WALGETT SHIRE COUNCIL

AGENDA

24 March 2009

RAY KENT
General Manager

16 March 2009

Mayor
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 **Lightning Ridge Bowling Club commencing at 10.00am.**

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 (Recommendation on Page 43)

8. Reserve Trust Management Committee Reports

9. Mayoral Minutes

10. Motions of which Notice has been given (Motions on Page 44)

11. Presentation of Petitions

12. Councillor's Questions with Notice

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16. Reports of Committees

17. Questions without notice from Councillors

18. Confidential Reports/Closed Council Meeting

19. Close of Meeting

6. Declaration of Pecuniary/Non Pecuniary Interests

7. Confirmation of Minutes

WALGETT SHIRE COUNCIL

MINUTES

24 February 2009

RAY KENT
General Manager

DRAFT

WALGETT SHIRE COUNCIL MINUTES

MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL HELD AT THE WALGETT COUNCIL CHAMBERS ON TUESDAY 24 FEBRUARY 2009 COMMENCING AT 10.07am

PRESENT

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

APOLOGIES

Nil

Public Forum Presentations

Mr Jack Baker – Walgett Ratepayers Association

Mr Baker raised concerns regarding the water restrictions, and asked for Council to consider removing the delegation from the staff and allowing the decision to be made by Council.

Ms Colleen Edgar

Ms Edgar raised concerns regarding the state of the levee around Walgett. She also asked if Council had looked into applying for grant funding to assist with repairing the levee.

Response:

Director Urban Infrastructure Services responded to Ms Edgar stating that Council are waiting for the Department to come back with a decision regarding the design of the levee.

Declaration of Pecuniary/Non Pecuniary Interests

Clr Keir declared a Pecuniary Interest
Item 36 – Tenders – Plant Hire

WALGETT SHIRE COUNCIL MINUTES

01/09 Confirmation of Minutes

Motion:

That the minutes of Council Meeting held 16 December 2008 be confirmed

Moved: Clr Lane
Seconded: Clr Murray

CARRIED

02/09 Mayoral Minute – Council's Investment Instruments

Motion:

That the Mayor's determination pursuant to authority delegated by Council be noted.

Moved: Clr Lane
Seconded: Clr Murray

CARRIED

03/09 Mayoral Minute – NSW Grain Freight Review

Motion:

1. Council establish a committee of Councillors to prepare a submission for the endorsement of the Mayor and forwarding to the Inquiry prior to 17th March 2009.

2. The members of the committee are Clr Murray, Clr Greenaway, Clr Martinez, and Clr Walford.

Moved: Clr Greenaway
Seconded: Clr Lane

CARRIED

04/09 School Bus Run

Motion:

1. That a report be prepared on the provision of a safe pick up and set down for school children on the Come By Chance road

Moved: Clr Colless
Seconded: Clr Keir

CARRIED

05/09 Rating Structure

Motion:

That as part of the budget processes that Council review the rate structure of the Shire with the aim of creating a fairer distribution of the rate burden among each of the urban centres and as part of this process Council staff produce a detailed report for the March Council Meeting providing Councillors with data that provides a clear overview of where rate income is derived and how our budget is expended on an urban centre, rural residential, Mining Business and rural basis.

Moved: Clr Lane
Seconded: Clr Walford

CARRIED

06/09 Road Grid Policy

Motion:

That the road grid policy be reviewed at the March meeting

Moved: Clr Greenaway
Seconded: Clr Lane

CARRIED

Councillor Questions with Notice

Tracker Walford Walkway – Clr Keir

Clr Keir raised the issue of vandalism on the bridge on the tracker Walford Walkway

Director Urban Infrastructure Services noted her comments and will provide a response in 2 weeks time.

Water Restrictions - Clr Keir

Councillor Keir asked at the meeting can the public be educated on watering and water restrictions.

Director Urban Infrastructure Services indicated that this can be done.

07/09 Motor Vehicle Policy

Motion:

That the Director Rural Infrastructure & Support Services prepare a report to Council on motor vehicle standardisation and log books for the April Council Meeting.

Moved: Clr Lane
Seconded: Clr Keir

CARRIED

WALGETT SHIRE COUNCIL MINUTES

Question:

Why was the small gift that was given to a staff member in appreciation for helpful assistance, confiscated and what happened to that gift.

Council's Code of Conduct (Section 8 - Personal Benefit) provides a comprehensive and specific policy in respect of the receipt of gifts by councillors and staff. All gifts received other than defined 'token gifts' must be reported to the General Manager and a declaration filled out. The declarations are held in a gifts register. The General Manager determines what happens to gifts and invariably, with the exception of perishable products, the gifts are held in Council's strong room prior to being distributed to charitable and non profit organisations. A distribution will be made shortly.

08/09 Minutes of Ordinary Meeting of Castlereagh Macquarie County Council

Motion:

That the minutes of the Ordinary meeting of the Castlereagh Macquarie County Council, held 17th December 2008, be noted.

Moved: Clr Walford
Seconded: Clr Greenaway

CARRIED

09/09 Minutes of Castlereagh Local Area Command Community Safety Precinct Committee Meeting

Motion:

That the minutes of the Community Safety Precinct Committee meeting held 27thNovember 2008 be noted.

Moved: Clr Walford
Seconded: Clr Smith

CARRIED

10/09 Minutes of Barwon Darling Alliance

Motion:

That the minutes of the Barwon Darling Alliance be noted.

Moved: Clr Lane
Seconded: Clr Murray

CARRIED

11/09 Minutes of Walgett Community Working Party

Motion:

That the minutes be noted.

Moved: Clr Martinez
Seconded: Clr Colless

CARRIED

12/09 Minutes of Collarenebri Community Working Party

Motion:

That the minutes be noted.

Moved: Clr Smith
Seconded: Clr Martinez

CARRIED

13/09 NSW Rural Fire Service North West Zone Service Level Agreement Meeting

Motion:

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, and the Brigade activity during the first half of 2008/2009.

Moved: Clr Murray
Seconded: Clr Keir

CARRIED

Clr Colless asked if the Director Rural Infrastructure and Support Services could find out how the financial amounts are worked out for each region in proportioned based on areas or number in the fire brigade. He also asked how much each Shire pays?

The Director Rural Infrastructure and Support Services undertook to gain and circulate the information.

14/09 Walgett Local Emergency Management Committee

Motion:

That Council note the minutes of the Walgett Local Emergency Management Committee meeting held 8 October 2008.

Moved: Clr Walford
Seconded: Clr Lane

CARRIED

WALGETT SHIRE COUNCIL MINUTES

15/09 Carinda Precinct Committee Meeting Minutes

Motion:

That the minutes be noted.

Moved: Clr Keir
Seconded: Clr Greenaway

CARRIED

16/09 Collarenebri Precinct Committee Meeting Minutes

Motion:

That the minutes be received and a copy of this report provided to the Committee.

Moved: Clr Greenaway
Seconded: Clr Smith

CARRIED

17/09 Australia Day 2009

Motion:

That the report be received.

Moved: Clr Martinez
Seconded: Clr Murray

CARRIED

18/09 'C' Division Conference held in Lightning Ridge in February 2009

Motion:

That the report be received.

Moved: Clr Lane
Seconded: Clr Smith

CARRIED

WALGETT SHIRE COUNCIL MINUTES

19/09 Councillor Attendance at LGSA Tourism Conference 2009

Motion:

That the attendance of the Mayor and Councillors Lane and Martinez at the LGSA Tourism Conference 2009 be approved.

Moved: Clr Keir
Seconded: Clr Smith

CARRIED

20/09 Request for Rent Assistance – Lightning Ridge Neighbourhood Centre

Motion:

That the Lightning Ridge Neighbourhood Centre be advised that their request for rent assistance will be considered at the time of formulation of the 2009/10 budget.

Moved: Clr Lane
Seconded: Clr Walford

CARRIED

21/09 Requests for Assistance and project suggestions – Lightning Ridge Improvement and Beautification Committee

Motion:

That Council provide the Lightning Ridge Improvement and Beautification Committee with a copy of this report and advise as follows:

1. A grant of $4,500 from the Federal Government's Community Infrastructure Fund is likely to be available prior to the end of March 2009 and these funds can be utilised for improving the parking area and purchasing a tool storage facility.
2. Expenditure on public seating will be considered at the time of formulation of the 2009/10 Budget.
3. A public toilet block is to be constructed in the Town Centre prior to July 2009.

Moved: Clr Walford
Seconded: Clr Martinez

CARRIED

WALGETT SHIRE COUNCIL MINUTES

22/09 Precinct Committees

Motion:

1. That the Rowena and Carinda Precinct Committees be provided with a grant in 2008/09 of $250 each, upon provision of a tax invoice.

2. The Mayor and General Manager convene a meeting of those residents of the Lightning Ridge area, who have registered their interest in becoming members of a Committee, with a view to formally establishing Committee membership and, if appropriate, assisting with the election of a President and a Secretary.

Moved: Clr Keir
Seconded: Clr Murray

CARRIED

23/09 Report on Management Plan 2008/2009 – 2012-2013

Motion:

That the report on the Management Plan 200/2009 – 2012/2013 for the period October 2008 – December 2008 be received.

Moved: Clr Lane
Seconded: Clr Walford

CARRIED

24/09 A Community Strategic Plan for Walgett Shire – Outcomes from Council's Planning Workshop

Motion:

1. That the contents of the "Report on Initial Strategic Planning Workshop: February 2009" prepared by Ms Robbie Sefton, be endorsed

2. Ms Robbie Sefton, in collaboration with the General Manager, prepare a Draft Community Strategic Plan which incorporates all the agreed outcomes from the February Workshop

3. A Workshop to consider the Draft Community Strategic Plan be held on Tuesday 17th March 2009

Moved: Clr Lane
Seconded: Clr Martinez

CARRIED

WALGETT SHIRE COUNCIL MINUTES

25/09 Community Services Activities Quarterly Report

Motion:

That the report be noted

Moved: Clr Lane
Seconded: Clr Keir

CARRIED

26/09 Report on Youth Development and Services – October 2008 – January 2009

Motion:

That the report on Youth Development and Services for the period October 2008 – January 2009 be noted

Moved: Clr Smith
Seconded: Clr Lane

CARRIED

Clr Smith raised an issue with the Youth Centre at Collarenebri. The Director Corporate and Community Services noted his comments and will investigate the issue.

WALGETT SHIRE COUNCIL MINUTES

27/09 Community Assistance Scheme Donations – 2008-2009 Budget

Motion:

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

Community Assistance Scheme - Round 2 - January 2009 (Ledger no. 11.01010.1405)

Organisation	Project	Request	Cost of Project / Activity	Recommendation	Stakeholders
L/Ridge Community Radio Inc	12th Birthday Celebrations ("Picnic in the Park") - cost of live entertainment	$1,000.00	$2,500.00	$ 1,000.00	Community/Shire promotion over Australia-wide radio
Goodooga CWA *	Annual Wool Day lunch held in Sep/Oct (major annual fundraiser)	$1,000.00	$3,000.00	Nil	Community - especially children and women & medical scholarship
Walgett Hostess Club	"Welcome to Walgett" evening for newcomers to Shire	$400.00	$400.00	$ 400.00	Community
Carinda Diggers Memorial Hall Committee	Catering equipment	$500.00	$750.00	$ 500.00	Community
L/Ridge Golf Club **	Purchase 2nd hand small slasher	$5,000.00	$5,000.00	Nil	L/Ridge Community
Walgett Juniour Rugby	Purchase of safety head protectors	$500.00	$518.50	$ 500.00	children (aged 5-17) of Walgett
				$ 2,400.00	

* Suggest the CWA contact Brewarrina Shire Council as Goodooga falls outside of WSC

** Outside of scope

Total 2008/2009 Budget	$	15,600.00
Allocated during Round 1 (July 2008)	$	9,250.00
Remaining Budget available for Round 2	$	6,350.00
Overs / (Unders) of Budget based on above recommendation	$	3,950.00

Moved: Clr Lane
Seconded: Clr Walford

CARRIED

WALGETT SHIRE COUNCIL MINUTES

28/09 Investment Report as at 31 January 2009

Motion:

That the investment report as at 31 January 2009 be received.

