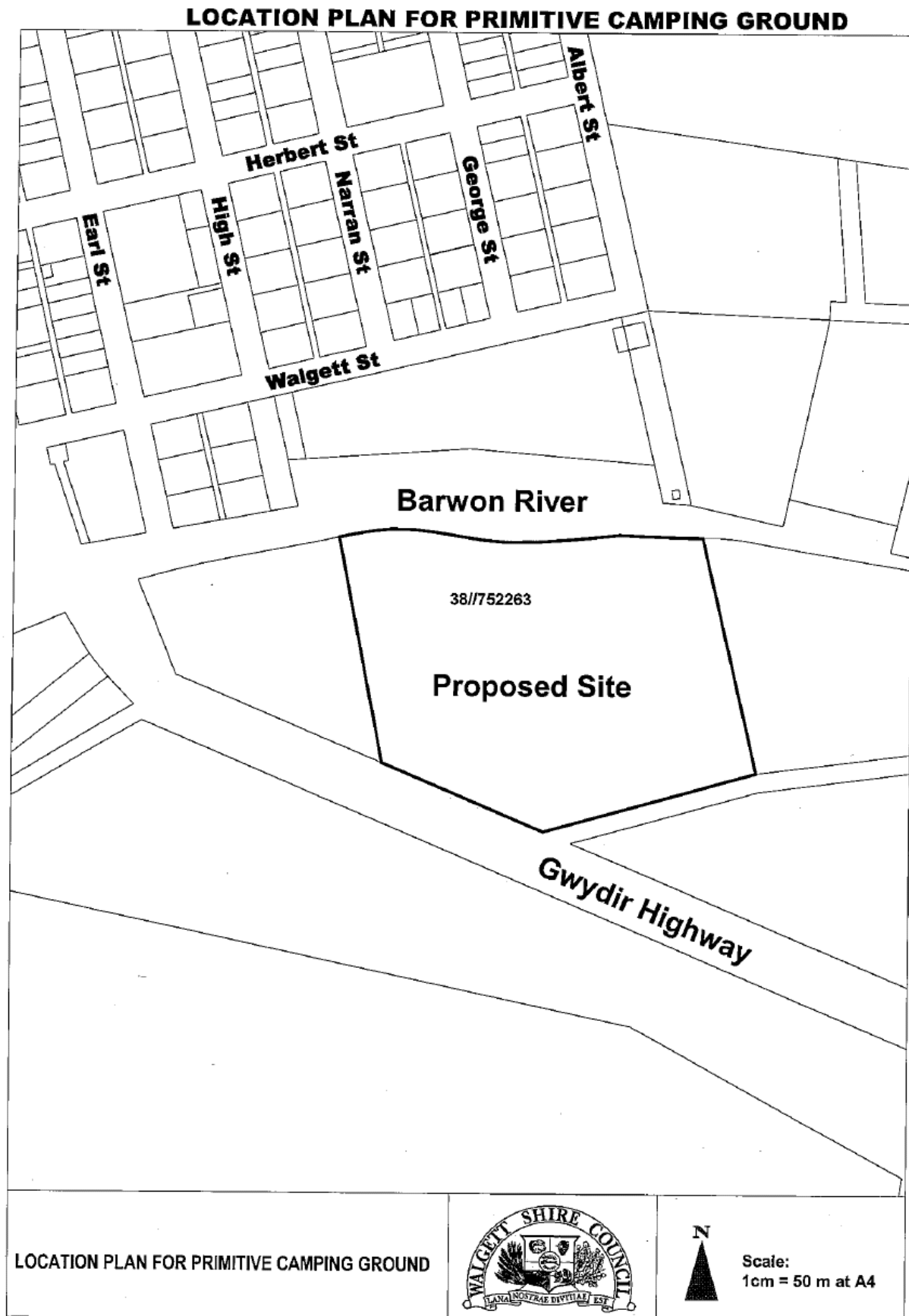
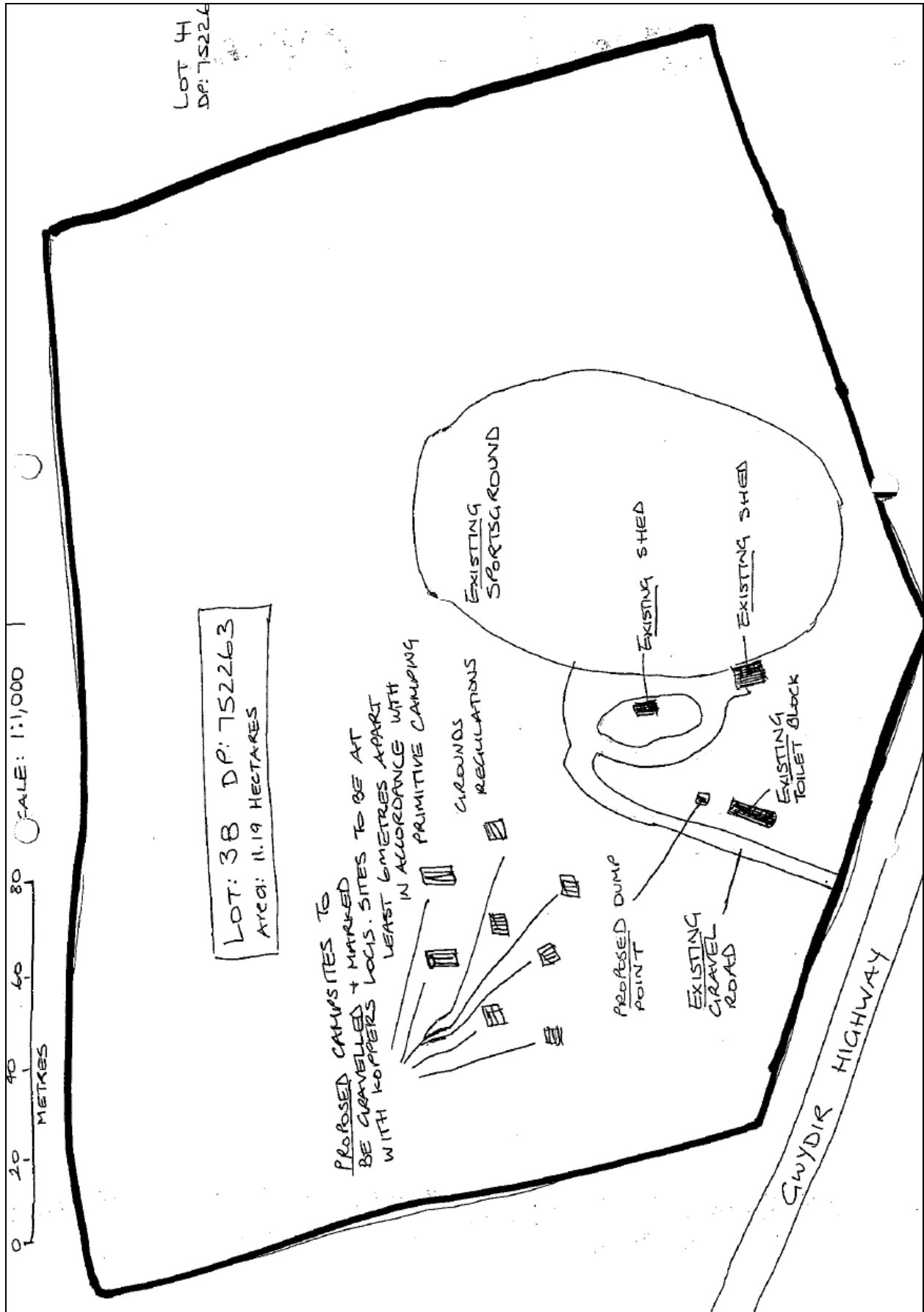


Figure 2. SITE PLAN



Under Walgett Shire Council's "Consent Authority Conflict Policy" (adopted 15 July 2008) this is a large scale development. The policy establishes certain requirements for such developments, as follows:

Medium scale development:

Where a development is between \$20,000 and \$200,000 in value, or written objections are received, the Development Application will be subject to:

- An assessment prepared by Council staff not involved in compiling the application documentation.
- An assessment review by an appropriately skilled independent party, such as external planning consultants or planners from another Council
- Determination by Council.

Chalmers Paige was engaged to provide an independent assessment of the Development Application and review draft development consent conditions prepared by Council's Planning and Regulatory Services division staff.. The assessment report is included as Attachment B and was prepared by Barry Cotten, the principal of Chalmers Paige who is a Certified Practising Planner. The conclusion of that assessment states:

Relevant Reference Documents:

DA File 2009019
Review of Development Assessment by independent assessor.
Interim Development Order No.1 – Shire of Walgett

Stakeholders:

Walgett Shire Council
Walgett Community

Financial Implications:

Nil

Recommendation:

1. **That Walgett Shire Council approve DA 2009019 proposed Primitive Camping Ground and Caravan Dump Point at the Show Ground, Collarenebri, in accordance with conditions of development consent recommended by Chalmers Paige town planning consultants.**

Attachments:

Attachment A – Development consent conditions recommended by Planning and Regulatory Services division staff
Attachment B - Barry Cotton, Consultant Town Planners, assessment review report.

Attachment A - Development consent conditions proposed by Planning & Regulatory Services division staff

PRESCRIBED CONDITIONS: ENVIRONMENTAL PLANNING REGULATION

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

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).

PRESCRIBED CONDITIONS: LOCAL GOVERNMENT REGULATION

The following conditions prescribed under Part 3, Division 3, Subdivision 9, Primitive Camping Grounds - Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 apply to this development consent.

132 (2)(a)

Camping is not permitted within the primitive camping ground other than on designated sites.

132 (2)(d)

A caravan, annexe or campervan must not be allowed to be installed closer than 6 metres to any other caravan, annexe and campervan or closer than 3 metres to any other tent.

132 (2)(f)

Unoccupied caravans, campervans and tents are not to be allowed to remain in the camping ground for more than 24 hours.

CONDITIONS IMPOSED BY COUNCIL

The following development consent conditions are imposed by Council.

GENERAL

Gen 001.

A sign is to be erected and maintained at the entrance to the site which states:

COLLARENEBRI PRIMITIVE CAMPING GROUND

Conditions of use:

- Use designated camp sites only.
- Only one caravan, bus or motor home is permitted per site.
- Maximum of 12 persons in tents per designated camp site.
- Tents must be kept a minimum of 3 metres apart
- Unoccupied caravans, campervans and tents are not permitted to remain for more than 24 hours.
- Maximum length of stay is two nights.

Persons not complying with conditions of use may be fined for breaching section 632 of the Local Government Act 1993.

General Manager

Walgett Shire Council

Reason: To ensure compliance with the principles of clause 132 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. Also to avoid inappropriate use of a Crown Reserve.

Gen 002.

A maximum of eight (8) camp sites are to be established on the primitive camping ground area. Each site is to be marked out by logs or similar barriers.

Reason: To ensure compliance with the principle of sub-section 132(2)(b) of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. About 4 hectares are available for use as a primitive camp ground.

Gen 003.

Approval to operate a primitive camping ground under Section 68 of the Local Government Act expires five (5) years after the date of development consent.

Reason: Section 103 of the Local Government Act 1993 provides that approvals issued under Section 68 lapse after 5 years. Application can be made to extend or renew the approval within a 3 month period prior to the approval lapsing (see S.107).

Gen 020.

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

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

APPROVED PLANS

Pin 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.

ENVIRONMENTAL MANAGEMENT

Env 001

No camp sites are to be established within 125m of the bank of the Barwon River.

Reason: This area is the most environmentally sensitive part of the site which contains higher gradients (more vulnerable to soil erosion), higher density of mature native vegetation (habitat of native fauna) and is more vulnerable to flooding.

Env 002

No native trees are to be destroyed in conjunction with this development.

Reason: There is adequate open space available to establish the development without destroying any trees which enhance the environmental values of the area.

ADVISORY NOTES

COVENANTS

It is possible that a covenant may affect the land, which is subject to this certificate. The granting of this certificate does not override any covenant. You should seek legal advice, where appropriate, regarding any covenants that may affect the use of the land.

FLOOD

The applicant/owner is advised that the site may be subject to inundation by floodwater to an unknown depth and velocity. No formal flood studies have been undertaken within the Walgett Shire. In that context the applicant should make their own inquiries regarding the extent, depth and potential affects of flood inundation on the site.

END.

ATTACHMENT B Chalmers Paige, Consultant Planner's Assessment

Review of Development Application

| | |
|------------------------------------|--|
| Development Application No. | 2009019 |
| Address: | Lot 38 in DP 752263 Showground - Collarenebri |
| Proposal: | Primitive Camping Grounds |
| Owner: | Department of Lands Walgett Shire Council - Trustee |
| Applicant: | Walgett Shire Council |
| Land Zoning: | Non Urban (b) |

Report Introduction

This development application is for Council's consent to the approval of Primitive Camping Grounds within Collarenebri Showground. The Department of Lands is the owner of the site with Walgett Shire Council being the Trustee of the land. It is also noted that Walgett Shire Council the applicant for the development application submission.

Given these circumstance the proposal has been externally reviewed by Chalmers Paige Pty Ltd - Town Planning Consultants, with the development application being referred to a Council meeting for determination.

Summary of Submission processes

| | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | All DA fees paid. |
| <input checked="" type="checkbox"/> | Consent of owner(s) provided. |
| <input checked="" type="checkbox"/> | DA notified in accordance with Council's Notifications Policy. |
| N/A | Acknowledgement letters sent to all persons who lodged submissions. |
| N/A | All issues raised in submissions have been considered in the assessment of the application. |
| <input checked="" type="checkbox"/> | Comments from stakeholders considered in assessment of application. |
| <input checked="" type="checkbox"/> | Relevant matters for consideration (S79C assessment) addressed in report. |
| N/A | Section 94 Contributions calculated (if required). |
| <input checked="" type="checkbox"/> | Standard conditions of consent and extraordinary conditions or reasons for approval prepared. |

Planning Considerations

Consideration has been given to the range of planning matters as prescribed by Section 79C(1) of the Environmental Planning and Assessment Act 1979, with those requiring the consideration of the Council reported below.

| Section 79C 'Matters for Consideration' | Comments |
|---|---|
| Section 79C (1) (a)(i) – Provisions of any environmental planning instrument | <p>SEPP55 Remediation of Land In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7(1)(b) and (c) of SEPP55 and the land is considered to be suitable for the proposed land use.</p> <p>Walgett IDO 1 It is considered that the proposal is consistent with the intent / objectives of the Walgett IDO and to that of the residential and non residential character of the area. The proposal is a permissible use in the zone.</p> |
| Section 79C (1) (a)(ii) – Provisions of any draft environmental planning instrument | No draft planning instruments known. Not Applicable. |
| Section 79C (1) (a)(iii) – Provisions of any development control plan | No Development Control Plans known. Not Applicable. |
| Section 79C (1) (a)(iiia) - Provisions of any Planning Agreement or Draft Planning Agreement | Not Applicable. |
| Section 79C (1) (a)(iv) - Provisions of the regulations | Not applicable in this instance. |
| Section 79C (1) (b) – The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality | <p>(i) The environmental impacts of the proposed development on the natural and built environment are addressed in Walgett Councils report.</p> <p>(ii) The proposed development will not have a detrimental social impact in the locality considering the low scale impact and has been addressed in Walgett Councils report.</p> <p>(iii) The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing land use and has been addressed in Walgett Councils report.</p> <p>The assessment has taken into consideration the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.</p> |

WALGETT SHIRE COUNCIL AGENDA

| Section 79C 'Matters for Consideration' | Comments |
|---|--|
| Section 79C (1) (c) – The suitability of the site for the development | <p>The application proposes a suitable site for the development of Primitive Camping Grounds. The land is relatively flat with no significant topographical or environmental features and provides a significant buffer between itself and that of adjoining residents.</p> <p>Additionally, there are no built structures on site to be demolished or constructed. Adequate pedestrian and vehicle access is provided to the site, as is adequate sanitary and water services.</p> |
| Section 79C (1) (d) – Any submissions made in accordance with the EPA Act or EPA Regs | In regards to public submissions it has been noted that “No submission” have been received and requires not further consideration. |
| Section 79C (1) (e) – The public interest | <p>The wider public interest is served by the proposal and its ability to provide an appropriate and compatible land use within this locality.</p> <p>The application is not considered to be Integrated pursuant to Clause 91A of the Environmental Planning & Assessment Act 1979.</p> <p>Although the site is partially located within land that is identified as Bushfire Prone, the proposed use will not be detrimentally impacted upon.</p> <p>The assessment process and development proposed will benefit the community and is considered to be in the public interest.</p> |

Conditions of Consent

Pursuant to Division 8A of the Environmental Planning & Assessment Regulations 2000, the appropriate Prescribed Conditions have been imposed.

Pursuant to Clause 132 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005, appropriate Conditions have been imposed.

Pursuant to Section 80A of the Environmental Planning & Assessment Act 1979, appropriate Conditions of consent have been imposed.

The following additional general conditions should also be imposed;

1) *Provisions of Sanitary and Water Services*

Sanitary facilities and water services must be maintained to Australian Standards / Health Regulations at all times.

Reason: To ensure appropriate toilet and water service facilities to service the number of patrons of the development

2) *Sanitary Facilities or people with disabilities*

Sanitary facilities shall be provided to allow for people with disabilities to adequately access in accordance with the Building Code of Australia (BCA). Details demonstrating compliance with these requirements are to be submitted prior to commencement of the use of the site.

Reason: *Equitable access for people with a disability.*

3) *Noise attenuation*

Amplified music is not permitted at any times and all sound producing equipment, machinery or fittings must not exceed more than 5dB(A) above the background level during the day and switched off nightly between the hours of 10.00pm to 6.00am. A sign should be erected indicating the above restrictions.

Reason: *To maintain the existing landscape settings.*

In conclusion the conditions of consent imposed on the development are considered appropriate for the proposed use and satisfactory for the ongoing management and operations of the proposal.

Report Conclusion

After consideration of the development against Section 79C of the Environmental Planning and Assessment Act 1979, and the relevant statutory and policy provisions, the proposal is suitable for the site and is in the public interest. It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

Recommendation

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979, that Council as the consent authority Approve to grant consent to DA 2009019 for Primitive Camping Grounds.

Signed B Cotten Date 13.7.09

Barry Cotten

Chalmers Paige Pty Ltd - Town Planning Consultant

**24. DEVELOPMENT APPLICATION – SKATEBOARD PARK,
COLLARENEBRI**

REPORTING SECTION: Planning & Regulatory Services
AUTHOR: Matthew Goodwin – Director of Planning & Regulatory Services
FILE NUMBER: DA 2009015

Summary:

A Development Application has been lodged to establish a Skateboard park at Collarenebri. It is recommended that the application be approved subject to appropriate conditions of consent.

Discussion (including issues and background):

Development Application 2009015 has been lodged by Walgett Shire Council for a Skateboard Park on Lot 10 in Section 4 in DP 758262 on the corner of Earl and Walgett Streets (see Figure 1. Location plan), Collarenebri.