Moved: Clr Lane
Seconded: Clr Walford

CARRIED

29/09 Quarterly Budget review as at 31st December 2008

Motion:

That Council note the quarterly budget review for the period to 31 December 2008 and adopt the attached changes

Moved: Clr Keir
Seconded: Clr Colless

CARRIED

WALGETT SHIRE COUNCIL MINUTES

WALGETT SHIRE COUNCIL:	Quarterly Budget Review to 3 December 2008				
ORGANISATION DIVISION:	All Division Summary				
RESPONSIBILITY:	General Manager - Ray Kent				
	Original Budget	Amended Budget 10/08	Actual Income/Costs	Recommended Changes	Amended Budget
OPERATING REVENUE					
Members and Executive	5,000	5,000	0	0	5,000
Corporate & Community Services	7,390,789	7,531,789	5,907,810	10,000	7,541,789
Planning & Regulatory Services	187,022	187,022	68,111	0	187,022
Rural Infrastructure and Support Services	11,501,348	11,934,645	7,160,529	3,194,000	15,128,645
Urban Infrastructure Services	5,015,389	5,015,389	3,850,130	9,667	5,025,056
TOTAL	24,099,548	24,673,845	16,986,580	3,213,667	27,887,512
OPERATING EXPENDITURE					
Members and Executive	377,484	391,484	193,007	15,000	406,484
Corporate & Community Services	2,137,462	2,137,462	902,560	(34,884)	2,102,578
Planning & Regulatory Services	1,128,713	1,168,713	552,437	84,000	1,252,713
Rural Infrastructure and Support Services	12,651,499	13,378,888	7,601,908	2,340,268	15,719,156
Urban Infrastructure Services	7,674,072	7,674,072	2,948,498	(50,000)	7,624,072
TOTAL	23,969,230	24,750,619	12,198,410	2,354,384	27,105,003
NETT OPERATING SURPLUS/(DEFICIT)	**130,318**	**(76,774)**	**4,788,171**	**859,283**	**782,509**
CAPITAL REVENUE					
Members and Executive	0	0	0	0	0
Corporate & Community Services	0	0	0	0	0
Planning & Regulatory Services	0	0	0	0	0
Rural Infrastructure and Support Services	0	1,440,000	1,340,000	0	1,440,000
Urban Infrastructure Services	1,090,000	1,090,000	0	0	1,090,000
TOTAL	1,090,000	2,530,000	1,340,000	0	2,530,000
CAPITAL EXPENDITURE					
Members and Executive	0	0	0	0	0
Corporate & Community Services	26,666	26,666	0	0	26,666
Planning & Regulatory Services	0	0	0	0	0
Rural Infrastructure and Support Services	10,879,200	10,922,200	1,804,866	890,000	11,812,200
Urban Infrastructure Services	5,587,082	5,587,082	508,413	(36,268)	5,550,814
TOTAL	16,492,948	16,535,948	2,313,279	853,732	17,389,680

WALGETT SHIRE COUNCIL MINUTES

NETT CAPITAL SURPLUS/(DEFICIT)	(15,402,948)	(14,005,948)	(973,279)	(853,732)	(14,859,680)
NETT DIVISION SURPLUS/(DEFICIT)	(15,272,630)	(14,082,722)	3,814,892	5,551	(14,077,171)

WALGETT SHIRE COUNCIL:	Quarterly Budget Review to 3 December 2008				
ORGANISATION DIVISION:	Members and Executive				
RESPONSIBILITY:	Council and General Manager - Ray Kent				
	Original	Amended	Actual	Recommended	Amended
	Budget	Budget 10/08	Income/Costs	Changes	Eudget
OPERATING REVENUE					
Members and Civic	5,000	5,000	0		5,000
TOTAL	5,000	5,000	0	0	5,000
OPERATING EXPENDITURE					
Members and Civic Donations	377,484	391,484	193,007	15,000	406,484
TOTAL	377,484	391,484	193,007	15,000	406,484
NETT OPERATING SURPLUS/(DEFICIT)	(372,484)	(386,484)	(193,007)	(15,000)	(401,484)
CAPITAL REVENUE					
Members and Civic	0	0	0	0	0
TOTAL	0	0	0	0	0
CAPITAL EXPENDITURE					
Members and Civic	0	0	0	0	0
TOTAL	0	0	0	0	0
NETT CAPITAL SURPLUS/(DEFICIT)	0	0	0	0	0
NETT DIVISION SURPLUS/(DEFICIT)	(372,484)	(386,484)	(193,007)	(15,000)	(401,484)

WALGETT SHIRE COUNCIL MINUTES

WALGETT SHIRE COUNCIL:	Quarterly Budget Review to 3 December 2008				
ORGANISATION DIVISION:	Corporate and Community Services				
RESPONSIBILITY:	Director of Corporate and Community Services - Carole Medcalf				
	Original Budget	Amended Budget 10/08	Actual Income/Costs	Recommended Changes	Amended Eudget
OPERATING REVENUE					
Community Services	275,679	275,679	192,521	0	275,679
Corporate Management	12,000	25,000	34,753	0	25,000
Financial Management	61,500	61,500	63,749	10,000	71,500
Interest Received	460,000	600,000	344,090	0	600,000
Rates -Ordinary	4,002,379	4,002,379	3,916,500	0	4,002,379
Tourism	23,000	11,000	3,380	0	11,000
Untied Grants	2,556,231	2,556,231	1,352,817	0	2,556,231
TOTAL	7,390,789	7,531,789	5,907,810	10,000	7,541,789
OPERATING EXPENDITURE					
Community Services	1,149,366	1,149,366	456,879	0	1,149,366
Corporate Management	522,785	522,785	252,139	(34,884)	487,901
Financial Management	58,960	58,960	27,569		58,960
Interest Received	0	0	0	0	0
Rates -Ordinary	0	0	0	0	0
Tourism	406,351	406,351	165,973	0	406,351
Untied Grants	0	0	0	0	0
TOTAL	2,137,462	2,137,462	902,560	(34,884)	2,102,578
NETT OPERATING SURPLUS/DEFICIT	**5,253,327**	**5,394,327**	**5,005,251**	**44,884**	**5,439,211**

WALGETT SHIRE COUNCIL MINUTES

WALGETT SHIRE COUNCIL:	Quarterly Budget Review to 3 December 2008				
ORGANISATION DIVISION:	Corporate and Community Services				
RESPONSIBILITY:	Director of Corporate and Community Services - Carole Medcalf				
	Original Budget	Amended Budget 10/08	Actual Income/Costs	Recommended Changes	Amended Eudget
CAPITAL REVENUE					
Community Services	0	0	0	0	0
Corporate Management	0	0	0	0	0
Financial Management	0	0	0	0	0
Insurance-General	0	0	0	0	0
Interest Paid	0	0	0	0	0
Rates -Ordinary	0	0	0	0	0
Tourism	0	0	0	0	0
Untied Grants	0	0	0	0	0
TOTAL	0	0	0	0	0
CAPITAL EXPENDITURE					
Community Services	0	0	0	0	0
Corporate Management	20,000	20,000	0	0	20,000
Financial Management	0	0	0	0	0
Insurance-General	0	0	0	0	0
Interest Received	0	0	0	0	0
Tourism	6,666	6,666	0	0	6,666
Rates -Ordinary	0	0	0	0	0
Untied Grants	0	0	0	0	0
TOTAL	26,666	26,666	0	0	26,666
NETT CAPITAL SURPLUS/(DEFICIT)	(26,666)	(26,666)	0	0	(26,666)
NETT DIVISION SURPLUS/(DEFICIT)	**5,226,661**	**5,367,661**	**5,005,251**	**44,884**	**5,412,545**

WALGETT SHIRE COUNCIL MINUTES

WALGETT SHIRE COUNCIL:	Quarterly Budget Review to 3 December 2008				
ORGANISATION DIVISION:	Planning & Regulations				
RESPONSIBILITY:	Director of Planning & Regulatory Services - Matthew Goodwin				
	Original	Amended	Actual	Recommended	Amended
	Budget	Budget 10/08	Income/Costs	Changes	Eudget
OPERATING REVENUE					
Community Programs	23,328	23,328	2,242	0	23,328
Development Management & Support	161,510	161,510	65,869	0	161,510
Environmental Programs	2,184	2,184	0	0	2,184
TOTAL	187,022	187,022	68,111	0	187,022
OPERATING EXPENDITURE					
Community Programs	133,814	133,814	70,936	0	133,814
Development Management & Support	912,279	942,279	357,121	0	942,279
Environmental Programs	82,620	92,620	124,380	84,000	176,620
TOTAL	1,128,713	1,168,713	552,437	84,000	1,252,713
NETT OPERATING SURPLUS/(DEFICIT)	**(941,691)**	**(981,691)**	**(484,326)**	**(84,000)**	**(1,065,691)**
CAPITAL REVENUE					
Community Programs	0	0	0	0	0
Development Management & Support	0	0	0	0	0
Environmental Programs	0	0	0	0	0
TOTAL	0	0	0	0	0
CAPITAL EXPENDITURE					
Community Programs	0	0	0	0	0
Development Management & Support	0	0	0	0	0
Environmental Programs	0	0	0	0	0
TOTAL	0	0	0	0	0
NETT CAPITAL SURPLUS/(DEFICIT)	0	0	0	0	0
NETT DIVISION SURPLUS/(DEFICIT)	**(941,691)**	**(981,691)**	**(484,326)**	**(84,000)**	**(1,065,691)**

WALGETT SHIRE COUNCIL MINUTES

WALGETT SHIRE COUNCIL:	Quarterly Budget Review to 3 December 2008				
ORGANISATION DIVISION:	Rural Infrastructure and Support Services				
RESPONSIBILITY:	Director of Rural and Support Services -Ian Taylor				
	Original	Amended	Actual	Recommended	Amended
	Budget	Budget 10/08	Income/Costs	Changes	Eudget
OPERATING REVENUE					
Emergency Services	25,000	25,000	0		25,000
Engineering Management	2,289,180	2,289,180	1,085,152		2,289,180
Plant Operations	2,453,460	2,453,460	1,310,162		2,453,460
Roads & Bridges	6,733,708	7,167,005	4,765,215	3,194,000	10,361,005
TOTAL	11,501,348	11,934,645	7,160,529	3,194,000	15,128,645
OPERATING EXPENDITURE					
Emergency Services	299,320	299,320	56,711	6,268	305,588
Engineering Management	2,288,556	2,288,556	1,010,613		2,288,556
Plant operations	1,881,155	1,881,155	948,161		1,881,155
Roads & Bridges	8,182,468	8,909,857	5,586,423	2,334,000	11,243,857
TOTAL	12,651,499	13,378,888	7,601,908	2,340,268	15,719,156
NETT OPERATING SURPLUS/(DEFICIT)	**(1,150,151)**	**(1,444,243)**	**(441,379)**	**853,732**	**(590,511)**
CAPITAL REVENUE					
Emergency Services	0	0	0	0	0
Engineering Management	0	0	0	0	0
Plant, Equipment, Motor Vehicle Purchase	0	0	0	0	0
Roads & Bridges	0	1,440,000	1,340,000	0	1,440,000
TOTAL	0	1,440,000	1,340,000	0	1,440,000
CAPITAL EXPENDITURE					
Emergency Services	0	0	0	30,000	30,000
Engineering Management	0	0	0	0	0
Plant, Equipment, Motor Vehicle Purchase	1,440,000	1,440,000	293,612	0	1,440,000
Roads & Bridges	9,439,200	9,482,200	1,511,254	860,000	10,342,200
TOTAL	10,879,200	10,922,200	1,804,866	890,000	11,812,200
NETT CAPITAL SURPLUS/(DEFICIT)	(10,879,200)	(9,482,200)	(464,866)	(890,000)	(10,372,200)
NETT DIVISION SURPLUS/(DEFICIT)	**(12,029,351)**	**(10,926,443)**	**(906,245)**	**(36,268)**	**(10,962,711)**

WALGETT SHIRE COUNCIL MINUTES

WALGETT SHIRE COUNCIL:	**Quarterly Budget Review to 3 December 2008**				
ORGANISATION DIVISION:	**Urban Infrastructure Services**				
RESPONSIBILITY:	**Director of Urban Infrastructure Services -Siegfredo Coralde**				
	Original	**Amended**	**Actual**	**Recommended**	**Amended**
	Budget	**Budget 10/08**	**Income/Costs**	**Changes**	**Eudget**
OPERATING REVENUE					
Engineering Management	1,639,027	1,639,027	893,246	0	1,639,027
Recreation & Community Assets	186,840	186,840	137,436	59,667	246,507
Properties	330,973	330,973	245,286	0	330,973
Domestic Waste Management	897,907	897,907	803,024	(50,000)	847,907
Water Supplies	1,305,910	1,305,910	1,137,993	0	1,305,910
Sewerage Supplies	654,732	654,732	633,145	0	654,732
TOTAL	5,015,389	5,015,389	3,850,130	9,667	5,025,056
OPERATING EXPENDITURE					
Engineering Management	1,638,404	1,638,404	613,223	0	1,638,404
Recreation & Community Assets	2,374,679	2,374,679	751,042	0	2,374,679
Properties	808,054	808,054	438,534	0	808,054
Domestic Waste Management	897,078	897,078	305,992	(50,000)	847,078
Water Supplies	1,302,402	1,302,402	580,401	0	1,302,402
Sewerage Supplies	653,455	653,455	259,306	0	653,455
TOTAL	7,674,072	7,674,072	2,948,498	(50,000)	7,624,072
NETT OPERATING SURPLUS/(DEFICIT)	**(2,658,683)**	**(2,658,683)**	**901,632**	**59,667**	**(2,599,016)**

WALGETT SHIRE COUNCIL MINUTES

WALGETT SHIRE COUNCIL:	**Quarterly Budget Review to 3 December 2008**				
ORGANISATION DIVISION:	**Urban Infrastructure Services**				
RESPONSIBILITY:	**Director of Urban Infrastructure Services -Siegfredo Coralde**				
	Original	**Amended**	**Actual**	**Recommended**	**Amended**
	Budget	**Budget 10/08**	**Income/Costs**	**Changes**	**Eudget**
CAPITAL REVENUE					
Engineering Management	0	0	0	0	0
Recreation & Community Assets		0	0	0	0
Properties	1,090,000	1,090,000	0	0	1,090,000
Domestic Waste Management	0	0	0	0	0
Water Supplies	0	0	0	0	0
Sewerage Supplies	0	0	0	0	0
TOTAL	1,090,000	1,090,000	0	0	1,090,000
CAPITAL EXPENDITURE					
Engineering Management	0	0	0	0	0
Recreation & Community Assets	1,280,880	1,280,880	62,917	(36,268)	1,244,612
Properties	3,333,042	3,333,042	403,718		3,333,042
Domestic Waste Management	255,635	255,635	0	0	255,635
Water Supplies	377,525	377,525	41,778	0	377,525
Sewerage Supplies	340,000	340,000	0		340,000
TOTAL	5,587,082	5,587,082	508,413	(36,268)	5,550,814
NETT CAPITAL SURPLUS/(DEFICIT)	(4,497,082)	(4,497,082)	(508,413)	36,268	(4,460,814)
NETT DIVISION SURPLUS/(DEFICIT)	**(7,155,765)**	**(7,155,765)**	**393,219**	**95,935**	**(7,059,830)**

WALGETT SHIRE COUNCIL MINUTES

30/09 Development and Complying Development Certificate Applications

Motion:

That Walgett Shire Council note the Development and Complying Development Certificate applications dealt with under delegated authority by the Director Planning and Regulatory Services and General Manager during December 2008 and January 2009.