Figure 1. Location Plan

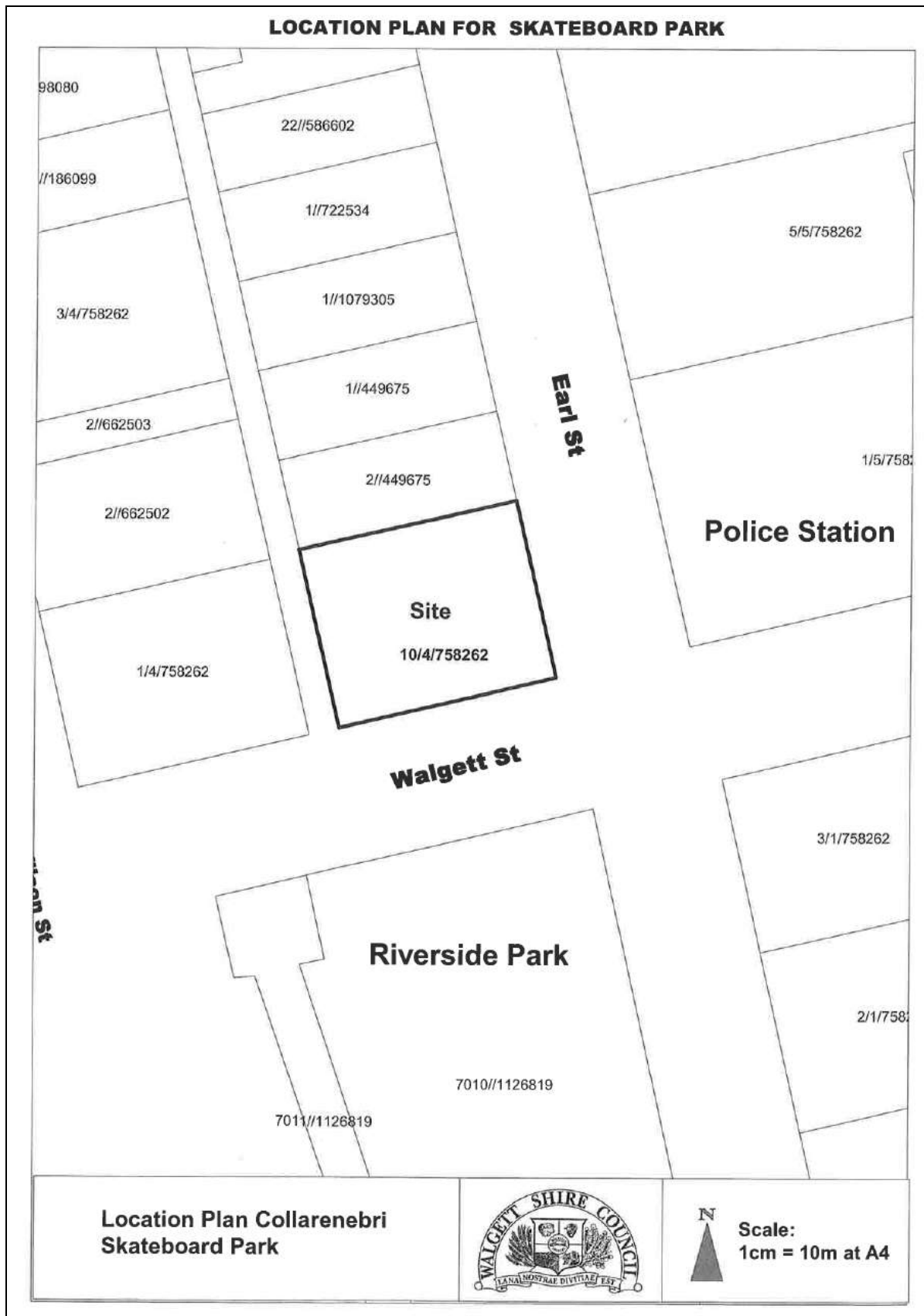


Figure 2 – Site Plan

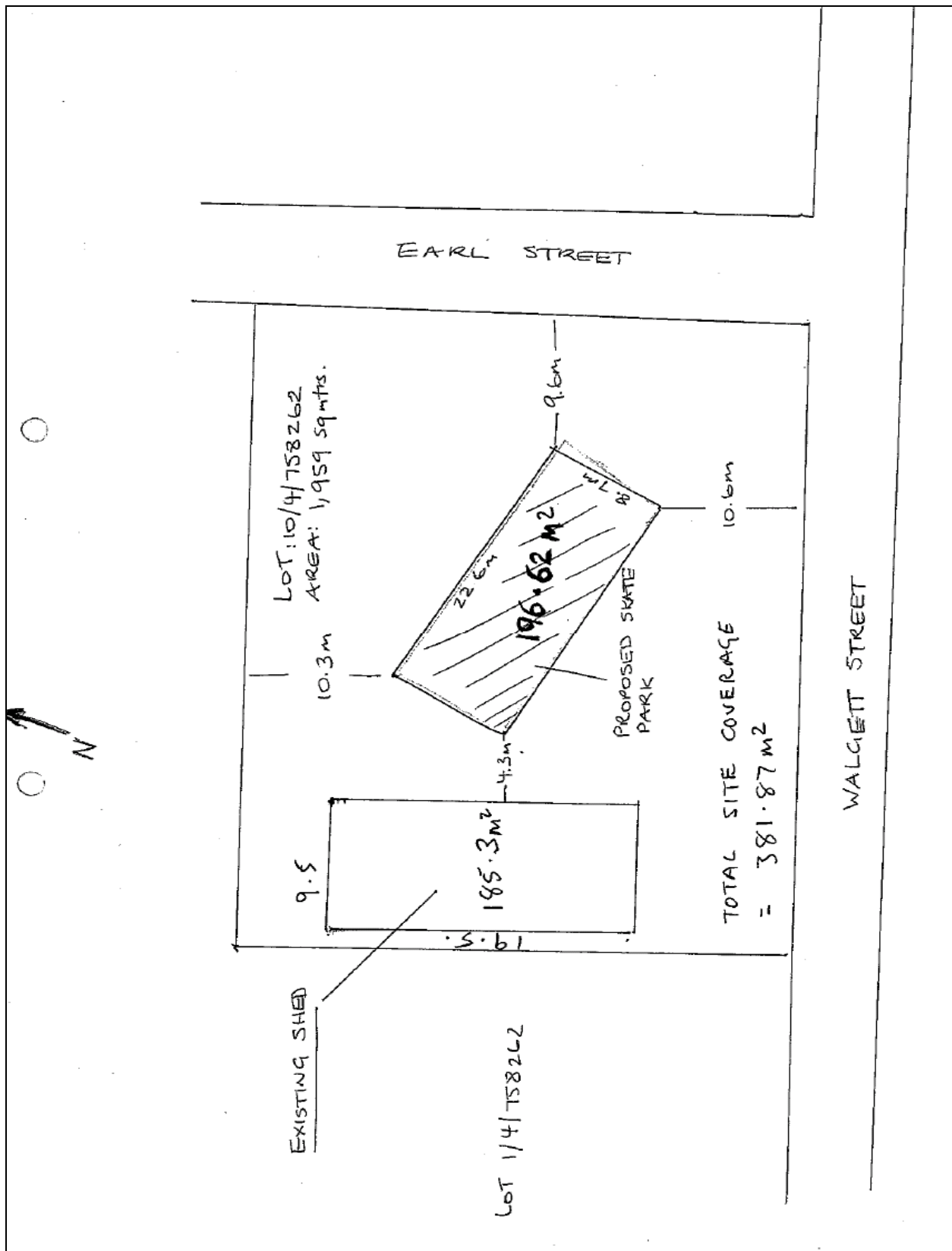
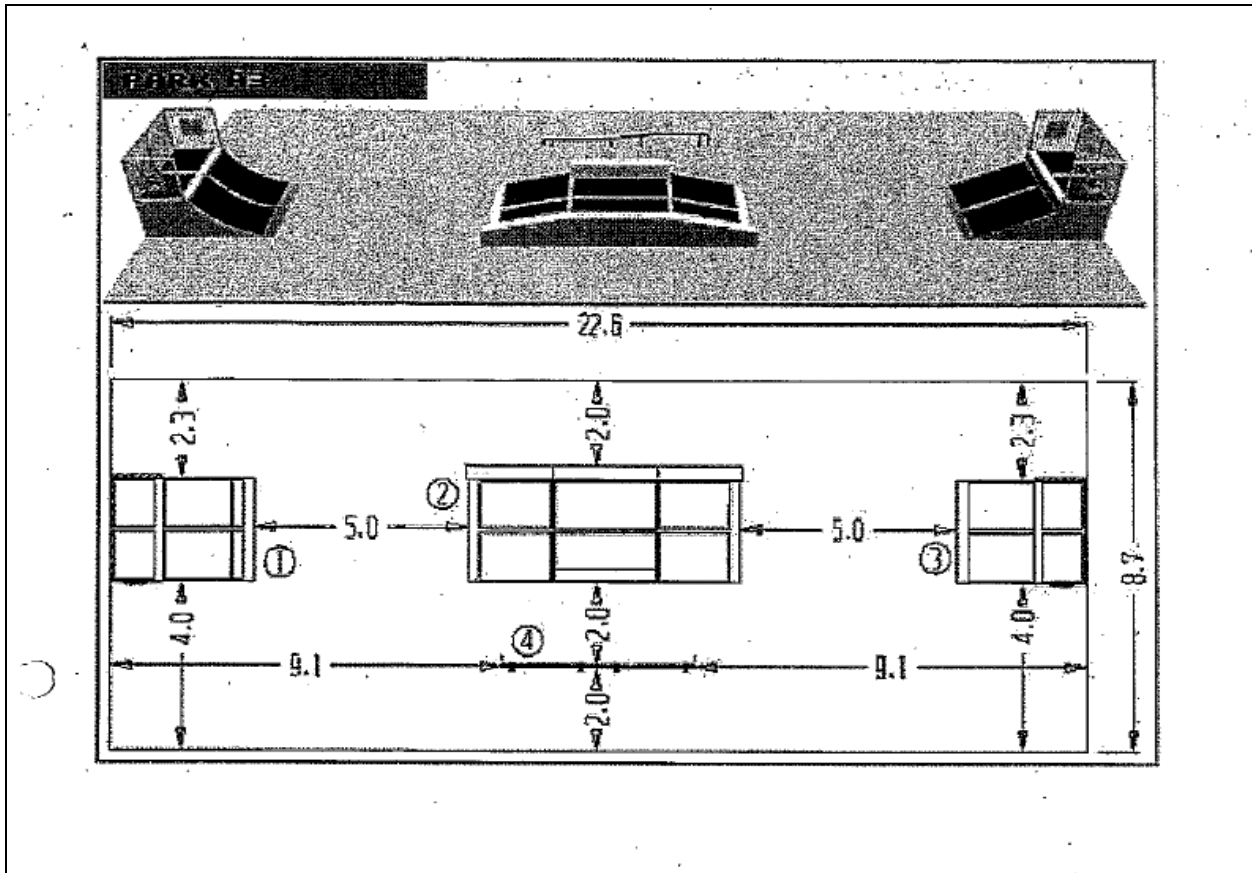


Figure 3 – Skateboard ramps



Under Walgett Shire Council's "Consent Authority Conflict Policy" (adopted 15 July 2008) this is a large scale development. The policy establishes certain requirements for such developments, as follows:

Medium scale development:

Where a development is between \$20,000 and \$200,000 in value, or written objections are received, the Development Application will be subject to:

- An assessment prepared by Council staff not involved in compiling the application documentation.
- An assessment review by an appropriately skilled independent party, such as external planning consultants or planners from another Council
- Determination by Council.

Chalmers Paige was engaged to provide an independent assessment of the Development Application and development consent conditions proposed by Planning and Regulatory Services division staff. The assessment report is included as Attachment B and was prepared by Barry Cotten, the principal of Chalmers Paige who is a Certified Practising Planner.

Relevant Reference Documents:

Council file DA 2009015
Review of Development Assessment by independent assessor
Interim Development Order No. 1 – Shire of Walgett

Stakeholders:

Walgett Shire Council
Community of Collarenebri

Financial Implications:

None

Recommendations:

1. **That Walgett Shire Council approve Development Application 2009015, proposed Skateboard Park at Collarenebri, in accordance with conditions of development consent recommended by Chalmers Paige, consultant town planners.**

Attachments:

Attachment A – Development consent conditions proposed by Planning and Regulatory Services division staff
Attachment B - Barry Cotten, Consultant Town Planner's assessment review report.

ATTACHMENT A. - Development consent conditions proposed by Planning and Regulatory Services division staff

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.

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.

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. |
| 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 060.

Footings and slab must be constructed in accordance with Australian Standard 2870- Residential Slabs and Footings – Construction.

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

ENVIRONMENTAL MANAGEMENT

Env 010.

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

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

WALGETT SHIRE COUNCIL AGENDA

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

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.

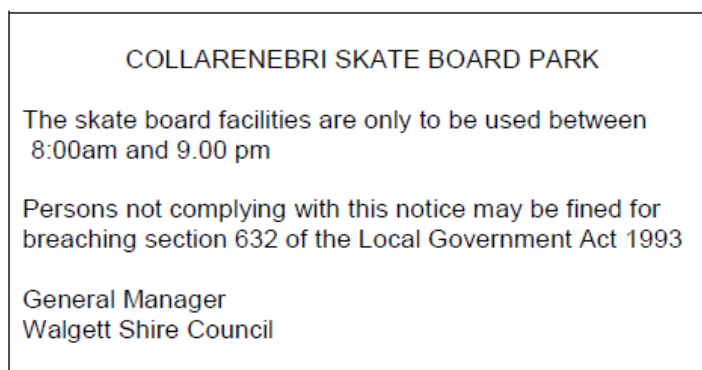
Env 001

A screen of native trees and shrubs to be planted and maintained along the northern property boundary.

Reason: To minimise potential visual and noise impacts on the dwelling located on the adjoining lot.

Env 002

A sign is to be erected and maintained at the site which states:



Reason: To minimise the potential for noise disturbance affecting nearby residents.

FLOOD

Flo 020

Materials such as timber, timber lining, plasterboard or any other material likely to be damaged or affected by inundation or the effects of flooding are not to be used in the building construction below 500mm above the highest known flood level.

Reason: To ensure the integrity of the building in the event of flood inundation.

Flo 030

The building is to be structurally designed and certified to withstand the impact of floodwaters.

Reason: To ensure the integrity of the skate board ramp is maintained during inundation by floodwaters.

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 Class 1 or 10

- 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

Other Inspections

- Final Inspection before use of installed equipment.

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.

ADVISORY NOTES

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.

NOTE: FLOODS

The applicant/owner is advised that the site is subject to inundation by floodwater to an unknown depth and velocity. You are advised to obtain your own expert advice as to the likely effects of such inundation.

END.

ATTACHMENT B Consultant Town Planner's assessment

Review of Development Application

| | |
|------------------------------------|---|
| Development Application No. | 2009015 |
| Assessment Number: | 10322 |
| Address: | Lot 10, Section 4, DP 758262 Coner Earl Street and Walgett Street, Collarenebri |
| Proposal: | Skateboard Park |
| Owner: | Walgett Shire Council |
| Applicant: | Walgett Shire Council |
| Land Zoning: | 2 Village or Township |

Report Introduction

This development application is for Council's consent to the approval of a skateboard park on the corner of Earl Street and Walgett Street, Collarenebri. Walgett Shire Council is the owner of the site as well as the applicant for the development application submission.

Given these circumstance the proposal has been externally reviewed by Chalmers Paige Pty Ltd - Town Planning Consultants, with the development application being referred to a Council meeting for determination.