Moved: Clr Lane
Seconded: Clr Murray

CARRIED

31/09 Urban Addressing with Walgett Shire

Motion:

That Council note the report provided by the GIS Coordinator on the impending urban addressing project which details the issues involved and a tentative project scope.

Moved: Clr Murray
Seconded: Clr Lane

CARRIED

WALGETT SHIRE COUNCIL MINUTES

32/09 Application to review Determination fro DA2008022

Motion:

That Walgett Shire Council resolve to:

1. Under sub-section 82A(5) of the Environmental Planning and Assessment Act 1979, consider the application for Development Determination Review 2008001 relating to Development Application 2008022 in the name of Mr Trevor Hudson.

2. Note that:

a) The applicant has proposed that the sign to be erected at the intersection of Morilla Street and Three Mile Road will have a signage area of 3.6 metres by 3.4 metres (12.24 square metres).
b) The largest existing sign on the site has a signage area of 2.4 metres by 2.4 metres (5.76 square metres) which is less than half the size of the proposed sign.
c) Under State Environmental Planning Policy 64 - Advertising and Signage, Council is obliged to consider whether the proposal respects the "viewing rights of other advertisers" and whether the "scale, proportion and form of the proposal is appropriate for the streetscape, setting or landscape".
d) Council's planning staff do not believe that the proposed sign at the intersection of Morilla Street and Three Mile Road respects the viewing right of existing advertisers and its scale is not appropriate for the streetscape, setting or landscape. As a result the site is not suitable and it is not in the public interest to approve a new sign for a private business on a public road that is more than twice the size of existing signs at the location.

3. For the above mentioned reasons confirm the original decision made on 28 October 2008 regarding Development Application 2008022 in the name of Trevor Hudson, which was to approve the application subject to conditions, including condition Rap 020 which restricts signage area to a maximum of 2.4 by 2.4 metres (5.76 square metres).

Moved: Clr Murray
Seconded: Clr Keir

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

CARRIED

33/09 Alcohol Free Zone related Legislative Amendments

Motion:

That Walgett Shire Council resolve to note the report on recent amendments to provisions of the Local Government Act 1993 relating to alcohol free zones and associated updating of the Ministerial Guidelines on Alcohol Free Zones.

Moved: Clr Smith
Seconded: Clr Walford

CARRIED

WALGETT SHIRE COUNCIL MINUTES

34/09 Development Application 2008028 for Dual Occupancy, Vaughan Place, Walgett

Motion:

That Walgett Shire Council approve Development Application 2008028 in the name of Timberline Homes subject to the attached conditions of development consent.

Moved: Clr Lane
Seconded: Clr Martinez

For: Clr Lane, Clr Martinez, Clr Smith, Clr Woodcock, Clr Walford, and Clr Coless
Against: Clr Keir, Clr Murray and Clr Greenaway

CARRIED

CONDITIONS OF CONSENT

CROWN WORKS

Works carried out by or on behalf of the Crown are to comply with Section 116-G2 of the Environmental Planning and Assessment Act 1979 which states:

"(2) Crown building work cannot be commenced to be carried out unless the Crown building work is certified by or on behalf of the Crown to comply with the technical provisions of the State's building laws in force as at:

(a) the date of the invitation for tenders to carry out the Crown building work, or

(b) in the absence of tenders, the date on which the carrying out of the Crown building work commences, except as provided by this section."

COUNCIL IMPOSED CONDITIONS

The following development consent conditions are imposed by Council.

GENERAL

Gen 020.

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

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

Gen 030.

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

Reason: To enable Council to maintain an accurate record of approvals granted.

Gen 045.

Prior to commencing any building works a Section 68 Activity Application must be obtained from Council to authorise construction.

Reason: To ensure compliance with the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979.

Gen 060.

The use or occupation of the premises is not to commence until such time as the terms of Development Consent have been complied with, to the satisfaction of Council and a final occupation certificate issued. The owner may make application to Council for the occupation of incomplete premises. The use or occupation of incomplete premises is not permitted until the premises have been inspected by Council Officers and an Interim Occupation Certificate issued.

Reason: 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.

Gen 090.

The garage has been approved as a Class 10a structure and shall not be used for residential purposes.

Reason: Garage design does not comply with BCA requirements for habitable occupation.

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.

WATER, SEWER, AND STORMWATER

NOTE: PLUMBING AND DRAINAGE WORKS

The Crown is not exempt from the requirement to obtain approval to carry out plumbing or drainage works. 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 010.

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

Reason: To provide ready access for the Regulatory Authority.

Plu 050.

A minimum of 19 mm water service is required for the development.

Reason: To ensure compliance with NSW Plumbing and Drainage Code of Practice.

Plu 060.

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

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 filing 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 140.

Roof water is to be disposed of:

(a) By piping to the street gutter or as instructed by Council.

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

Plu 150.

Rainwater tanks are permitted if installed in accordance with the following provisions:-

(a) When interconnected with Council's water supply, non return valves to be installed to ensure that cross contamination cannot occur.

(b) The overflow is to be connected to the stormwater system if available or on the downhill side of the dwelling/building at a minimum distance of 3 metres from any boundary of the property or any structure so as to prevent damage to any structure.

Reason: To prevent structural damage to buildings and protect public health.

Plu 170.
All plumbing and drainage works are to be carried out by licensed tradesmen.

Reason: To ensure compliance with AS 3500-2003.

FENCING AND LANDSCAPING

Fen 010.
All boundary fencing and landscaping works are to be carried out in accordance with the approved plans and specifications.

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

Fen 020.
The area between the building line and the street alignment is to be landscaped and maintained with advanced shrubs or trees.

Reason: To enhance the appearance of the development site.

SITING/SETOUT

Set 010.
The owner of the property is to ensure that any building is constructed:

(a) to meet the setback requirements of the approved plans,

(b) to be located within the confines of the lot., and;

(c) so that it does not interfere with any easements or covenants upon the land.

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

CONSTRUCTION

Con 010
The applicant shall ensure that noise pollution in minimised during the course of construction. The use of power tools and/or similar noise producing activities shall be limited to the following hours:-

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

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

Con 020.
All works are to be executed in a good and workmanlike manner and all materials are to be installed as per manufacturers' instructions and any applicable Australian Standards.

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

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 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 170.
The building is to be installed in accordance with the Manufacturers installation instructions.
Reason: To ensure compliance with the Building Code of Australia.

PARKING & TRAFFIC

Par 001
Off street car parking is to be provided on site in accordance with the Walgett Shire Councils Off Street-Car Parking Code. A minimum of one covered space and one visitors car parking space is to be provided for each dwelling on site.

Par 010.
The off street car parking area is to be constructed of all weather material and maintained so that it is trafficable, free of pot holes, corrugations, erosion and does not interfere with stormwater runoff.
Reason: So adequate off street parking is provided for the development and it is maintained in an appropriate manner.

ENVIRONMENTAL MANAGEMENT

Env 020.
The land surrounding any structure must be graded to divert surface water clear of existing and proposed structures and neighbouring properties.
Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979.

Env 160
Drainage from Evaporative Air Conditioning units is to be directed onto lawn and garden areas only. It is not to be disposed of into Council's storm water or sewerage systems.
Reason: To ensure that council's services are free of contamination and un-necessary load.

INSPECTIONS
The applicant is to advise Council of the name and address of the body nominated to act as the Principal Certifying Authority, on the "Notice of Commencement Form" forty eight (48) hours prior to work commencing. Inspections at the completion of stages as indicated below are required to be carried out by the Principal Certifying Authority. **Work must not proceed past any inspection stage until approval is given by the Certifier.**

Critical Stage Inspections.

- At the commencement of the building work, and
- After excavation for, and prior to the placement of, any footings, and
- Prior to pouring any in-situ reinforced concrete building element, and

- Prior to covering any sewer or stormwater drainage connections, and
- After the building work has been completed and prior to any occupation certificate being issued in relation to the building.

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

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.

35/09 Growth Management Study & Strategy Workshop

Motion:

That Walgett Shire Council resolve to:

1. Note the letter dated 10 October 2008 from the Team Leader, Western Region, Department of Planning, regarding the draft Walgett Principal LEP 2008, Section 64 submission and Growth Management Study.

2. Adopt the Walgett Shire Growth Management Study and Strategy (GMS) document dated October 2008 prepared by Edge Land Planning, with the following amendments:

   (I) Applying the following actions to the GMS, as detailed in the document titled 'Outcome Summary from the Walgett Shire Growth Management Study and Strategy Councillor Workshop' held on 17 February 2009:

   ACTION 3: Ian Sinclair indicated that he would review the second last paragraph on page 45 (within Section 2.3.1 – Demographic Profile) regarding population growth to either clarify or correct it.

   ACTION 4: Ian Sinclair indicated that he would update Figure 2.13 with agricultural production figures for 2006-2007 while including a notation indicating that the Walgett region was in drought at the time.

   ACTION 6: Matthew Goodwin will liaise with Ian Sinclair with a view to developing a recommendation for an improved Council policy for mains electricity connections on the preserved opal fields for inclusion in the GMS, which takes account of:

   * Council's desire to avoid unnecessary safety issues or sterilisation of potentially opal bearing ridge country on the 'preserved' opal fields.
   * Situations where there will be no sterilisation of potentially opal bearing ridge country, hence there is no basis for an objection based on land use planning principles.
   * Situations where no easement is required to pass through Council occupied land and/or Crown land, hence there may be an entitlement to mains electricity regardless of any land use planning problems that may arise.

WALGETT SHIRE COUNCIL MINUTES

(II) Applying the following policy proposals outlined in the document titled 'Outcome Summary from the Walgett Shire Growth Management Study and Strategy Councillor Workshop' held on 17 February 2009:

(a) Edge Land Planning be requested to revise the GMS with a view to providing for 10 to 40 hectare lifestyle blocks in the vicinity of Walgett, Lightning Ridge and Collarenebri while supporting a minimum holding size of 400 hectares to have a dwelling entitlement on rural land. It being noted that the Rural Lands SEPP does not require Council to adjust its minimum of 40 ha, but that there is a need for a larger minimum for a dwelling entitlement with the provision of smaller lots in the vicinity of 10 – 40 ha around the towns of Walgett, Lightning Ridge and Collarenebri.

(b) Investigations should be carried out to identify land surrounding the settlements of Walgett, Lightning Ridge and Collarenebri for subdivision into lots of 10 – 40 ha in size. Discussions be held with the Department of Planning concerning these areas prior to the matter being reconsidered by Council.

(c) Walgett Shire Council should adopt a modified GMS which provides that new residential titles can be established on the preserved opal fields. In effect the forth recommended management strategy on page 191 will be reversed to become:

"The Government should continue to issue residential titles on the preserved opal fields, so that people can continue to construct mining camps."

(d) The land identified as "Area C" in map 8.15 (page 176) within the GMS is its preferred location for the future urban expansion of Lightning Ridge, beyond the rezonings proposed within the GMS.

However, given that Area C is unlikely to be required in the medium term, Council should request the Department of Primary Industries to make the land available for opal prospecting and mining until such time that it is required for urban expansion provided that rehabilitation is undertaken in the area in accordance with the standards applied by the Department of Primary Industries on 'new' opal fields.

3. Update the Walgett Shire Council Growth Management Study and Strategy, dated October 2008, in the manner detailed above and submit it to the Department of Planning with a request for its endorsement.

Moved: Clr Lane
Seconded: Clr Martinez

For: Clr Lane, Clr Martinez, Clr Smith, Clr Woodcock, Clr Walford, Clr Keir, Clr Greenaway and Clr Coless
Against: Clr Murray

CARRIED

WALGETT SHIRE COUNCIL MINUTES

36/09 Council Building Certifier Accreditation Proposal

Motion:

Council resolve to authorise the General Manager to make a submission to the NSW Building Professionals Board which:

1. Notes the proposed implementation of a scheme to accredit Council building certifiers.

2. Request that the board amend the proposed scheme so that there is provision for:

   (a) An additional category of accredited council building surveyor, such as a 'trainee' building certifier. Establishing this category in an appropriate manner would allow people with relevant experience to undertake basic critical stage inspections under the direct or indirect supervision of an accredited council building surveyor. They should not be allowed to issue construction certificates, complying development certificates or occupation certificates.

   The intent is for accredited council building surveyors to use and develop staff who are not yet fully accredited, in restricted contexts where they have adequate skills and experience to undertake basic inspection work. Positive outcomes from the additional category would include improved staff availability for critical stage inspections, clearer paths of career progression for building certifiers and reduced staffing costs for Councils.

   (b) Within clearly defined circumstances, accredited Council building certifiers should be able to provide basic design guidance on buildings which they have been accredited to deal with. The intent is to allow the building certifier to indentify basic design deficiencies at the pre-lodgement stage for a building proposal.

Moved: Clr Lane
Seconded: Clr Martinez

CARRIED

37/09 Fees for Exhumations

Motion:

1. Establish an application fee of $250.00 (GST exempt) to exhume remains from a Council operated cemetery.

2. Establish a charge for exhumation earthworks that is based on the full cost of earthworks and any ancillary activities or materials required (including GST) for circumstances where Council is engaged to undertake such work. Council's Director of Urban Infrastructure Services will provide a quote for the work which must be paid in full prior to commencement.

Moved: Clr Keir
Seconded: Clr Lane

CARRIED

Adjourned for lunch at 1.04pm
Resumed from lunch at 1.44pm

WALGETT SHIRE COUNCIL MINUTES

38/09 Expression of Interest – Walgett heavy Vehicle Inspection Station

Motion:

1. That Council note the submission of an Expression Of Interest for the Provision of a Heavy Vehicle Inspection Site in Walgett.

Moved: Clr Lane
Seconded: Clr Smith

CARRIED

Motion:

1. Council write a letter to Opposition and the Government conveying our displeasure about the way the RTA are closing vehicle inspection services down

Moved: Clr Lane
Seconded: Clr Murray

CARRIED

39/09 HW18 Castlereagh Highway – Walgett Silo Access

Motion:

1. That Council note that its liability for damage caused by debris on HW18 at Walgett Silo is managed under the Road Maintenance Council Contract with the Roads and Traffic Authority of NSW.

2. That a letter be written to Graincorp requesting action to seal the access area.

Moved: Clr Colless
Seconded: Clr Lane

CARRIED

40/09 Tender – Diesel Fuel Supply

Motion:

1. That Council note that it is proposed to reinstate a bulk diesel fuel tank at the Walgett Depot to meet its statutory procurement obligations in relation to the supply of Diesel Fuel, and that it be noted that the tank will be suitably portable should the depot be relocated within the life of the tank.

Moved: Clr Greenaway
Seconded: Clr Keir

CARRIED

WALGETT SHIRE COUNCIL MINUTES

41/09 Tenders – Bitumen Patching Aggregate

Motion:

1. That Council accept tenders from the following businesses for E08016 Request for Standing Offers: Supply of Bitumen Patching Aggregate Walgett NSW -

   * Newbold Bulk Haulage Pty Ltd

Moved: Clr Lane
Seconded: Clr Murray

CARRIED

Clr Keir declared a pecuniary interest and left the room at 1.59pm

42/09 Tenders – Plant Hire

Motion:

1. That Council accept tenders from the following businesses for E08007 Request for Standing Offers: Casual Plant Hire Walgett NSW -

   * Remoplains Pty Ltd
   * PG & ME Stewart Contract Grading Pty Ltd
   * Conplant Pty Ltd

Moved: Clr Lane
Seconded: Clr Murray

CARRIED

Clr Keir re-entered the room at 2.01pm

43/09 2008/2009 NSW Rural Fire Service Budget Allocations

Motion:

That Council note that it will exceed its budget for Contribution - Rural Fire Service (11.3565.3955) by 4.1% as a result of the approved funding from the Minister for Emergency Services.

Moved: Clr Lane
Seconded: Clr Martinez

CARRIED

WALGETT SHIRE COUNCIL MINUTES

44/09 Burren Junction Rural Fire Service Shed/Council Depot Building

Motion:

That Council amend its 2008/2009 Budget by transferring an amount of $30,000 from the budget for Walgett Depot Land Acquisition (11.3057.3449), to the budget for Contribution - Rural Fire Service (11.3565.3955).

Moved: Clr Lane
Seconded: Clr Greenaway

CARRIED

45/09 Road Maintenance Council Contract

Motion:

That the budget items for the Road Maintenance Contract Revenue be amended to $714,000 for Routine Services (11.221.311) and $4,500,000 for Ordered Works (11.221.325) and that the corresponding expenditure items (11.3352.2680, 11.3352.4031, 11.3353.2681, 11.3352.4031) be similarly amended in the aggregate.

Moved: Clr Lane
Seconded: Clr Smith

CARRIED

46/09 Timber Bridge Partnership Program

Motion:

1. Council approve and commit to funding the replacement of Cumberdoon Creek Bridge, 26 Mile Warrambool Bridge, and Sparkes Warrambool Bridge under the Timber Bridge Partnership Program, estimated to require $1,720,000 of funds to be allocated in its 2009/2010 budget on a 1:1 funding ratio with NSW Roads and Traffic Authority; and

2. Council note that tenders will be called in February / March 2009 for construction in early 2009/2010 financial year.

Moved: Clr Murray
Seconded: Clr Walford

CARRIED

WALGETT SHIRE COUNCIL MINUTES

47/09 RTA Regional Roads REPAIR Program

Motion:

That Council note the application for funding of the reconstruction and sealing of MR333 Walgett - Carinda Road under the RTA Regional roads REPAIR Program has been assessed at a score of 30 points.

Moved: Clr Walford
Seconded: Clr Keir

CARRIED

48/09 Regional Roads Resealing

Motion:

That Council amend its 2008/2009 Budget by transferring an amount of $200,000 from the budget for Regional Roads - Sealed Roads (11.3180.2615), to the budget for Regional Roads - Regional Roads Resealing (11.3180.2639).

Moved: Clr Keir
Seconded: Clr Lane

CARRIED

49/09 Expressions of Interest – Precast Bridge Components

Motion:

That Council endorse a bridge design based on the Rocla "M-Lock Bridge System" and call a single select tender from Rocla Pty Ltd to supply components for bridges to be constructed in the 2008/2009 and 2009/2010 financial years.

Moved: Clr Walford
Seconded: Clr Lane

CARRIED

50/09 MR457 Collarenebri – Mungindi Road Budget Allocation

Motion:

That Council amend its 2008/2009 Budget by transferring an amount of $550,000 from the budget for Heavy Patching - Regional Roads (11.3180.2635), and an amount of $110,000 from the budget for Regional Roads - Sealed Roads (11.3180.2615) to the budget for MR457 Reconstruction & Sealing (11.3180.2629)

Moved: Clr Smith
Seconded: Clr Lane

CARRIED

WALGETT SHIRE COUNCIL MINUTES

51/09 Secure and Sustainable Urban Water Supply and Sewerage services for Non-Metropolitan New South Wales

Motion:

1. Council considers Option 1: Binding Alliance as the favoured approach in negotiating with neighbouring councils.

2. Council initiates discussions with its neighbouring councils in reaching its final decision.

Moved: Clr Murray
Seconded: Clr Greenaway

CARRIED

Motion:

That staff prepare a report on the cost and requirements to upgrade the Lightning Ridge, Walgett and Collarenebri water schemes and the financial position of each Water Fund and how the upgrades could be funded and what the likely charges would need to be.

Moved: Clr Lane
Seconded: Clr Walford

CARRIED

Questions without Notice

Clr Smith

1. The Collarenebri computer system is down – rates are not being able to be receipted at the Agency. If anything comes in, can staff check the interest on rates that have been paid already?

RESPONSE:
The Director Corporate and Community Services and finance staff are in negations with the Agency and are currently trying to sort out the problem.

2. Is there a chance to negotiate with Murdi Paaki to put on staff through the 'work for the dole scheme' to help the Shire out at Collarenebri?

RESPONSE:
The Director Corporate and Community Services stated that we have an arrangement in process at the moment. Council is waiting for additional funding to be released. They are ready to start on a number of projects across the Shire.

Clr Walford

1. Is our payroll system up to standard?

RESPONSE:
Director Corporate and Community Services indicated that we have a transition date of the 9th April to go over to the new salary system.

WALGETT SHIRE COUNCIL MINUTES

Clr Colless left the room at 2:43pm

Clr Greenaway

1. What is the position description for the new Admin Services Officer?

RESPONSE:

The Director Corporate and Community Services indicated that the position is responsible for a combination of duties and incorporates numerous activities such as searching for grants (grants officer), and providing administrative assistance to the Corporate and Community Services Division.

The General Manager further indicated that the position was not an additional position in terms of staff establishment.

Clr Colless excused himself from the rest of the meeting at 2.45pm

2. A community Survey was put out last year, when are we going to receive the results?

RESPONSE:

The Director Corporate & Community Services indicated that the results will be provided to the March meeting.

Clr Keir on behalf of Clr Colless

You are probably aware that a considerable part of the town of Walgett was Last Friday week, 13th February 2009, flooded. You may not be aware that the flood gates (drain outlets) on the levee bank were closed.

1. Were the flood gates closed on Friday 13th February 2009?
2. If they were closed, who was responsible for such closure?
3. Why was there such a delay from Council in pumping the dam adjacent to Euroka Street, which was put in to enable large rainfall to be safely pumped over the levee bank?

RESPONSE:

The Director of Urban Infrastructure Services will investigate the issue and will provide a minute to Councillors.

Clr Keir

1. There needs to be a Drug and Alcohol Management Plan for our airport and it needs to be in place by 27th March, otherwise the airport will be in breach. Do we have a such a plan?

RESPONSE:

The Director Urban Infrastructure Services will investigate and provide a minute to Councillors.

WALGETT SHIRE COUNCIL MINUTES

Clr Murray

1. What is happening with the Primitive Camping Area?

RESPONSE:

The Director Urban Infrastructure Services indicated to Councillors that the work is scheduled but no works has been commenced yet as the funding has not been granted or received.

The General Manager further indicated that the funding applications were put in for all projects identified at the last meeting, but no works will commence until the funding applications have been approved.

Clr Smith

1. A letter was received from S McLean dated 26th July 2007, regarding money available to the Collarenebri Jockey Club, is this money still available?

RESPONSE:

The General Manager indicated No, that money was not included in the 07/08 budget. All expenditure proposals will be considered in the budget formulation process, after a public call for proposals.

Clr Woodcock

1. The service road in Pandora Street needs patching - there are an enormous number of potholes. Can this be done?

RESPONSE:

The Director Rural Infrastructure and Support Services will investigate the issue.

52/09 Closed Council Meeting

Motion:

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

(a) personnel matters concerning particular individuals (other than councillors)
(b) the personal hardship of any resident or ratepayer
(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

Moved: Clr Murray
Seconded: Clr Greenaway

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

WALGETT SHIRE COUNCIL MINUTES

53/09 Debt Recovery – Coleman/Walgett Spectator

Motion:

That the Administration proceed with action to recover the debt.

Moved: Clr Lane
Seconded: Clr Martinez

CARRIED

54/09 Information Technology

Motion:

That Council ratifies the executive team decision to pursue the termination of Civica's contract and enter into a contract with Acceler8 Technologies for the Management of its IT services.

Moved: Clr Smith
Seconded: Clr Walford

CARRIED

55/09 Industrial Commission Report

Motion:

That the report be received and noted.

Moved: Clr Walford
Seconded: Clr Lane

CARRIED

56/09 Tenders – Supply & Delivery of Geotextile

Motion:

1. That Council accept tender from Polyfabrics Australia Pty Ltd for SPT10809WAL - Supply and Delivery of Geotextile; and

2. Authorise contract SPT10809WAL - Supply and Delivery of Geotextile to be executed by the Mayor and General Manager under Council Seal.

Moved: Clr Greenaway
Seconded: Clr Smith

CARRIED

WALGETT SHIRE COUNCIL MINUTES

57/09 Purchase of Land in Collarenebri for Skate Park

Motion:

That the budget be amended to allow $8000 for the purchase of Lot 10 Sec 4 DP 758262 in Collarenebri and that the General Manager and Mayor be authorised to negotiate the purchase.