Summary of Submission processes

| | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | All DA fees paid. |
| <input checked="" type="checkbox"/> | Consent of owner(s) provided. |
| <input checked="" type="checkbox"/> | DA notified in accordance with Council's Notifications Policy. |
| N/A | Acknowledgement letters sent to all persons who lodged submissions. |
| N/A | All issues raised in submissions have been considered in the assessment of the application. |
| N/A | Comments from stakeholders considered in assessment of application. |
| <input checked="" type="checkbox"/> | Relevant matters for consideration (S79C assessment) addressed in report. |
| N/A | Section 94 Contributions calculated (if required). |
| <input checked="" type="checkbox"/> | Standard conditions of consent and extraordinary conditions or reasons for approval prepared. |

Planning Considerations

Consideration has been given to the range of planning matters as prescribed by Section 79C(1) of the Environmental Planning and Assessment Act 1979, with those requiring the consideration of the Council reported below.

| Section 79C 'Matters for Consideration' | Comments |
|---|--|
| Section 79C (1) (a)(i) – Provisions of any environmental planning instrument | <p>SEPP55 Remediation of Land In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7(1)(b) and (c) of SEPP55 and the land is considered to be suitable for the proposed land use.</p> <p>Walgett IDO 1 It is considered that the proposal is consistent with the intent / objectives of the Walgett IDO and to that of the residential and non residential character of the area. The proposal is a permissible use in the zone.</p> |
| Section 79C (1) (a)(ii) – Provisions of any draft environmental planning instrument | No draft planning instruments known. Not Applicable. |
| Section 79C (1) (a)(iii) – Provisions of any development control plan | No Development Control Plans known. Not Applicable. |
| Section 79C (1) (a)(iiia) - Provisions of any Planning Agreement or Draft Planning Agreement | Not Applicable. |
| Section 79C (1) (a)(iv) - Provisions of the regulations | Not applicable in this instance. |
| Section 79C (1) (b) – The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality | <p>(i) The environmental impacts of the proposed development on the natural and built environment are addressed in Walgett Councils report. Conditions of consent have been recommended to minimise any potential noise impact at night.</p> <p>(ii) The proposed development will not have a detrimental social impact. Walgett Councils report highlights the positive social impact that such a facility may provide for the community. The report also notes that having the Police Station situated opposite the site will act as a deterrent for any anti-social behaviour.</p> <p>(iii) The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing land use and has been addressed in Walgett Councils report.</p> |

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| Section 79C 'Matters for Consideration' | Comments |
|---|--|
| | The assessment has taken into consideration the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality. |
| Section 79C (1) (c) – The suitability of the site for the development | Walgett Councils report highlights the sites proximity to Riverside Park where amenities are available. The subject site provides a substantial area for the proposed skateboard park. Adequate pedestrian and vehicle access is provided to the site, as is adequate services. |
| Section 79C (1) (d) – Any submissions made in accordance with the EPA Act or EPA Regs | No objections were received from adjoining owners or the general public. No further consideration is required in this regard. |
| Section 79C (1) (e) – The public interest | The wider public interest is served by the proposal and its potential to be an important community asset for Collarenebri. The subject site is suitable for the proposed development. The application is not considered to be Integrated pursuant to Clause 91A of the Environmental Planning & Assessment Act 1979, nor is the site deemed to be located within Bushfire Prone Land. The assessment process and development proposed will benefit the community and is considered to be in the public interest. |

Conditions of Consent

Pursuant to Division 8A of the Environmental Planning & Assessment Regulations 2000, the appropriate Prescribed Conditions have been imposed.

Pursuant to Section 80A of the Environmental Planning & Assessment Act 1979, appropriate Conditions of consent have been imposed.

In conclusion the conditions of consent imposed on the development are considered appropriate for the proposed use and satisfactory for the ongoing management and operations of the proposal.

Report Conclusion

After consideration of the development against Section 79C of the Environmental Planning and Assessment Act 1979, and the relevant statutory and policy provisions, the proposal is suitable for the site and is in the public interest. It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

Recommendation

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979, that Council as the consent authority Approve to grant consent to DA 2009015 for a skateboard park on the corner of Earl and Walgett Streets, Collarenebri.

Signed Barry Cotten Date 20.7.09

Barry Cotten

Chalmers Paige Pty Ltd - Town Planning Consultant

25. LIGHTNING RIDGE WATER STANDPIPE INSTALLATION

REPORTING SECTION: Director Urban Infrastructure Services

AUTHOR: Siegfredo Coralde - Director of Urban Engineering Services

FILE NUMBER: 175/03/03/00

Summary:

This report recommends that Council defer charges to Lightning Ridge water stand pipe users subject to conditions.

Background:

There are two fully operational water stand pipes in Lightning Ridge. Customarily free of charge to all individuals, the 50 mm stand pipe presently located at Harlequin Street attracts at least 50 drawers a day. It is widely believed that the majority of people using this facility come from the mining area including a few water carrier businessmen who may possibly provide water cart services to interested customers.

The water standpipe at the industrial area is a key operated facility. Keys are issued to huge users where Council usually receives a sort of unregulated monthly payment.

The original Plan. The plan is to operate only one stand pipe in Lightning Ridge by dismantling the stand pipe at the industrial area permanently, upgrade the Harlequin Street standpipe to 75 mm diameter and move it to a new position on the same street. Council will introduce a user-pay scheme using a magnetic chip or card for drawing water. These chips or cards function like rechargeable phone cards, are to be available from Council or at any authorised outlet. Charges are in kilolitres used. A functional electronic system was purchased in advance ready for future installation.

Discussion:

The Plan will positively work in principle. However, the impact of some arising issues such as increase of urban traffic and parking due to combined queuing of all sorts of vehicles at the same time, social effects to both motorised and footpath traffic using the new toilet and playground facilities, design and application of service lanes inside road reserves and most importantly, the right approach to the future charging regime and significant effect of huge water drawing increases to nearby residences are not well measured.

The alternative plan. This plan carefully acknowledged the potential problems associated with the original plan. An alternative solution is made and adopted as shown:

1. Harlequin Stand Pipe. This 50 mm diameter stand pipe remains the same but still to relocate from its current location to a new site on the same side of the street. Usual small water drawers can use this facility and the only evident traffic change will come from tourists and general public using the proposed new toilet and playground facilities around the area. The important issue of low water pressure is removed and households will continually enjoy the usual benefits of having enough water pressure for daily use.

The already purchased electronic transaction system will draw its power from a post three metres away from this new stand pipe.

2. Industrial stand pipe de-commissioning. This 75 mm diameter stand pipe will be de-commissioned permanently but will be relocated to its former location at Onyx Street where underground piping and fittings are already in place. Huge commercial water carriers using this facility will not cause traffic and nuisance problems. A similar electronically operated system is to be installed; however power supply requirement is not analogous to the Harlequin Street stand pipe. Cabling works from the nearest electric post is far more expensive and therefore, solar energy is sought because of lower installation and operational costs.

Charging Regime – a dilemma. Stand pipes are electronically operated. All transactions are monitored by the supplier of the electronic money receiver system and Council only to receive monthly reports and earnings. This is a straight forward handling of transactions and monitoring is easy.

Argument arises on how stand pipe users should pay similar or higher rates outside the current water rates charged to people. The solution is not as complex should residents of Lightning Ridge pay their water bills through a user-pay system. Under the current scheme, most households have water meters installed but Council only charges each assessed household a fixed base rate annually. These assessed households enjoy unlimited water usage throughout the year. It is possible that some assessed households are also using the Harlequin Street stand pipe facility but the fact is unfortunately unknown.

The most pressing difficulty is balancing a well-measured effect of charging future users against current assessed local users. To successfully implement water charges, it is only prudent that the following actions are to take place:

- Implement a new user-pay charging regime to all households and stand pipe users. Council start communicating with households and stand pipe users regarding this plan.
- Establish reading thresholds to already existing water meters, replace and/or install new water meters to households who have none.
- Provide acceptable notices to households as to when new charges takes effect.

Relevant Documents

Management Plan 2009-2013
Water Directorate Guidelines 2009

Financial Implications:

Council may generate an estimated gross extra earning of \$75,000 annually from stand pipes. This revenue will further increase should a new user-pay system be introduced to all households instead of continually applying standard base rates.

Recommendation:

1. **That Council defer the introduction of stand pipe water charges until a new user pay pricing regime is implemented in July 2010.**

26. MEMORANDUM OF UNDERSTANDING – WATER UTILITIES SHARING GROUP

REPORTING SECTION: Urban Infrastructure Services
AUTHOR: Siegfredo O Coralde – Director of Urban Infrastructure Services
FILE NUMBER: 032/05/01/05

Summary:

On 26 May 2009 the Walgett Shire Council adopted the Memorandum of Understanding Agreement in principle. Three of the original councils (Walgett Shire Council, Moree Plains Shire Council and Gwydir Shire Council) who initially participated in developing this agreement signed the document. Narrabri Shire Council resolved not to sign.

Discussion (including issues and background)

With the three Councils in participation, the first stage of 'Water Utilities Sharing Group' development is completed. These councils are now ready to formalise the composition of the first Management Board as referred to Section 8.2 – Structure of Group:

- A Councillor shall be appointed from each Council
- The General Manager from each Council

The term of a Councillor member is one year.

Relevant Documents:

Secure and Sustainable Urban Water Supply and Sewerage Services for Non-Metropolitan New South Wales (March 2009) Report – Director of Urban Infrastructure Services
Letter to the Minister of DWE regarding the Inquiry dated 18 March 2009
Memorandum of Understanding (Water Utilities Sharing Group) Report on 28 May 2009 – Director of Infrastructure Services

Stakeholders:

Walgett Shire Council
Moree Plains Shire Council
Gwydir Shire Council

Community Implications:

Nil

Financial Implications:

Nil

Recommendations:

That:

- 1. Council nominates Councillor as member of the first Management Board.**
- 2. Council appoint the Director of Urban Infrastructure Services as the official technical representative to the Technical Sub-Committee of the Water Utilities Resource Sharing Group.**
- 3. Council authorises the General Manager to advise the Minister of Water and Energy for information of the formation of the Water Utilities Sharing Group and to forward a copy of the Memorandum of Understanding to the Minister.**

Attachments:

Memorandum of Understanding

Memorandum of Understanding

Prepared for:

**Moree Plains Shire Council
Walgett Shire Council
Narrabri Shire Council
Gwydir Shire Council**

Prepared by:

Siegfredo O Coralde
Director – Urban Infrastructure Services
Walgett Shire Council
Tel: 06 6828 6125
E-mail: fcoralde@walgett.nsw.gov.au

Graham Boughton
Waste and Water Manager
Moree Plains Shire Council
Tel. No. 02 67573222
E-mail: Graham.Boughton@mpsc.nsw.gov.au

April 2009

Memorandum of Understanding

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Memorandum of Understanding

Background

Walgett, Moree Plains, Narrabri and Gwydir Shire Councils held a meeting on 13 March 2009 in Moree to consult and frame an appropriate response to the Minister of Water regarding the favoured Option 1: Binding Alliance Model. A collective official response letter to the Minister on 18 March 2009 contains the following agreed principles:

- a) Four Councils would initially seek to identify the potential for co-operative arrangements and studies in water supply and sewerage program from which the involved Councils will benefit
- b) The initial task of identifying areas of potential mutual benefit would be undertaken by the Working Party of the responsible professional officers from each of the four Councils
- c) The Working Party would report back to a meeting of the Committee of Mayors and the General Managers of the four Councils, to be convened in Moree Plains on 01 May 2009
- d) The Committee of Mayors and General Managers would consider options for formalising arrangements for co-operative undertakings on 01 May 2009
- e) Walgett Shire Council will keep the Minister of Water informed of outcomes and developments involving the four Councils.

The Working Party

Following the instruction from the Group of Councils, the Working Party, comprised of four (4) senior water and sewerage representatives from each Council, met twice in April 2009. From these meetings, the Working Party produced a Report that was discussed by Moree Plains Shire and Walgett Shire Councils on 01 May 2009 at Moree Plains Shire Council Chambers. Representatives from Narrabri and Gwydir Shire Councils were not present at this meeting.

MOA Document

The Group of Councils represented by the Moree Plains Shire and Walgett Shire Councils endorsed the Water Utilities Sharing Group as the preferred name of this initiative. This document is prepared based on the cooperative approach as outlined in the Working Party Report. Once this document is accepted in principle, Narrabri Shire and Gwydir Shire Councils will be informed and invited to join the Group.