Moved: Clr Smith
Seconded: Clr Martinez

CARRIED

58/09 Return to Open Session

Motion:

That Council return to open session

Moved: Clr Martinez
Seconded: Clr Greenaway

CARRIED

The meeting closed at 4.03pm

To be confirmed at the Ordinary meeting of Council to be held on Tuesday 24th March 2009.

Mayor

General Manager

Recommendation:

1. That the minutes of Council Meeting held 24 February 2009 be confirmed.

8. Reserve Trust Management Committee Reports

9. Mayoral Minutes

10. Motions of which Notice has been Given

11. Presentation of Petitions

12. Councillors Questions with Notice

Councillor Greenaway

1. Is there going to be any Public Housing built in the Walgett Shire by the Dept of Housing in the near future & does the Department require approval by the Council?

Response

Planning and Regulatory Services staff are not aware of any proposals, or applications for, new housing being initiated by the Department of Housing.

Council approval may be required, as follows:

- Development Applications can only be dealt with by Council. For any Development Application made by, or on behalf of the Crown, section 116C of the Environmental Planning Assessment Act 1979 requires that Council (as a consent authority) must not:
  (a) refuse its consent to the application except with the written approval of the Minister, or
  (b) impose a condition of consent, except with the written approval of the Minister or applicant.
- Complying Development Certificate applications can be dealt with by Council or a private certifier. Sub-section 85A(7) of the Environmental Planning Assessment Act 1979 provides that "*council or an accredited certifier must not refuse to issue a complying development certificate if the proposed development complies with the development standards applicable to it and complies with other requirements prescribed by the regulations relating to the issue of a complying development certificate*".

In summary, the Department of Housing can build whatever it chooses, provided that:

- The development is not prohibited by an environmental planning instrument, such as the Interim Development Order No 1 – Shire of Walgett 1968, and,
- It makes an application (which can't be refused), to the Council or a private certifier (where applicable), and,
- It complies with the Building Code of Australia. Sub-section 116G(2) of the Environmental Planning and Assessment Act 1979 imposes a requirement for Crown building work to be certified to comply with the "*technical provisions of the State's building laws*".

2. Regarding the grant of $492,000 from the Federal Government, how & where is the money allocated to Burren Junction ($52,000) & Collarenebri ($115,000) being spent?

Response

Regional infrastructure projects for Burren Bore Baths -$52,000; Collarenebri Primitive Camp Grounds $65,000 and Collarenebri Skate Park $ 67,000 totalling $132,000 for Collarenebri.

Councillor Murray

1. What progress is being made with the Beautification of Fox Street, Walgett, especially the brick gardens and screens on shop windows.

Response

Councillors were notified that at December 2008 business operators in Fox St had indicated negatively to removing shutters/bars etc. Council has not recontacted in the last 3 months.

Improved street lighting is part of a strategy to improve safety in the street and to encourage removal of unsightly protection. That project is yet to commence. An Expression of Interest for street design is currently being prepared (for next Council meeting) and is in current budget.

1. CAMPS ON CLAIMS WORKING GROUP MINUTES

REPORTING SECTION: Planning and Regulatory Services

AUTHOR: Matthew Goodwin – Director Planning and Regulatory Services

FILE NUMBER: 004/09/03/84

Summary:

Minutes of External Bodies are generally placed before Council for noting and discussion where appropriate.

Discussion (including issues and background):

The Minutes of the Camps on Claims Working Group meeting held on 11 February 2009 are attached.

Relevant Reference Documents:

Nil

Stakeholders:

Council and ratepayers

Financial Implications:

Nil

Recommendation:

1. That the Minutes of the Camps on Claims Working Group meeting, held 11th February 2009, be noted

Camps on Claims Working Group
Minutes of meeting 11 Feberuary 2009

Present
DPI Janet Town, Warren Green, Bob Hewlett (consultant)
WSC David Lane, Matthew Goodwin
Dept of Lands Andrew Bell, Peter Smith
DoP Peter Downes

1. Welcome, Apologies and Agenda
Peter Downes welcomed members, especially David Lane and Bob Hewlett.
Apologies
Peter noted apologies from:
Lindsay Gilligan and James Hereford-Ashley, DPI
Janet Babic, Walgett Shire Council
Members agreed with the agenda.

2. Minutes of previous meeting
Members agreed with the minutes.

3.1 Granting leases on the Per Occ
The meeting began with a report from Bob who had visited every camp on the Per Occ which had not applied for a WLL, except one he could find no trace of. Bob visited 81 camps and 61 of these have now applied for WLLs. Four more were deceased estates, 2 had owners who were in gaol, 1 owner was 'waiting to find the money', several were caravans with no house (so could revert to a normal mineral claim), 1 had only one peg.

This raised the question of whether a deceased estate could apply for a WLL. Andrew's response was yes, if he accepted it, and he saw no reason not to.

Four of the people contacted want to apply, 6 do not and have abandoned their claims or will revert to a normal mineral claim, 6 Bob could not contact and left a letter for them.

Warren recorded his department's thanks to Bob for his work, and other WG members echoed that.

Amanda tabled his summary of progress, which is attached.
This showed that take-up on the Per Occ averaged 95 %, while. on the land bought from Mr Crutchfield, it is 75%. 23 have not applied, but many more have insufficient information, which is delaying granting leases. He noted that Jodi Burgess is now able to process new applications very quickly. Peter D noted that 6 to 12 or more get gazetted every week.

One issue that concerned members is that Sharon Duncan has left the DPI office. She was skilled in helping with conversions from RMLs to

WLLs. Andrew made the point that if there is no staff support in DPI, then we cannot invite applications in new areas.
ACTION Peter D to discuss DPI support with Lindsay Gilligan and John Leeks.

Matthew suggested that the council's fund might be available to help buy land. Others thought that, since it had been collected from the Per Occ, it should be used there for management issues – weeds, roads, etc.
David Lane believed that buying land was a more urgent task, and that management was secondary at present.

Native Title areas
Offers will be made to residents in these areas in the next few weeks.

3.2 Funds, Purchases and Trusts
The amount in the fund is currently $296 260.89.

Offering leases on the GGSMA land remains held up by the Aboriginal Land Claim under the NSW Act.

A Trust for the Preserved Fields
There was no progress to report on this item.

Peter Downes reported on the meeting he, Andrew and Peter Smith had with Adrian Newton the morning after the last meeting.
ACTION Peter D to follow up with Adrian Newton. Peter Smith suggested that this was best done face to face.

3.3 Planning Issues
Matthew reported that the council will reconsider the shire's Strategy on 17 February,with Ian Sinclair attending. After that, the Strategy and the draft LEP will go to the DoP for their agreement.

The council's purchase of land for the town extension, between Fantasia Street and the airport is proceeding. It should be completed in the next six months.

4 New business
Matthew noted that the council's reconsideration of the Strategy may change its view on connecting electricity to some camps, but that where there would be no easement required, then the council did not object to a connection.

The WG members viewed Michael Cooke's application to connect electricity to his MPL as an exception to the general policy of no connections on the preserved fields.

5 Other business - nil

6 Actions

1 Peter D to discuss DPI support with senior staff.
2 DoL to offer WLLs to residents on the Native Title blocks.
3 Peter D to discuss with Adrian Newton the possibility of buying his land.
4 WSC to progress buying the town extension land.

7 Next meeting – 20 May 2009

3

Camps on Claims Working Group Meeting – 11/2/09

1) **Bevan's Cactus Block** **(as of 10/2/09)**

107 Invitations Sent
103 Applications Lodged
84 Granted

96% take up **79% gazetted**

- 3 RMC's Expired/Cancelled
- 1 outstanding invitation
- Increase of 8% since last report

2) **Nebia Hill Block**

100 Invitations Sent
94 Applications Lodged
80 Granted

94% take up **80% gazetted**

- 4 RMC's Expired/Cancelled
- 2 outstanding invitations
- Increase of 3% since last report

3) **Hawks Nest Block**

171 Invitations Sent
161 Applications Lodged
139 Granted

95% take up **81% gazetted**

- 5 RMC's Expired/Cancelled
- 4 outstanding invitations
- 1 case where fee paid but no form lodged
- Increase of 5% since last report

4) **Airport Block**

418 Invitations Sent
398 Applications Lodged
308 Granted

95% take up **74% gazetted**

- 3 RMC's Expired/Cancelled
- 16 outstanding invitations
- 1 case requiring resurvey
- Increase of 9% since last report

5) **Crutchfields**

183 Invitations Sent
138 Applications Lodged
49 Granted

75% take up **27% gazetted**

- 44 outstanding invitations
- 1 lot without owner details
- Increase of 7% since last report

Total:

978 Invitations Sent
894 Applications Lodged
660 Granted

91% take up **67% gazetted**

- 234 applied but awaiting applicant action
- 67 still to apply
- Increase of 7% since last report

2. LIGHTNING RIDGE MINING BOARD MEETING MINUTES

REPORTING SECTION: Planning and Regulatory Services

AUTHOR: Matthew Goodwin – Director Planning and Regulatory Services

FILE NUMBER: 004/09/03/84

Summary:

Minutes of External Bodies are generally placed before Council for noting and discussion where appropriate.

Discussion (including issues and background):

The Minutes of the Lightning Ridge Mining Board meeting held on 12 February 2009 will be tabled at the meeting by the Director Planning & Regulatory Services under separate cover.

Relevant Reference Documents:

Nil

Stakeholders:

Council and ratepayers

Financial Implications:

Nil

Recommendation:

1. That the Minutes of the Lightning Ridge Mining Board meeting, held 12th February 2009, be noted

3. NORTH WEST WEIGHT OF LOADS GROUP MINUTES

REPORTING SECTION: Director Rural Infrastructure & Support Services

AUTHOR: Ian Taylor - Director Rural Infrastructure & Support Services

FILE NUMBER: 004/09/03/84

Summary:

Council is a member of the North West Weight of Loads Group. This report provides Council with minutes of their meeting of 1 December 2008.

Discussion (including issues and background):

Council is a member of the North West Weight of Loads Group. The Group management committee meets quarterly on the first Monday of December, March, June, and September.

It has met since in Glen Innes and the next meeting will be hosted by Walgett Shire on 9 June 2009.

Relevant Reference Documents:

Minutes of Meeting NWWOLG 1 December 2008

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 1 December 2008 meeting.

APPENDIX 1

MINUTES OF QUARTERLY MEETING HELD MONDAY 1ST DECEMBER 2008

REPORT & RECOMMENDATIONS OF THE NORTH WEST WEIGHT OF LOADS QUARTERLY MEMBER MEETING HELD IN THE GWYDIR SHIRE COUNCIL CHAMBERS, 33 MAITLAND ST, BINGARA, ON MONDAY 1 DECEMBER 2008.

START: 11.05AM

PRESENT: Mr. Bruce Schwartz (NSW Farmer's Representative), Ms. Vanessa Menzie (Glen Severn), Clr Robert Tremain (Gwydir), Mr. Allan Kerr (Gwydir), Clr K Kneipp (Inverell), Mr. Greg Moran (Inverell), Clr Tim Wannan (Moree), Clr Ron Fernance (Moree), Mr. Allan Boardman (Moree), Mrs. Della Barnes (Moree), Mr. David Wolfenden (Moree), Mr. Geoff Girard (Moree), Mr. Leonard Hattenfels (Moree), Mr. David Carter (Moree), Mr. Greg May (Moree), Clr Robyn Faber (Narrabri), Mr. Paul Keech (Narrabri), Mr. Ian Taylor (Walgett), Clr Dennis Todd (Warrumbungle), Mr. Greg Kable (Warrumbungle)

i. **APOLOGIES:**
Clr Steve Toms (Glen Severn), Mr. Murray Erbs (Moree), Mr. Geoffrey Colless (Walgett), Mr. Kevin Tighe (Warrumbungle)

RECOMMENDATION: That the apologies from Clr Steve Toms (Glen Severn), and Mr. Murray Erbs (Moree) be accepted.

RESOLVED :- (Fernance/Tremain)

ii. **CONFIRMATION OF MINUTES HELD 1ST SEPTEMBER 2008:**
To be discussed at the next quarterly meeting as minutes were not included with business paper.

iii. **MATTERS ARISING FROM MINUTES HELD 1ST SEPTEMBER 2008:**
To be discussed at the next quarterly meeting as minutes were not included with business paper.

iv. **PRESENTATION- "THE EFFECTS OF OVERLOADING ON ROAD ASSETS"**
To be discussed at the next quarterly meeting as Mr. Murray Erbs away and unable to present.

A general discussion was held regarding the presentation and the following motion was put forward.

RECOMMENDATION: That the North West Weight of Loads Committee write to each member council recommending that they make a time to view the presentation- "The Effects of Overloading on Road Assets".

RESOLVED: (Tremain/Todd)

v. **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 mentioned the usual quiet lulls and then the extremely busy periods during harvest. The WOL Officers have noticed that there are a lot of small overweight fines being given out however the fee that accompanies the fine doesn't seem to be deterring some truck owners and there are often repeat offenders. There may be a need for the State Debt Recovery Office to increase their fines so that offenders are less likely to re-offend.

The WOL Officers still number four (4) and therefore if one of the officers is on leave that means one of the cars is not in use as the inspectors work in pairs. The nature of the job isn't always pleasant and it has been hard attracting potential employees.

A new policy has been introduced regarding allowances for overnight stays and this has helped increase the numbers of fines, as the officers are able to travel to a destination over a course of a day and then stay overnight in a location and get up the next morning and commence random weigh checks. This has been an element of surprise for some truck drivers.

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

RESOLVED: (Fernance/Faber)

REPORT TITLE:	2. FINANCIAL REPORT	
REPORT FROM:	ASSET MANAGER	
FILE NUMBER:	94-3404	LETTER NO:

INTRODUCTION:

This report is to outline the 2008/2009 first quarter financial reports with the breakdown of expenditure for each member council.

BACKGROUND:

Self-Enforcing Infringement Notice Scheme (SEINS)
The following funds have been received from the State Debt Recovery Office (SDRO) for the 2008/2009 financial year first quarter:
July 2008- $8,847.00
August 2008-$5,880.00
September 2008-$12,415.00

The July, August, September funds have been allocated to member councils as correct statements and reports have been received.

Draft quarterly Statements
Below are the draft first quarter financial reports with the breakdown of income and expenditure for each member council.

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

RESOLVED: (Kneipp/Fernance)

WEIGHT OF LOADS - WALGETT 2008/2009

Debtor No. 155.22

INCOME

Ordinance Fines Received			$-5,112.00
Share of Ordinance RTA Funding (Total RTA Funding x Percentage Time spent on Walgett's Roads)	$-37,978.20 x	12.00% =	$-4,557.38
TOTAL INCOME ATTRIBUTABLE TO WALGETT COUNCIL			$-9,669.38

EXPENDITURE

Policing Classified Roads			$4,471.17
Policing Shire Roads			$3,654.34
Ordinance Legal Costs			$440.35
Share of Admin and Other Expenses (Total Admin and Other Expenses x Percentage Time spent on Walgett's Roads)	$7,624.73 x	12.00% =	$914.97
TOTAL EXPENSES ATTRIBUTABLE TO WALGETT COUNCIL			$9,480.83
TOTAL AMOUNT PAYABLE 2008/2009 AS AT 30/09/08			$-188.56
ADD: 2007/2008 DEBIT BALANCE BROUGHT FORWARD			$0.00
TOTAL AMOUNT OWED			$-188.56

DRAFT

BALANCE OWED as at 30/09/08	GST EXCLUSIVE		$-188.56
	1st Quarter 2008/2009 2nd Quarter 2008/2009 3rd Quarter 2008/2009 4th Quarter 2008/2009	Credit Note to be raised:	$-188.56
			$0.00

INTERIM INVOICE:

NOTE:
Please note Account is in Credit $207.42 GST inclusive. NO payment is required.

WEIGHT OF LOADS - NARRABRI 2008/2009

Debtor No. 162.22

INCOME

Ordinance Fines Received				$-1,854.00
Share of Ordinance RTA Funding (Total RTA Funding x Percentage Time spent on Narrabri's Roads)	$-37,978.20	x	13.30%	= $-5,051.10
TOTAL INCOME ATTRIBUTABLE TO NARRABRI COUNCIL				$-6,905.10

EXPENDITURE

Policing Classified Roads				$6,984.65
Policing Shire Roads				$3,524.79
Ordinance Legal Costs				$44.17
Share of Admin and Other Expenses (Total Admin and Other Expenses x Percentage Time spent on Narrabri's Roads)	$7,824.73	x	13.30%	= $1,014.09
TOTAL EXPENSES ATTRIBUTABLE TO NARRABRI COUNCIL				$10,567.70
TOTAL AMOUNT PAYABLE 2008/2009 AS AT 30/09/08				$3,662.60
ADD: 2007/2008 DEBIT BALANCE BROUGHT FORWARD				$0.00
TOTAL AMOUNT OWED				$3,662.60

DRAFT

BALANCE OWED as at 30/09/08	GST EXCLUSIVE		$3,662.60
	1st Quarter 2008/2009	Invoice to be raised:	$3,662.60
	2nd Quarter 2008/2009		
	3rd Quarter 2008/2009		
	4th Quarter 2008/2009		
			$-0.00

INTERIM INVOICE:

NOTE:
Please note Total Amount Payable is $4028.86 GST inclusive

WEIGHT OF LOADS - INVERELL 2008/2009

Debtor No. 1199.22

INCOME

Ordinance Fines Received				$-4,794.00
Share of Ordinance RTA Funding (Total RTA Funding x Percentage Time spent on Inverell's Roads)	$-37,979.26	x	10.80%	= $-4,101.65
TOTAL INCOME ATTRIBUTABLE TO INVERELL COUNCIL				$-8,895.65

EXPENDITURE

Policing Classified Roads				$5,199.57
Policing Shire Roads				$3,328.06
Ordinance Legal Costs				$66.26
Share of Admin and Other Expenses (Total Admin and Other Expenses x Percentage Time spent on Inverell's Roads)	$7,624.73	x	10.80%	= $823.47
TOTAL EXPENSES ATTRIBUTABLE TO INVERELL COUNCIL				$9,417.36
TOTAL AMOUNT PAYABLE 2008/2009 AS AT 30/09/08				$521.72
ADD: 2007/2008 CREDIT BALANCE BROUGHT FORWARD				$-6,157.97
TOTAL AMOUNT OWED				$-5,636.26

DRAFT

BALANCE OWED as at 30/09/08 GST EXCLUSIVE $-5,636.26

4th Quarter 2007/2008	Credit Balance B/F	$-6,157.97
1st Quarter 2008/2009	Invoice to be raised:	$521.72
2nd Quarter 2008/2009		
3rd Quarter 2008/2009		
4th Quarter 2008/2009		
		$-0.00

INTERIM INVOICE:

NOTE:
Please note Account is in Credit $6,199.88 GST Inclusive. NO payment is required.

WEIGHT OF LOADS - GUNNEDAH 2008/2009

Debtor No. 1513.22

INCOME

Ordinance Fines Received				$-2,304.00
Share of Ordinance RTA Funding (Total RTA Funding x Percentage Time spent on Gunnedah's Roads)	$-37,978.20	x	7.20%	= $-2,734.43
TOTAL INCOME ATTRIBUTABLE TO GUNNEDAH COUNCIL				$-5,038.43

EXPENDITURE

Policing Classified Roads				$4,708.25
Policing Shire Roads				$4,364.28
Ordinance Legal Costs				$80.34
Share of Admin and Other Expenses (Total Admin and Other Expenses x Percentage Time spent on Gunnedah's Roads)	$7,624.73	x	7.20%	= $548.98
TOTAL EXPENSES ATTRIBUTABLE TO GUNNEDAH COUNCIL				$9,708.85
TOTAL AMOUNT PAYABLE 2008/2009 AS AT 30/09/08				$4,671.42
LESS: 2007/2008 DEBIT BALANCE BROUGHT FORWARD				$0.00
TOTAL AMOUNT OWED				$4,671.42

DRAFT

BALANCE OWED as at 30/09/08 — GST EXCLUSIVE — $4,671.42

1st Quarter 2008/2009	Invoice to be raised:	$4,671.42
2nd Quarter 2008/2009		
3rd Quarter 2008/2009		
4th Quarter 2008/2009		
		$0.00

INTERIM INVOICE:

NOTE:
Please note the total amount payable is $5138.56 GST inclusive.

WEIGHT OF LOADS - GWYDIR 2008/2009

Debtor No. 2398.22

INCOME

Ordinance Fines Received				$-3,258.00
Share of Ordinance RTA Funding (Total RTA Funding x Percentage Time spent on Gwydir's Roads)	$-37,978.20	x	12.00%	= $-4,557.38
TOTAL INCOME ATTRIBUTABLE TO GWYDIR COUNCIL				$-7,815.38

EXPENDITURE

Policing Classified Roads				$4,583.74
Policing Shire Roads				$4,147.99
Ordinance Legal Costs				$402.39
Share of Admin and Other Expenses (Total Admin and Other Expenses x Percentage Time spent on Gwydir's Roads)	$7,624.73	x	12.00%	= $914.97
TOTAL EXPENSES ATTRIBUTABLE TO GWYDIR COUNCIL				$10,029.09
TOTAL AMOUNT PAYABLE 2008/2009 AS AT 30/09/08				$2,213.70
LESS: 2007/2008 DEBIT BALANCE BROUGHT FORWARD				$0.00
TOTAL AMOUNT OWED				$2,213.70

DRAFT

BALANCE OWED as at 30/09/08 — GST EXCLUSIVE — $2,213.70

1st Quarter 2008/2009	Invoice to be raised:	$2,213.70
2nd Quarter 2008/2009		
3rd Quarter 2008/2009		
4th Quarter 2008/2009		
		$0.00

INTERIM INVOICE:

NOTE:
Please note the total amount payable is $2,435.07 GST Inclusive.

WEIGHT OF LOADS - WARRUMBUNGLE 2008/2009

Debtor No. 2403.22

INCOME

Ordinance Fines Received				$-3,018.00
Share of Ordinance RTA Funding (Total RTA Funding x Percentage Time spent on Warrumbungle's Roads)	$-37,978.20	x	10.00%	= $-3,797.82
TOTAL INCOME ATTRIBUTABLE TO WARRUMBUNGLE COUNCIL				$-6,815.82

EXPENDITURE

Policing Classified Roads				$3,594.76
Policing Shire Roads				$2,976.60
Ordinance Legal Costs				$22.09
Share of Admin and Other Expenses (Total Admin and Other Expenses x Percentage Time spent on Warrumbungle's Roa	$7,624.73	x	10.00%	= $762.47
TOTAL EXPENSES ATTRIBUTABLE TO WARRUMBUNGLE COUNCIL				$7,355.92
TOTAL AMOUNT PAYABLE 2008/2009 AS AT 30/09/08				$540.10
ADD: 2007/2008 CREDIT BALANCE BROUGHT FORWARD				$-1,266.22
TOTAL AMOUNT OWED				$-726.12

DRAFT

BALANCE OWED as at 30/09/08	GST EXCLUSIVE	$-726.12

4th Quarter 2007/2008	Credit Balance B/F	$-1,266.22
1st Quarter 2008/2009	Invoice to be raised:	$540.10
2nd Quarter 2008/2009		
3rd Quarter 2008/2009		
4th Quarter 2008/2009		
		$0.00

INTERIM INVOICE:

NOTE:
Account is in credit for $798.73 GST Inclusive - NO payment required

WEIGHT OF LOADS - GLEN INNES SEVERN 2008/2009

Debtor No. 2524.22

INCOME

Ordinance Fines Received				$-4,317.00
Share of Ordinance RTA Funding (Total RTA Funding x Percentage Time spent on Glen Innes' Severn Roads)	$-37,978.20 x	6.00%	=	$-2,278.69
TOTAL INCOME ATTRIBUTABLE TO GLEN INNES SEVERN COUNCIL				$-6,595.69

EXPENDITURE

Policing Classified Roads				$3,187.49
Policing Shire Roads				$2,532.69
Ordinance Legal Costs				$55.25
Share of Admin and Other Expenses (Total Admin and Other Expenses x Percentage Time spent on GIS's Roads)	$7,624.73 x	6.00%	=	$457.46
TOTAL EXPENSES ATTRIBUTABLE TO GLEN INNES SEVERN COUNCIL				$6,243.82
TOTAL AMOUNT PAYABLE 2008/2009 AS AT 30/09/08				$-351.87
2007/2008 BALANCE BROUGHT FORWARD				$1,841.67
TOTAL AMOUNT OWED				$1,489.80

DRAFT

BALANCE OWED as at 30/09/08	GST EXCLUSIVE		$1,489.80
	4th Quarter 2007/2008	Debit Balance B/F	$1,841.67
	1st Quarter 2008/2009	Credit Note to be raised:	$-351.87
	2nd Quarter 2008/2009		
	3rd Quarter 2008/2009		
	4th Quarter 2008/2009		
			$0.00

INTERIM INVOICE:

NOTE:
Please note the total amount payable is $1,638.78 GST Inclusive.