Limitation

This document is in its first stage of development and there are some matters that the Group will need to address before arrangements become operational.

Memorandum of Understanding

Water Utilities Resource Sharing Group

1.0 Vision Statement

To lead by example through a resource sharing alliance that commits Moree Plains, Walgett, Narrabri and Gwydir Shire Councils to strive for the highest standards of delivery of water and sewerage services to their respective communities.

2.0 Objectives

- 2.1 To establish a working partnership where all Council members will work together as a unified group
- 2.2 To help each member to develop a systematic and practical asset management system approach beneficial to each Council's long-term strategic goals
- 2.3 To help each member to develop levels of service to performance-based reporting systems to meet Best Practice Guidelines
- 2.4 To maintain accepted standards in water and sewerage delivery services
- 2.5 To work together on tasks and challenges, accepting each member's goals
- 2.6 As a group to work together assigning and taking on each Council's team tasks, fulfilling our group's position requirements in the agreed timeframe
- 2.7 As a group to work together to keep the communication lines open while offering support and help to all Council team members
- 2.8 As a group to create a plan of action utilizing everyone's knowledge and soliciting input from all available resources

3.0 Asset Ownership

Respecting members concerns for protecting their asset investments, each Council will continue to control, operate and retain their own assets including the physical delivery of essential services. Should one of the members enter into a resource sharing arrangement with other participating member/s, this arrangement shall in no way affect those parties or their own staffing and operational decision making strategies.

Members will have the right to freely use (and regard as its own) the developed procedure, policy and other related documents adopted by the Group.

Memorandum of Understanding

Access to asset data and records of each member can be requested but should relate to the functions and objectives of the Memorandum of Understanding.

4.0 Areas of Resource Collaboration

Each Council will endeavour to share resources with any Group member in relation but not limited to, the following areas of activity:

- 4.1 Equipment Leasing
- 4.2 Cadets and Engineers Services
- 4.3 Staff Training Schemes
- 4.4 In-House Designs, Specifications and Expertise
- 4.5 Smoke Testing Techniques
- 4.6 Pipe Re-Lining Services
- 4.7 Pipe Jetting/Pegging Services
- 4.8 Asset Management Services
- 4.9 Project Management
- 4.10 Joint Regional Project Initiatives

5.0 Exchange of Fees and Charges

Any member who engages services from other member/s shall be charged on the basis of agreed and/or prevailing internal hire costs imposed by the hiring member. This includes a rate per kilometre travel expense as determined by LG State Award for motor vehicles.

Costs relating to meetings (Sections 8.2 and 8.3) are not to be charged.

Should the Group becomes a fully developed entity where the original intent of this document may change in the future, fees and charges will be reviewed and agreed by members at that time. (Refer to Section 9.1)

6.0 Membership

The following Councils have agreed to be members of the Group:

Moree Plains Shire Council
Walgett Shire Council
Gwydir Shire Council
Narrabri Shire Council

This agreement will only be binding on those Councils that have actually executed this agreement.

7.0 New Members

New members may be admitted to the Group with the agreement of the current Council members.

8.0 Structure of Group

8.1 Strategic Operations. Each member retains autonomy as a body exercising water utility functions and responsibilities.

The Group will discharge its responsibilities pursuant to Section 355 (d) of LGA 1993.

8.2 Management Board. There will be a Management Board comprising of the following:

A Councillor from each Council
The General Manager from each Council

Councillor members shall be appointed annually in September by their respective Councils.

The Chairmanship of the Board will rotate annually between the Councillor members of the Board.

The Board shall meet quarterly and provide briefing and achievement reports for members. The decisions of the board are to be made by consensus.

The Board shall continually review the performance and achievements of the Group. At the end of each chairman's term, A report shall be prepared addressing the financial situation of the Group (if warranted); its achievements; failures and recommended future directions.

8.3 Technical Sub-Committee. Each Council shall appoint a representative to this technical body. This representative is expected to be a person directly involved in the operation and management of their Council's water and sewerage delivery services.

This sub-committee will hold regular meetings and advise and brief the Management Board on the progress of resource sharing initiatives and actions required to maximise the benefits available to members.

The technical sub-committee has the power to initiate resource sharing initiatives.

8.4 External Providers. The Management Board can engage Consultants and/or a Special Project Officer to fulfil specific tasks which have been adopted by the Group.

Cost-sharing arrangements may be based on the number of household assessments of each member or as determined by the Management Board.

Memorandum of Understanding

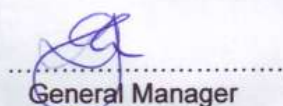
9.0 The Memorandum of Understanding

This document is designed to exist until 30 June 2014. Should a member choose to disengage and withdraw its membership before the expiry date, a six-month written notice shall be furnished to the Management Board.

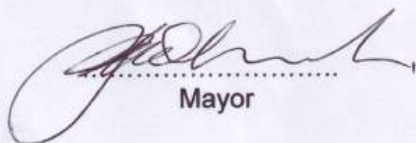
In accordance with the Resolution of the 4th day of June, 2009, the Common Seal of the Council of Moree Plains was hereunto affixed on theday of2009.

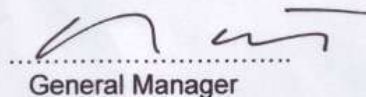

Mayor



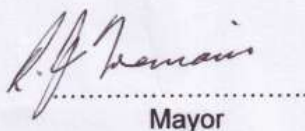

General Manager

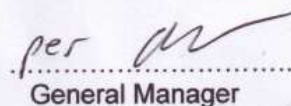
In accordance with the Resolution of the 26th day of May, 2009, the Common Seal of the Council of Walgett Shire was hereunto affixed on the 18th day of June 2009.


Mayor


General Manager

In accordance with the Resolution of the 29 day of June, 2009, the Common Seal of the Council of Gwydir Shire was hereunto affixed on theday of2009.


Mayor


General Manager

Memorandum of Understanding

WALGETT SHIRE COUNCIL AGENDA

In accordance with the Resolution of the day of, 2009, the
Common Seal of the Council of Narrabri Shire was hereunto affixed on the
.....day of2009.

.....
Mayor

.....
General Manager

Memorandum of Understanding

27. SALE OF 26 EUROKA STREET, WALGETT

REPORTING SECTION: Urban Infrastructure Services
AUTHOR: Fred Coralde– Director Urban Infrastructure Services
FILE NUMBER: 005/02/09/00

Summary:

At the April Council Meeting, it was resolved that Council give right of purchase, at fair market value to the staff occupant, Mr. Les Greene at 26 Euroka St Walgett who has occupied this dwelling for the past 43 years. Over this time, Mr Greene has maintained the property inside and out.

Discussion (including issues and background)

The property has a valuation of \$105,000 as of May 2009. The land area is 2149 square metres including the already fenced off staff car park for the Works Depot located at the back of the block.

Mr Greene was notified of the approved resolution and has written back to Council expressing his interest in the purchase subject to the reserve price set by Council (Refer to Attachments A & B).

The issues. It is understood that the current occupant can place an offer to buy the property once the reserve price is known. However, Council needs to confirm if it wishes to sell the whole area or retain the car park for Council's own use.

Consultation with the Director of Rural Infrastructure Services, Mr Ian Taylor revealed that Council has an alternative parking area being the SES land and this can be utilised as another car park. However, the already fenced off existing car park can still be used by Council. It has been observed that no fixed time is set for the development or eventual transfer of Works Depot.

The land area of 2149 square metres is fenced off separately into two blocks. Mr. Greene occupies the bigger block while Council uses the smaller block for staff parking. The actual true boundary of the whole lot encroaches on the land occupied by the Works Depot by approximately at least 1 metre.

Proposed Solution. Council needs to address the encroachment so a survey would be required to establish the true boundary. A registered surveyor was engaged and determined the extent of encroachment as follows:

- | | | |
|----|--|---------------------------|
| a. | Actual area of Mr. Greene's fenced off property | 1574 square metres |
| b. | Actual area of Council's car park | 575 square metres |
| | Total area | 2149 square metres |

Relevant Reference Documents:

Independent Valuation from Aspect Property Consultants
Kate Hook Sale – 8 Euroka Street, Walgett

Stakeholders:

Walgett Shire Council
Mr. L Greene

Financial Implications:

Option 1: Selling the whole 2149 square metres.

Council would receive the proceeds of the sale less conveyance costs and survey fees.
Valuated amount for this property is \$ 105,000.

Option 2: Selling the 1574 square metres and retaining 575 square metres.

Based on K. Hook's sale of 8 Euroka Street (1,506m²) the proportionate value of 26 Euroka Street would equate to \$94,000. This would be a fair price for this property.

Recommendations:

That Council:

1. **Not sell the 575 square metres currently utilised as Works Depot parking area.**
2. **Continue using the 575 square metres of land for Works Depot parking**
3. **Set fair market value as \$94,000 for the 1574 square metres now currently occupied by Mr. Les Greene**

Attachments:

Appendix A - Council's offer to sell
Appendix B - Mr. L. Greene's expression of interest
Appendix C – Site Plan



Shire of Walgett
ABN 66 769 076 385

APPENDICE A
COPY

Reference: DO:SOC: 005/02/04/73
Your Reference:
Contact: 11 June 2009

Mr Les Greene
26 Euroka Street
WALGETT NSW 2832

Dear Les,

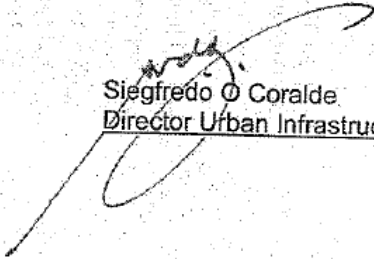
Ref: Offer to purchase your residence at 26 Euroka St, Walgett.

Further to our recent discussions regarding the valuation of your house. At the Council meeting in April it was resolved that:

- i) 'Council would set a reserve price having regard to the most recent valuation and advice from Agents engaged to market the dwellings'
- ii) 'Give first right of purchase at fair market value to the existing staff occupant at each dwelling'
- iii) 'That 26 Euroka Street be offered to the Shire employee who currently occupies it for the reserve price. If that staff member chooses not to purchase the house, that the sale of the house be deferred until that employee retires.'

Council has yet to determine a reserve price and of course you do have the option to purchase the property or just continue to rent until you retire. Let us know your thoughts so that we can follow it up should you wish to purchase the property.

Yours faithfully


Siegfredo O Coralde
Director Urban Infrastructure 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

APPENDICE B

Walgett Shire
Council

RECD

17 JUN 2009

26 Euroka Street
WALGETT 2832.

CE:

16th June 2009

LETTER No:

REFER:

DO.

COPY:

Mr. Fred Coralde,
Director Urban Infrastructure Services
Walgett Shire Council,
77 Fox Street
WALGETT NSW 2832.

Dear Fred,

Thank you for your letter dated 11th June 2009 regarding Council's offer to me to purchase the 26 Euroka Street property in which I have lived for the past 43 years.

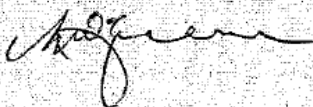
I am interested in buying the property but am aware that Council will set a reserve price yet to be determined.