WEIGHT OF LOADS - MOREE 2008/2009

Debtor No. 1200

INCOME

Ordinance Fines Received				$-12,592.00
Share of Ordinance RTA Funding (Total RTA Funding x Percentage Time spent on moree's Roads)	$-37,978.20	x	28.70%	= $-10,899.74
TOTAL INCOME ATTRIBUTABLE TO MOREE COUNCIL				$-23,491.74

EXPENDITURE

Policing Classified Roads				$16,385.99
Policing Shire Roads				$6,197.92
Ordinance Legal Costs				$472.06
Share of Admin and Other Expenses (Total Admin and Other Expenses x Percentage Time spent on Moree's Roads)	$7,624.73	x	28.70%	= $2,188.30
TOTAL EXPENSES ATTRIBUTABLE TO MOREE COUNCIL				$25,244.27
TOTAL AMOUNT PAYABLE 2008/2009 AS AT 30/09/08	GST EXCLUSIVE			$1,752.52

DRAFT

REPORT TITLE:	3.	STATISTICS	
REPORT FROM:	ASSET MANAGER		
FILE NUMBER:	94-3404		LETTER NO:

INTRODUCTION

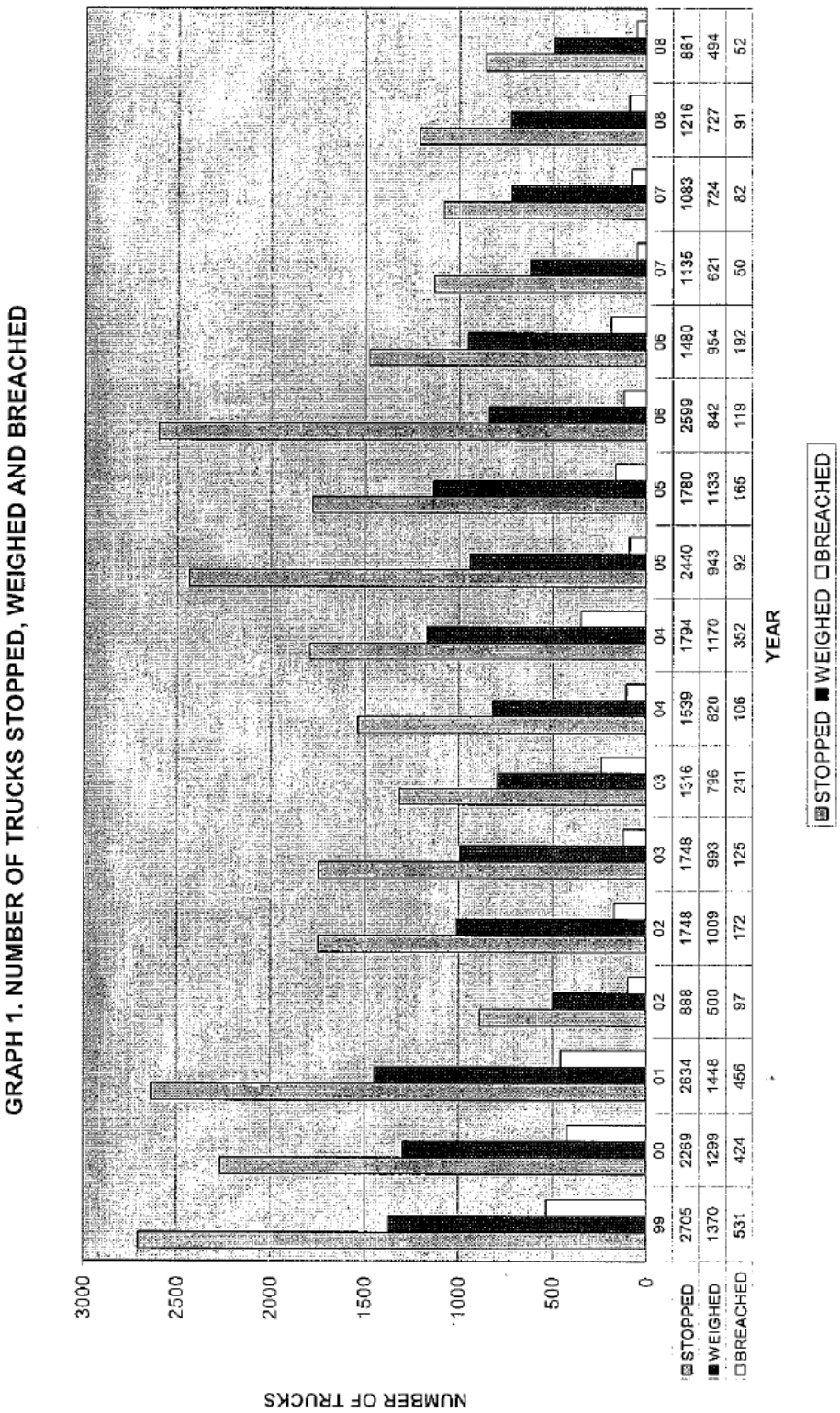
The attached statistical information details the Vehicles stopped and Breaches issued by the Weight of Loads Inspectors.

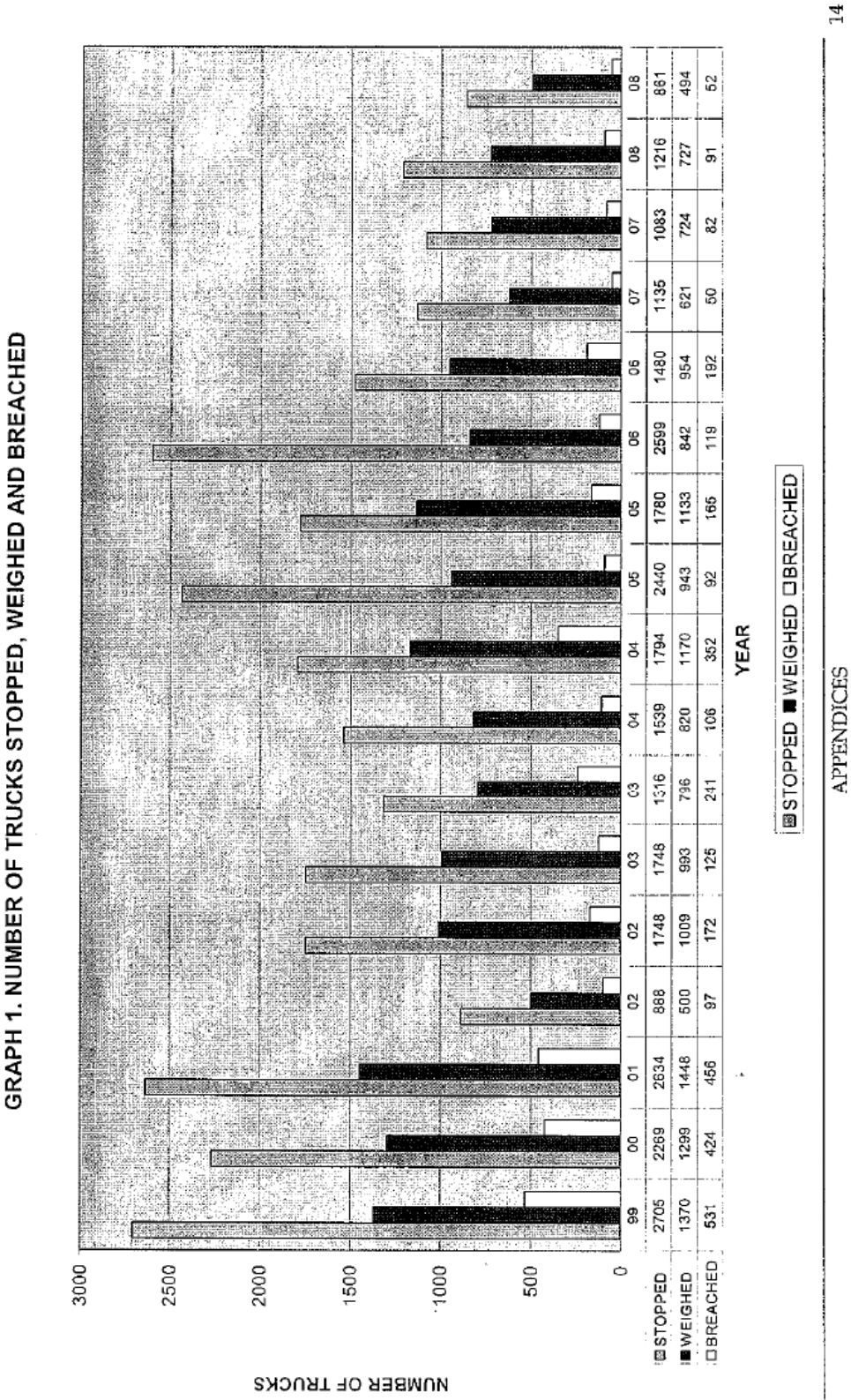
BACKGROUND

Comparing this period to the same period last year, the number of vehicles intercepted, weighed and the number of breaches issued have increased significantly.

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

RESOLVED: (Tremain/Swartz)


GRAPH 1. NUMBER OF TRUCKS STOPPED, WEIGHED AND BREACHED
NUMBER OF TRUCKS
3000
2500
2000
1500
1000
500
0
YEAR
STOPPED
WEIGHED
BREACHED
99 00 01 02 02 03 03 04 04 05 05 06 06 07 07 08 08
2705 2269 2634 888 1748 1748 1316 1539 1794 2440 1780 2599 1480 1135 1083 1216 861
1370 1299 1448 500 1009 993 796 820 1170 943 1133 842 954 621 724 727 494
531 424 456 97 172 125 241 106 352 92 166 119 192 50 82 91 52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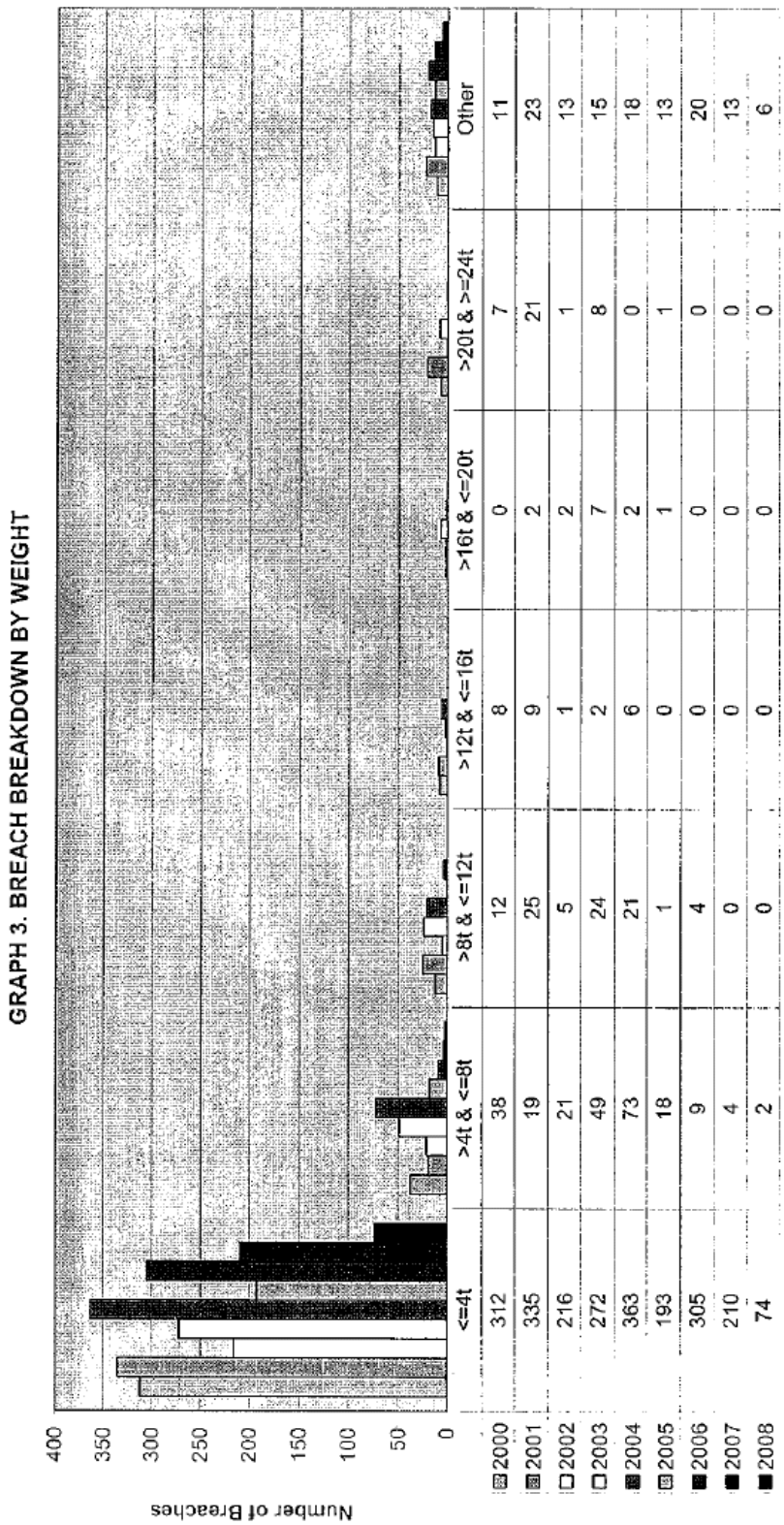
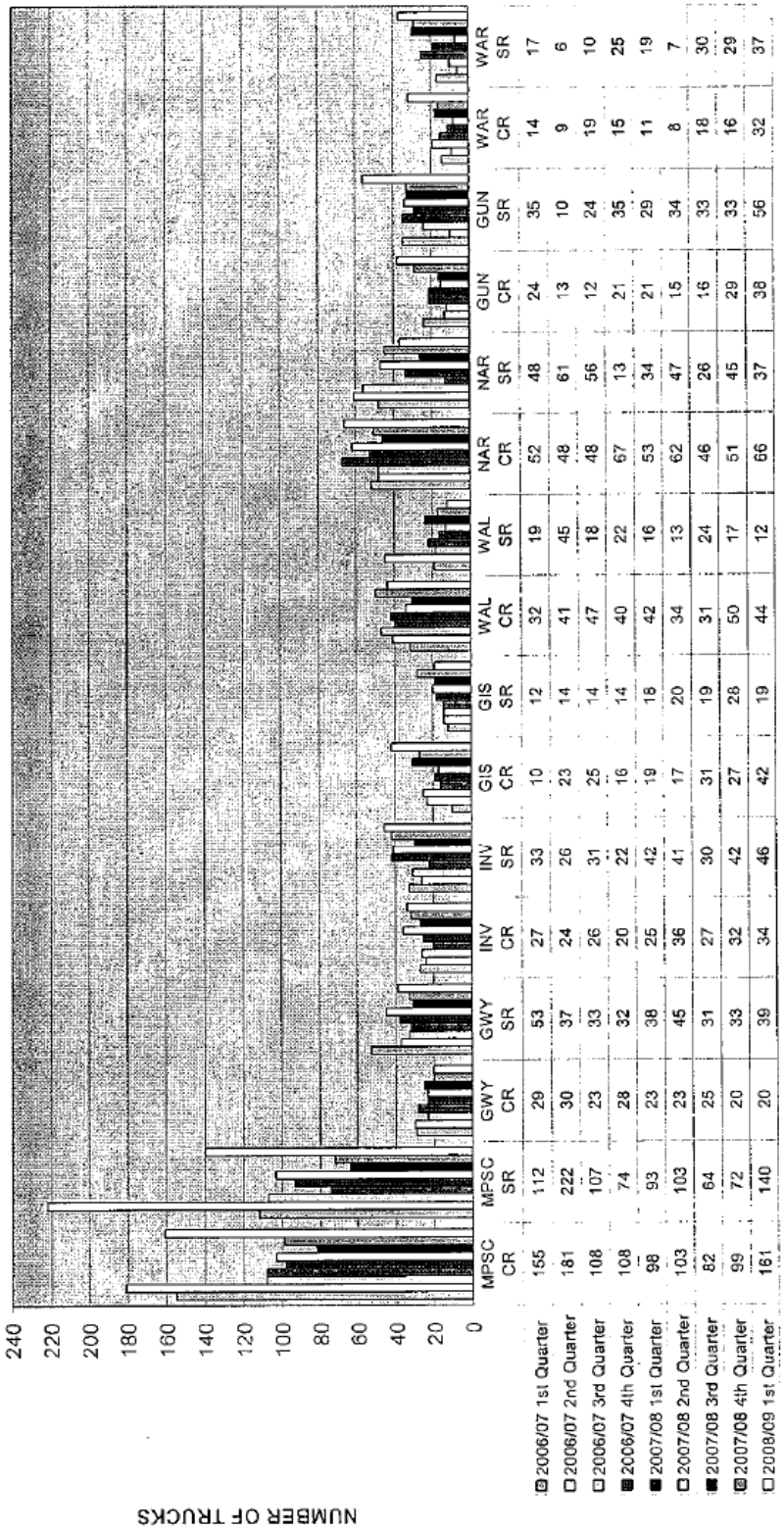
531 424 456 97 172 125 241 106 352 92 166 119 192 50 82 91 52