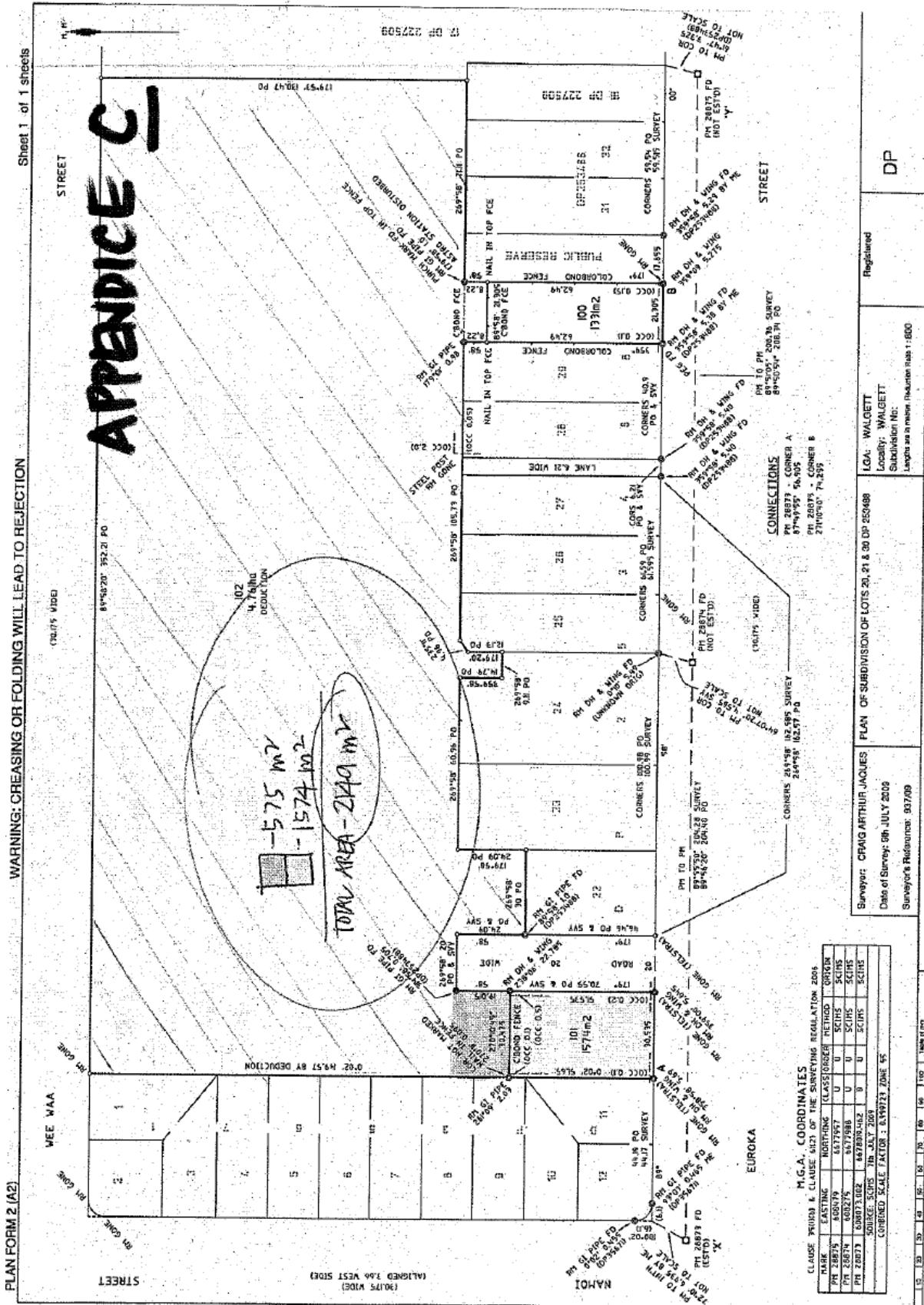
My only concern at this stage is that approximately 500m² has been fenced off by the then Engineer, Jeff Austin, as the Council car park for the Walgett Depot. I need to know, before I can make an offer, whether Council wish to retain the car park and would therefore be prepared to sub divide the block.

I await your reply,

Yours sincerely,

Les Greene.





28. TENDERS - PLANT HIRE

REPORTING SECTION: Director Rural Infrastructure & Support Services
AUTHOR: Ian Taylor - Director Rural Infrastructure & Support Services
FILE NUMBER: 230/00/80/07

Summary:

Tenders calling for standing offers E08007 for the hire of various plant and related services have been advertised in accordance with the Local Government (General) Regulation. This report recommends that Council accept all conforming tenders submitted to date.

Discussion (including issues and background):

Tenders were called requesting standing offers for casual plant hire. The tender period is ongoing.

The offer document makes provision for the selection of a plant hire contractor from those offers accepted. Selection must consider:

- * Availability
- * Suitability for Council's Project Requirements
- * Total Estimated Project Price
- * Documented Past Performance
- * Value for Money

The offer documents include performance specifications and require the contractor to provide various insurances to mitigate public liability and worker death and injury risks associated with this class of work. Engagement is based on a Purchase Order Contract and Australian Standard 4905 Minor Works contract Conditions.

As the expenditure over a 12 month period with some of the plant hire contractors, or on an individual project may exceed the tender threshold of \$150,000, it is recommended that Council formally accept all conforming offers as follows:

- * MJ & GD Barton Transport
- * Coates Hire
- * RGT Cochrane
- * JWF & Y Muller
- * Ausroad Systems
- * J & J Fielding

Any further offers received will be referred to Council at its meeting following the assessment of such offers.

WALGETT SHIRE COUNCIL AGENDA

The following offers have been submitted but were nonconforming and require resubmission before they can be accepted:

- * Hunters Agricultural
- * MAAS Contracting Pty Ltd
- * Warwick Fabrications

These tenderers have been advised of their non-conformances and will be reassessed on receipt of a new offer.

Relevant Reference Documents:

Offer Documents E08007

Stakeholders:

Walgett Shire Council

Financial Implications:

Costs associated with the engagement of contractors are included in the expenditure of the relevant Council service delivery area in the Management Plan.

Recommendation:

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

- * **MJ & GD Barton Transport**
- * **Coates Hire**
- * **RGT Cochrane**
- * **JWF & Y Muller**
- * **Ausroad Systems**
- * **J & J Fielding**

29. ROADS & TRAFFIC AUTHORITY - REPAIR PROGRAM

REPORTING SECTION: Director Rural Infrastructure & Support Services
AUTHOR: Ian Taylor - Director Rural Infrastructure & Support Services
FILE NUMBER: 195/04/00/00

Summary:

The Roads and Traffic Authority of NSW (RTA) has finalised the 2009/10 REPAIR Program. This report advises Council that its MR 333 Walgett - Carinda Reconstruction and Sealing Project was successful in obtaining the maximum available funding under this Program.

Discussion (including issues and background):

The Roads and Traffic Authority of NSW (RTA) has finalised the 2009/10 REPAIR Program. Council's MR 333 Walgett - Carinda Reconstruction and Sealing Project was successful in obtaining the maximum available funding under this Program. This is in accordance with the forecasts in Council's 2009/2010 Budget.

Funding this year is higher than normal as none of Council's projects were successful last year. \$400,000 was awarded to the project.

Projects are ranked using a points system reviewed by a technical panel.

Relevant Reference Documents:

Roads and Traffic Authority 2009/10 Regional Roads REPAIR Program Projects, 22 June 2009

Stakeholders:

Walgett Shire Council

Financial Implications:

Nil.


Recommendation:

- 1. That Council note the 2009/10 Regional Roads REPAIR Program funding of \$400,000 awarded to MR333 Walgett - Carinda Road Reconstruction and Sealing Project**

Attachments:

Letter regarding REPAIR Program

WALGETT SHIRE COUNCIL AGENDA

| | |
|--|---|
| Walgett Shire Council REC'D |  |
| 471.1317 | 24 JUN 2009 |

FILE: 195/04/00/00

LETTER No: 3400.

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

REFER: 167

COPY:

Dear Sir/Madam

2009/2010 Regional Roads REPAIR Program Projects

The 2009/10 REPAIR Program has now been finalised and the following project has been selected for funding under the program:

| | | |
|------------|---|-----------|
| A/06983/01 | MR333 reconstruct and initial seal 21.0 – 35.8km from HW18 intersection at Walgett toward Clarinda. | \$400,000 |
|------------|---|-----------|

Copies of the funding distribution in both council order and assessed points order are attached. The cut off level for funding under this year's Program was 26 points.

The final points allocation was made by the Technical Sub-Committee after full consideration of both Council's original submission and subsequent comments received on the initial points allocation.

Under the REPAIR Program, Council is required to complete the approved works within the 2009/10 financial year. If it becomes likely that Council will not complete any funded project by 30 June 2010, then the Council must notify the Technical Sub-Committee through the Roads and Traffic Authority (RTA) as soon as possible so that the Technical Sub-Committee can reallocate the funds to other projects by other councils.

This letter is to be taken as a Schedule of Works, authorising works under the Program. The Council is required to submit the initial cashflow forecast on the July Council Payment Invoice. Cashflow forecast should be updated monthly to reflect any changes. Payment will not be made until expenditure is shown on the Council Payment Invoice.

Also Council is reminded that the Environmental Clearance Certification in accordance with Section C.09 of the 'Arrangements with Council for Road Management' is required prior to work commencing.

Roads and Traffic Authority ABN 64 480 155 255

51-55 Cunajong Street PARKES NSW 2870
PO Box 334 PARKES NSW 2870 DX 20256
www.rta.nsw.gov.au | 13 17 82

WALGETT SHIRE COUNCIL AGENDA

If you have any enquiries, please contact Nimal Wanasinghe on telephone (02) 6861 1472 or via email Nimalasiri_Wanasinghe@rta.nsw.gov.au.

Yours sincerely



Phil Standen
Asset Manager

22 JUN 2009

WALGETT SHIRE COUNCIL AGENDA

Council_repair_table

RTA WESTERN REGION
FUND ALLOCATION FOR 2009/10 REPAIR PROGRAM PROJECTS - IN POINTS ORDER

| COUNCIL | ROAD NO | DESCRIPTION | NATURE OF PROJECT | FINAL POINTS | TOTAL PROJECT COST | COUNCIL SHARE FUNDS SOUGHT FROM RTA IN 09/10 (\$) | RTA'S CONTRIBUTION BASED ON AVAILABLE FUNDS |
|-----------------|---------|--|-------------------|--------------|--------------------|---|---|
| Lithgow | 551 | MR 551 Widen shoulders, provide 150 mm overlay, provide drainage and seal from 0.5km to 1.0km from Wallerawang towards Portland. | Rehabilitation | 32 | \$220,000 | \$110,000 | \$112,000 |
| Oberon | 256 | MR 256 Widen formation, improve curves, extend culverts, 200mm overlay and seal to 9m wide from 15.1km to 18.8km from Oberon towards Goulburn. | Development | 32 | \$800,000 | \$400,000 | \$400,000 |
| Warrumbungle | 55 | MR 55 Culvert extensions, widen shoulders, 150 mm overlay and seal from 14.96km to 18.93km from Coolah towards SH 27 intersection. | Rehabilitation | 32 | \$800,000 | \$400,000 | \$0 |
| Bathurst Region | 216 | MR 216 improve alignment, widen formation, seal to 7.0m wide and install crash barriers where required from 25.67 km - 51km from Solida towards Hill End. | Development | 31 | \$800,000 | \$400,000 | \$400,000 |
| Coonamble | 7515 | MR 7515 Reconstruct formation to 9m, stabilizes 300 mm of subbase, seal to 7m and culvert extension from 1.53 km to 3.4 km from SH 18 intersection towards Warren. | Rehabilitation | 30 | \$592,000 | \$186,000 | \$196,000 |
| Walgett | 333 | MR 333 Reconstruct and initial seal from 21 km to 35.8 km from SH 18 intersection at Walgett towards Clarinda. | Development | 30 | \$1,500,000 | \$1,100,000 | \$400,000 |
| Coonamble | 383 | MR 383 Reconstruct formation to 9m, stabilizes 300 mm of subbase, 100 mm roadbase and seal to 7m wide from 10.44km to 12km from MR 129 intersection towards Pilliga. | Rehabilitation | 29 | \$513,000 | \$156,000 | \$156,000 |
| Forbes | 350 | MR 350 Repair and widening culverts, widen formation to 10m, 200mm overlay and seal to 8m wide from 12.20 km to 16.75 km from Forbes Post Office towards Bogan Gate. | Development | 29 | \$800,000 | \$400,000 | \$400,000 |
| Mid Western Reg | 216 | MR 216 Widen formation, minor realignments, drainage works and initial seal from 3.3km to 7.8km from Doughterty's Junction road towards Hargraves. | Development | 29 | \$800,000 | \$400,000 | \$400,000 |
| Warrumbungle | 55 | MR 55 Widen shoulders, 150mm overlay and seal from 8.36km to 10.36km in Segment 33 and from 17.97km to 20.85 km in segments 65,66. | Rehabilitation | 29 | \$800,000 | \$400,000 | \$400,000 |
| Coonamble | 129 | MR 129 Reconstruct formation to 9m, stabilizes 300 mm of subbase, 100 mm roadbase and seal to 7m wide from 0.41km to 0.89 km from Coonamble towards Quambone. | Rehabilitation | 28 | \$96,600 | \$48,300 | \$48,300 |
| Cowra | 7511 | MR 7511 Widen shoulders and stabilise the pavement from 2.2 km to 3.2 km from Bini Creek road towards Limestone Creek. | Rehabilitation | 28 | \$176,000 | \$88,000 | \$88,000 |
| Lachlan | 57 | MR 57 Realign, reconstruct and initial seal from 17.7km - 22.1km from Tottenham towards Nyngan. | Development | 28 | \$880,000 | \$440,000 | \$440,000 |
| Moree | 232 | MR 232 Reconstruct formation and seal to 7m wide from 7.1km to 12.25km from MR 507 intersection towards Queensland border. | Development | 28 | \$800,000 | \$400,000 | \$400,000 |
| Narramine | 572 | MR 572 Widen, 200mm overlay and 8.5m wide seal from 19.3 km to 27.2 km three sections with total length 5.0km from HW 7 intersection towards Eumungarie. | Rehabilitation | 28 | \$800,000 | \$400,000 | \$400,000 |
| Blayney | 590 | MR 590 Widen formation and pavement, culvert extensions, 200mm gravel overlay, seal and line marking from 18km - 19.62km from Trunkay Creek towards Blayney. | Rehabilitation | 27 | \$320,000 | \$160,000 | \$160,000 |
| Bourke | 405 | MR 405 Reconstruct and seal from 29.48km - 34.48km from Bourke towards Wanaaring. | Development | 27 | \$790,000 | \$395,000 | \$395,000 |
| Cobar | 411 | MR 411 Reconstruct formation, 200mm overlay, initial seal and drainage works from 27km - 34.4 km from Euabalong towards Mt Hope. | Development | 27 | \$800,000 | \$400,000 | \$400,000 |
| Gilgandra | 572 | MR 572 Widen shoulders, re-work existing pavement, and seal from 7.4km to 8.12km from SH17 intersection towards Narramine. | Rehabilitation | 27 | \$100,000 | \$50,000 | \$50,000 |
| Lithgow | 557 | MR 557 Widen shoulders, provide 150 mm overlay, provide drainage and seal from 1.85km to 2.65km from MR 581 intersection towards Meadow Flat. | Rehabilitation | 27 | \$210,000 | \$105,000 | \$105,000 |
| Oberon | 256 | MR 256 Construct concrete roundabout at intersection of Abercrombie Rd / Campbell River Rd / Dog Rocks Rd. | Development | 27 | \$800,000 | \$500,000 | \$0 |
| Warrumbungle | 129 | MR 129 Realignment of vertical and horizontal approaches to Saltwater Creek No.2 and initial seal, from 101.30km to 102.40km from Quirindi towards Coonabarabran | Development | 27 | \$800,000 | \$400,000 | \$0 |
| Weddin | 388 | MR 388 Widen and seal shoulders from 38.8km to 43.8km from SH6 intersection towards Barmadman. | Development | 27 | \$500,000 | \$150,000 | \$150,000 |
| Bathurst Region | 390 | MR 390 Improve alignment, widen existing seal to 7m and install crash barriers where required from 0.50km - 1.64 km from Trunkay Creek towards Hobbs Yards. | Development | 27 | \$500,000 | \$150,000 | \$0 |

WALGETT SHIRE COUNCIL AGENDA

Council_Repair_Table

| COUNCIL | ROAD NO | DESCRIPTION | NATURE OF PROJECT | FINAL POINTS | TOTAL PROJECT COST | COUNCIL SHARE FUNDS SOUGHT FROM RTA IN 09/10 (\$) | FUNDS SOUGHT FROM RTA IN 09/10 (\$) | RTA'S CONTRIBUTION BASED ON AVAILABLE FUNDS |
|-----------------|---------|--|-------------------|--------------|--------------------|---|-------------------------------------|---|
| Wellington | 355 | MR 355 Major horizontal curve realignment and initial seal from 37.7km to 39.7km from SH 7 towards Dunedoo. | Development | 27 | \$800,000 | \$400,000 | \$400,000 | \$400,000 |
| Bathurst Region | 452 | MR 252 Widened shoulders, improve alignment, extend culverts and install crash barriers from 21km to 22.5km from Pertville towards Rockley. | Development | 26 | \$770,000 | \$85,000 | \$85,000 | \$0 |
| Bogan | 228 | MR 228 Reconstruct and initial seal from 32.7km - 35.7km from Hermitdale towards Nymagee | Development | 26 | \$300,000 | \$150,000 | \$150,000 | \$150,000 |
| Bogan | 228 | MR 228 Reconstruct and initial seal from 54.7km - 59.7km from Hermitdale towards Nymagee. | Development | 26 | \$500,000 | \$250,000 | \$250,000 | \$0 |
| Central Darling | 428 | MR 428 Widen shoulders, 150mm overlay and initial seal from 0.6km - 7.14km from MR 485 intersection towards HW 22. | Development | 26 | \$800,000 | \$400,000 | \$400,000 | \$0 |
| Mid Western Reg | 215 | MR 215 Replace the existing single lane concrete bridge (at 320m South of Cooper Drive) with a two lane bridge with adequate capacity. | Development | 26 | \$800,000 | \$400,000 | \$400,000 | \$0 |
| Warren | 347 | MR 347 Widen formation, 100 mm overlay and initial seal from 10.5 km to 15.3 km from SH11 intersection towards Old Gin. | Development | 26 | \$644,000 | \$322,000 | \$322,000 | \$0 |
| Warrumbungle | 129 | MR 129 Realignment of vertical and horizontal approaches to Yuggal Creek and initial seal of 0.8km. from 116.5km to 115.9km from Quilfrind towards Coonabarabran | Development | 26 | \$800,000 | \$400,000 | \$400,000 | \$0 |
| Gilgandra | 205 | MR 205 Widen shoulders, rework existing pavement, and seal from 3.77km to 4.15km from SH17 intersection towards Tooraweenah. | Rehabilitation | 26 | \$100,000 | \$50,000 | \$50,000 | \$0 |
| Bourke | 404 | MR 404 Reconstruct and initial seal from 11.58km - 16.58km from Bourke towards Hungerford. | Development | 25 | \$750,000 | \$375,000 | \$375,000 | \$0 |
| Mid Western Reg | 208 | MR 208 Widen formation, minor realignments, drainage works and initial seal from 2.5km to 4.5km from the bridge over Woller Creek towards Bylong. | Development | 25 | \$200,000 | \$100,000 | \$100,000 | \$0 |
| Cobar | 407 | MR 407 Reconstruct formation, 200mm overlay, initial seal and drainage works from 51.78 - 57.78km from HW 421 intersection towards Louth. | Development | 25 | \$800,000 | \$400,000 | \$400,000 | \$0 |
| Bourke | 68 | MR 68 Reconstruct and initial seal from 7.26km - 10.66 km from Bourke towards Louth. | Development | 24 | \$400,000 | \$200,000 | \$200,000 | \$0 |
| Cobar | 7518 | MR 7518 Reconstruct formation, 200mm overlay, initial seal and drainage works from 15.70km to 22.57km from HW 8 intersection towards Tilda. | Development | 24 | \$800,000 | \$400,000 | \$400,000 | \$0 |
| Dubbo | 7519 | MR 7519 Widening existing culverts in between 10.365km and 21.695 from LGA boundary toward Broukierhurst. | Development | 24 | \$378,000 | \$123,000 | \$255,000 | \$0 |
| Bourke | 404 | MR 404 Reconstruct and initial seal from 97.37km - 102.37km from Bourke towards Hungerford. | Development | 23 | \$790,000 | \$395,000 | \$395,000 | \$0 |
| Weddin | 237 | MR 237 Widen and seal shoulders from 14.8km to 19.8km from Meyra Street, Grenfell towards Gooloogong. | Development | 22 | \$300,000 | \$150,000 | \$150,000 | \$0 |
| Cobar | 416 | MR 416 Reconstruct formation, 200mm overlay and initial seal from 39.5km to 44.44km from HW8 intersection towards Ivanhoe. | Development | 20 | \$800,000 | \$400,000 | \$400,000 | \$0 |
| Narrabri | 357 | MR 357 Reconstruct formation to 9m and seal to 7m wide from 8.6km to 12.8km from Boggabri towards Manilla. | Development | 20 | \$800,000 | \$300,000 | \$300,000 | \$0 |
| Narrabri | 7709 | MR 7709 Reconstruct 9m wide formation and seal to 7m wide from 6.10km to 11.50km from Boggabri towards Cunnadah Shire boundary. | Rehabilitation | 20 | \$800,000 | \$400,000 | \$400,000 | \$0 |
| Brewarrina | 70 | MR 70 Reconstruct formation, 150mm base and initial seal from 48km - 49km from Brewarrina to Goodooga. | Development | 18 | \$860,000 | \$330,000 | \$330,000 | \$0 |
| Narrabri | 1127 | MR 1127 Reconstruct 9m wide formation and seal to 8m wide from 25.9 km to 31.4 km from Wee Waa towards Pilliga. | Rehabilitation | 18 | \$800,000 | \$400,000 | \$400,000 | \$0 |
| Broken Hill | 66 | MR 66 Repair creek banks to mitigate flood effect and reconstruct table drains from 23.56km - 25.56km from Broken Hill towards Menindee. | Development | 11 | \$60,000 | \$30,000 | \$30,000 | \$0 |
| | | | | | | | | \$5,910,000 |

WALGETT SHIRE COUNCIL AGENDA

Council Repair Table

RTA WESTERN REGION
FUND ALLOCATION FOR 2009/10 REPAIR PROGRAM PROJECTS - IN COUNCIL ORDER

| COUNCIL | ROAD NO | DESCRIPTION | NATURE OF PROJECT | FINAL POINTS | TOTAL PROJECT COST | COUNCIL SHARE 09/10 (\$) | FUNDS SOUGHT FROM RTA IN 09/10 (\$) | RTA'S CONTRIBUTION BASED ON AVAILABLE FUNDS |
|-------------------|---------|--|-------------------|--------------|--------------------|--------------------------|-------------------------------------|---|
| Bathurst Regional | 216 | MR 216 Improve alignment, widen formation, seal to 7.0m wide and install crash barriers where required from 25.67 km - 31km from Sofala towards Hill End. | Development | 31 | \$800,000 | \$400,000 | \$400,000 | \$400,000 |
| Bathurst Regional | 350 | MR 350 Improve alignment, widen existing seal to 7m and install crash barriers where required from 0.30km - 1.64 km from Trunkey Creek towards Hobbs Yards. | Development | 27 | \$300,000 | \$150,000 | \$150,000 | \$0 |
| Bathurst Regional | 252 | MR 252 Widen shoulders, improve alignment, extend culverts and install crash barriers from 21km to 22.5km from Perthville towards Rockley | Development | 26 | \$170,000 | \$85,000 | \$85,000 | \$0 |
| Blayney | 390 | MR 390 Widen formation and pavement, culvert extensions, 200mm gravel overlay, seal and line marking from 18km - 19.62km from Trunkey Creek towards Blayney. | Rehabilitation | 27 | \$320,000 | \$160,000 | \$160,000 | \$160,000 |
| Bogan | 228 | MR 228 Reconstruct and initial seal from 32.7km - 35.7km from Hermitdale towards Nymagee | Development | 26 | \$300,000 | \$150,000 | \$150,000 | \$150,000 |
| Bogan | 228 | MR 228 Reconstruct and initial seal from 50.7km - 59.7km from Hermitdale towards Nymagee. | Development | 26 | \$500,000 | \$250,000 | \$250,000 | \$0 |
| Bourke | 68 | MR 68 Reconstruct and initial seal from 7.26km - 10.66 km from Bourke towards Louth. | Development | 24 | \$400,000 | \$200,000 | \$200,000 | \$0 |
| Bourke | 404 | MR 404 Reconstruct and initial seal from 97.37km - 102.37km from Bourke towards Hungerford. | Development | 23 | \$750,000 | \$375,000 | \$375,000 | \$0 |
| Bourke | 404 | MR 404 Reconstruct and initial seal from 11.58km - 16.58km from Bourke towards Hungerford. | Development | 25 | \$750,000 | \$375,000 | \$375,000 | \$0 |
| Bourke | 405 | MR 405 Reconstruct and seal from 29.48km - 34.48km from Bourke towards Wanaaring. | Development | 27 | \$750,000 | \$375,000 | \$375,000 | \$395,000 |
| Brewarrina | 70 | MR 70 Reconstruct formation, 150mm base and initial seal from 46km - 49km from Brewarrina to Goodooga. | Development | 18 | \$550,000 | \$275,000 | \$275,000 | \$0 |
| Broken Hill | 66 | MR 66 Repair creek banks to mitigate flood effect and reconstruct table drains from 23.36km - 25.56km from Broken Hill towards Menindee. | Development | 11 | \$50,000 | \$50,000 | \$50,000 | \$0 |
| Central Darling | 428 | MR 428 Widen shoulders, 150mm overlay and initial seal from 0.64km - 7.14km from MR 428 intersection towards HW 22. | Development | 26 | \$800,000 | \$400,000 | \$400,000 | \$0 |
| Cobar | 407 | MR 407 Reconstruct formation, 200mm overlay, initial seal and drainage works from 51.78 - 57.78km from HW 22. | Development | 25 | \$800,000 | \$400,000 | \$400,000 | \$0 |
| Cobar | 411 | MR 411 Reconstruct formation, 200mm overlay, initial seal and drainage works from 27km - 34.4 km from Euabalong towards Mt Hope. | Development | 27 | \$800,000 | \$400,000 | \$400,000 | \$400,000 |
| Cobar | 416 | MR 416 Reconstruct formation, 200mm overlay and initial seal from 39.5km to 44.44km from HW8 intersection towards Ivanhoe. | Development | 20 | \$800,000 | \$400,000 | \$400,000 | \$0 |
| Cobar | 7518 | MR 7518 Reconstruct formation, 200mm overlay, initial seal and drainage works from 15.70km to 22.57km from HW 8 intersection towards Tilpa. | Development | 24 | \$800,000 | \$400,000 | \$400,000 | \$0 |
| Coonamble | 7515 | MR 7515 Reconstruct formation to 9m, stabilizes 300 mm of subbase, seal to 7m and culvert extension from 1.65 km to 3.4 km from SH 18 intersection towards Warren. | Rehabilitation | 30 | \$392,000 | \$196,000 | \$196,000 | \$196,000 |
| Coonamble | 385 | MR 385 Reconstruct formation to 9m, stabilizes 300 mm of subbase, 100 mm roadbase and seal to 7m wide from -0.48km to 12km from MR 129 intersection towards Pilliga. | Rehabilitation | 28 | \$312,000 | \$156,000 | \$156,000 | \$156,000 |
| Coonamble | 129 | MR 129 Reconstruct formation to 9m, stabilizes 300 mm of subbase, 100 mm roadbase and seal to 7m wide from 0.44km to 0.89 km from Coonamble towards Quambone. | Rehabilitation | 28 | \$96,600 | \$48,300 | \$48,300 | \$48,300 |
| Cowra | 7511 | MR 7511 Widen shoulders and stabilise the pavement from 2.2 km to 3.2 km from Biri Creek Road towards Limestone Creek. | Rehabilitation | 28 | \$176,000 | \$88,000 | \$88,000 | \$88,000 |
| Dubbo | 7519 | MR 7519 Widening existing culverts in between 10.585km and 21.695 km from LGA boundary towards Broukenhurst. | Development | 24 | \$378,000 | \$189,000 | \$189,000 | \$0 |
| Forbes | 350 | MR 350 Repair and widening culverts, widen formation to 10m, 200mm overlay and seal to 8m wide from 12.20 km to 16.25 km from Forbes Post Office towards Bogan Gate. | Development | 29 | \$800,000 | \$400,000 | \$400,000 | \$400,000 |
| Gileandra | 572 | MR 572 Widen shoulders, re-work existing pavement, and seal from 7.44km to 8.12km from SH17 intersection towards Narrimline. | Rehabilitation | 27 | \$100,000 | \$50,000 | \$50,000 | \$50,000 |

WALGETT SHIRE COUNCIL AGENDA

Council_Repair_Table

| COUNCIL | ROAD NO | DESCRIPTION | NATURE OF PROJECT | FINAL POINTS | TOTAL PROJECT COST | COUNCIL SHARE 09/10 (\$) | FUNDS SOUGHT FROM RTA IN 09/10 (\$) | RTA'S CONTRIBUTION BASED ON AVAILABLE FUNDS (\$) |
|-----------------|---------|--|-------------------|--------------|--------------------|--------------------------|-------------------------------------|--|
| Gilgandra | 205 | MR 205 Widen shoulders, re-work existing pavement, and seal from 3.27km to 4.15km from SH17 Intersection towards Tootaweenah. | Rehabilitation | 25 | \$100,000 | \$50,000 | \$50,000 | \$0 |
| Lachlan | 57 | MR 57 Realign, reconstruct and initial seal from 17.7km - 22.1km from Tottenham towards Nyngan. | Development | 28 | \$880,000 | \$480,000 | \$400,000 | \$400,000 |
| Lithgow | 531 | MR 531 Widen shoulders, provide 150mm overlay, provide drainage and seal from 0.5km to 1.3km from Wallerawang towards Portland. | Rehabilitation | 32 | \$220,000 | \$110,000 | \$110,000 | \$110,000 |
| Lithgow | 557 | MR 557 Widen shoulders, provide 150mm overlay, provide drainage and seal from 1.85km to 2.65km from MR 551 Intersection towards Meadow Flat. | Rehabilitation | 27 | \$210,000 | \$105,000 | \$105,000 | \$105,000 |
| Mid Western Reg | 215 | MR 215 Replace the existing single lane concrete bridge (at 320m South of Cooper Drive) with a two lane bridge with adequate capacity. | Development | 26 | \$800,000 | \$400,000 | \$400,000 | \$0 |
| Mid Western Reg | 216 | MR 216 Widen formation, minor realignments, drainage works and initial seal from 3.3km to 7.8km from Dougherty's Junction Road towards Hargraves. | Development | 29 | \$600,000 | \$300,000 | \$300,000 | \$300,000 |
| Mid Western Reg | 208 | MR 208 Widen formation, minor realignments, drainage works and initial seal from 2.5km to 4.5km from the Bridge over Waller Creek towards Brong. | Development | 25 | \$200,000 | \$100,000 | \$100,000 | \$0 |
| Moree | 232 | MR 232 Reconstruct formation and seal to 7m wide from 7.1km to 12.25km from MR 507 Intersection towards Queensland border. | Development | 28 | \$800,000 | \$400,000 | \$400,000 | \$400,000 |
| Narrabri | 127 | MR 127 Reconstruct 9m wide formation and seal to 8m wide from 25.9 km to 31.4 km from Wee Waa towards Pilliga. | Rehabilitation | 18 | \$800,000 | \$400,000 | \$400,000 | \$0 |
| Narrabri | 357 | MR 357 Reconstruct formation to 9m and seal to 7m wide from 8.6km to 12.8km from Boggabri towards Manilla. | Development | 20 | \$600,000 | \$300,000 | \$300,000 | \$0 |
| Narrabri | 7709 | MR 7709 Reconstruct 9m wide formation and seal to 7m wide from 6.40km to 11.50km from Boggabri towards Gunnedah Shire boundary. | Rehabilitation | 20 | \$800,000 | \$400,000 | \$400,000 | \$0 |
| Narramine | 572 | MR 572 Widen, 200mm overlay and 8.5m wide seal from 19.3 km to 27.2 km three sections with total length 5.0km from HW 7 Intersection towards Eumungerie. | Rehabilitation | 28 | \$800,000 | \$400,000 | \$400,000 | \$400,000 |
| Oberon | 256 | MR 256 Widen formation, improve curves, extend culverts, 200mm overlay and seal to 9m wide from 15.1 km to 18.8km from Oberon towards Coulburn. | Development | 32 | \$800,000 | \$400,000 | \$400,000 | \$400,000 |
| Oberon | 256 | MR 256 Construct concrete roundabout at intersection of Abercrombie Rd / Campbells River Rd / Dog Rocks Rd. | Development | 27 | \$500,000 | \$300,000 | \$300,000 | \$0 |
| Walgett | 333 | MR 333 Reconstruct and initial seal from 21 km to 35.8 km from SH 18 Intersection at Walgett towards Clarinda. | Development | 30 | \$1,500,000 | \$1,100,000 | \$600,000 | \$600,000 |
| Warren | 347 | MR 347 Widen formation, 100 mm overlay and initial seal from 10.5 km to 15.3 km from SH11 Intersection towards Gin Gin. | Development | 26 | \$644,000 | \$322,000 | \$322,000 | \$0 |
| Werrumbungle | 55 | MR 55 Culvert extensions, widen shoulders, 150 mm overlay and seal from 14.96km to 18.39km from Coolah towards SH 27 Intersection. | Rehabilitation | 32 | \$800,000 | \$400,000 | \$400,000 | \$0 |
| Warrumbungle | 129 | MR 129 Realignement of vertical and horizontal approaches to Saltwater Creek No.2 and initial seal, from 101.30km to 102.40km from Quirindi towards Coonabarabran. | Development | 27 | \$600,000 | \$400,000 | \$400,000 | \$0 |
| Warrumbungle | 55 | MR 55 Widen shoulders, 150mm overlay and seal from 9.38km to 10.36km in Segment 33 and from 17.97km to 20.86 km in Segment 35,06. | Rehabilitation | 29 | \$800,000 | \$400,000 | \$400,000 | \$400,000 |
| Warrumbungle | 129 | MR 129 Realignement of vertical and horizontal approaches to Yuggal Creek and initial seal of 0.6km, from 116.5km to 115.9km from Quirindi towards Coonabarabran. | Development | 26 | \$800,000 | \$400,000 | \$400,000 | \$0 |
| Waddell | 398 | MR 398 Widen and seal shoulders from 38.8km to 43.8km from SH6 Intersection towards Barmedman. | Development | 27 | \$400,000 | \$150,000 | \$150,000 | \$150,000 |
| Waddell | 237 | MR 237 Widen and seal shoulders from 14.8km to 19.8km from Meyra Street, Grenfell towards Cooloolong. | Development | 22 | \$300,000 | \$150,000 | \$150,000 | \$0 |
| Wellington | 353 | MR 353 Major horizontal curve realignment and initial seal from 37.7km to 59.7km from SH 7 towards Dunedoo. | Development | 27 | \$800,000 | \$400,000 | \$400,000 | \$400,000 |
| | | | | | | | | \$5,910,000 |