	<=4t	>4t & <=8t	>8t & <=12t	>12t & <=16t	>16t & <=20t	>20t & >=24t	Other
2000	312	38	12	8	0	7	11
2001	335	19	25	9	2	21	23
2002	216	21	5	1	2	1	13
2003	272	49	24	2	7	8	15
2004	363	73	21	6	2	0	18
2005	193	18	1	0	1	1	13
2006	305	9	4	0	0	0	20
2007	210	4	0	0	0	0	13
2008	74	2	0	0	0	0	6

GRAPH 4. NUMBER OF TRUCKS STOPPED BY SHIRE



	MPSC CR	MPSC SR	GWY CR	GWY SR	INV CR	INV SR	GIS CR	GIS SR	WAL CR	WAL SR	NAR CR	NAR SR	GUN CR	GUN SR	WAR CR	WAR SR
2006/07 1st Quarter	155	112	29	53	27	33	10	12	32	19	52	48	24	35	14	17
2006/07 2nd Quarter	181	222	30	37	24	26	23	14	41	45	48	61	13	10	9	6
2006/07 3rd Quarter	108	107	23	33	26	31	25	14	47	18	48	56	12	24	19	10
2006/07 4th Quarter	108	74	28	32	20	22	16	14	40	22	67	13	21	35	15	25
2007/08 1st Quarter	98	93	23	38	25	42	19	18	42	16	53	34	21	29	11	19
2007/08 2nd Quarter	103	103	23	45	36	41	17	20	34	13	62	47	15	34	8	7
2007/08 3rd Quarter	82	64	25	31	27	30	31	19	31	24	46	26	16	33	18	30
2007/08 4th Quarter	99	72	20	33	32	42	27	26	50	17	51	45	29	33	16	29
2008/09 1st Quarter	161	140	20	39	34	46	42	19	44	12	66	37	38	56	32	37

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2nd March 2009

REPORT TITLE:	4. STATE DEBT RECOVERY OFFICE REPORTING FORMAT		
REPORT FROM:	ASSET MANAGER		
FILE NUMBER:	07-0162	LETTER NO:	INT08/E6F997F

INTRODUCTION

This file note is to update the committee on the reporting format that the State Debt Recovery Office uses and the percentage payments NWWOL has received.

RECOMMENDATION: That the file note updating the committee on the reporting format that the State Debt Recovery Office uses and the percentage payments NWWOL has received, be received for information.

RESOLVED: (Kneipp/Swartz)

Moree Plains Shire Council PO Box 420 MOREE NSW 2400

FILE NOTE

File Name: Corporate Management\Organisational Structure\Engineering Services\WOL

File Number: 07-0162

Notes from meeting held on Wednesday 10 September 2008 between Council's Mrs Renee McMillan (Engineering Coordinator) and the State Debt Recovery Office's (SDRO) Mr Michael Kerz (Manager Commercial Relationships).

Mr Kerz question if the current SDRO report format was use to the North West Weight of Loads (NWWOL) or if the NWWOL would like to suggest any changes to the reporting to the SDRO. Mrs McMillan advised that the NWWOL do utilise the reporting in its current form and that at this point in time it is sufficient in its' current format for the NWWOL.

Mr Kerz then showed Mrs McMillan a spreadsheet containing figures in relation to the NWWOL's SEINS issued for 2006-07 and 2007-08. These figures show that in 2006-07 the NWWOL received payment for 72% of all SEINS issued during the twelve month period and that 12.7 % where issued with a Court Attendance Notice (CAN). The remaining 15.3% were cancelled, withdrawn or cautioned.

The 2007-08 figures show that payment has been received for 77% of all SEINS issued with a further 12.1% issued with a CAN and the remaining 10.9% being cancelled, withdrawn or cautioned.

Mr Kerz advised that the NWWOL should be very happy with this information as with all vehicle related offence the average percentage for payments received is between 70-75%.

In comparison to the other Weight of Loads Groups in New South Wales the NWWOL is one (1) of only two (2) groups that have a payment received percentage above the average for 2007-08.

Signed:

Renee McMillan

COPY FOR YOUR INFORMATION

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REPORT TITLE:	5. NOTIFICATION OF NEW NWWOL COMMITTEE MEMBERS		
REPORT FROM:	ASSET MANAGER		
FILE NUMBER:	94-3404	LETTER NO:	IN08/29EOBAF9 IN08/25B6F6D7

INTRODUCTION

This notification is to inform the committee that Narrabri Shire Council, at its October 2008 Council meeting, elected Councillor Robyn Faber as their NWWOL delegate.

Walgett Shire Council has also notified the NWWOL Group that their representatives are Deputy Mayor Geoffrey Coless and the Director Rural Infrastructure and Support Services, Mr. Ian Taylor.

RECOMMENDATION: That the notifications from Narrabri Shire Council and Walgett Shire Council advising the committee of their new NWWOL delegates be received for information.

RESOLVED: (Swartz/Todd)

[redacted]

Narrabri SHIRE
Heart of the North West

RECEIVED
27 OCT 2008
BY: 94-3404 WOL DCS

Our Reference: MJK:AW ;C70/20001

Your Reference:
Contact Name: Max Kershaw
Telephone: (02) 6799 6833

North West Weight of Loads Committee
PO Box 420
MOREE NSW 2400

23rd October, 2008

~~Dear Sir/Madam,~~

Re: North West Weight of Loads Committee

I wish to advise that at the October, 2008 Council meeting the following Councillor(s) was elected as a delegate to your organisation:

- Cr Robyn Faber

Council requests that a copy of all correspondence such as agendas and minutes be forwarded direct to:

Narrabri Shire Council
PO Box 261
NARRABRI NSW 2390.

and Council will pass that information onto the delegate.

Yours faithfully,

Max Kershaw
GENERAL MANAGER

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Shire of Walgett
ABN 88 749 070 385

Reference: RK:HL:004/09/03/84
Your Reference:
Contact: Mr Raymond Kent

RECEIVED
14 NOV 2008
BY:

10 November 2008

Jacqui Moore
Weight of Loads Committee
Moree Plains Shire Council
PO Box 420
Moree NSW 2400

Dear Jacqui,

RE: Council's Representatives

Please be advised that Council's representatives to the Committee are Deputy Mayor Geoffrey Colless and Council's Director Rural Infrastructure and Support Services, Mr Ian Taylor.

Contact details are provided below and it would be appreciated if Business Papers and the like could be emailed direct to the representatives.

Deputy Mayor Geoffrey Colless

Postal Address
PO Box 263
Walgett NSW 2832

Ph: 02 6828 1690
Mobile: 0418 636 106
Fax: 02 6828 2026
Email: dctransport@bigpond.com

Director Rural Infrastructure and Support Services, Mr Ian Taylor

Postal Address
PO Box 31
Walgett NSW 2832

Ph: 02 6828 6121
Mobile: 0418 248 372
Fax: 02 6828 1608
Email: itaylor@walgett.nsw.gov.au

Yours Sincerely

Raymond Kent
General Manager

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vi. GENERAL BUSINESSS

1. WEIGHING OF HEADERS

Clr Todd (Warrumbungle) asked whether the inspectors had been weighing headers to which the inspectors replied that they had not been doing so. Mr. Boardman (Moree) noted that headers on the back of trucks were extremely heavy and much caution had to be taken by the truck driver when carrying such a heavy object.

2. SHIRE WEIGHT LIMITS

Clr Fernance (Moree) suggested that the member councils look at the weight limits on their shire roads because currently, weight limits within many shires makes it extremely difficult for trucks to travel directly to silos. Clr Tremain agreed with Clr Fernance's proposal however, he acknowledged the many litigation issues associated with such large and heavy vehicles utilising shire roads.

3. EFFLUENT PROBLEMS

Mr. Moran (Inverell) advised the committee of the ongoing issues Inverell Shire have had in regards to cattle trucks and release of effluent. The RTA have been policing trucks and making sure effluent tanks are emptied at appropriate locations. Mr. Wolfenden (Moree) advised the group that the Police Stock Squad can also be contacted regarding effluent problems and cattle trucks.

4. NWWOL COMMITTEE MEMBER

Mr. Moran (Inverell) notified the NWWOL Committee that Clr Kneipp (Inverell) was the ongoing NWWOL representative.

5. RTA PLANT REGISTRATIONS

Mr. Moran (Inverell) advised the NWWOL group that the RTA do not have a generic set of guidelines in relation to registering vehicles such as headers, scrapers, rollers and so on. Each RTA office assesses each item individually. For example, a header registered in Dubbo, NSW may have different conditions to those of a header registered in Moree and it is causing much confusion. Inverell Shire is still pursuing the matter with the RTA to get a definitive set of guidelines that are the same across the board.

6. ACTION LIST

Mr. Moran (Inverell) suggested that an action list be added to the business paper so as to help follow through on items of action and to keep a record of the work that is pertinent to the groups operations.

7. VOLUME METRIC LOADING

Clr Fernance (Moree) made a suggestion that the committee look to using volume metric loading which is used in Queensland (QLD) but no other states. Because Moree is so close to the QLD border, as soon as trucks that are loaded in QLD cross the border, the majority would be classed as overweight because NSW uses the metric system.

Mr. Wolfenden (Moree) advised that Volume Metric Loading may push axle mass limits over and cause extensive damage to roads.

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Inspector 017 alleges that the RTA is looking at a different weighing system for stock carriers but there has been no official confirmation of this by the RTA.

Clr Tremain (Gwydir) thinks that we, as a committee need to be careful before making such changes which may be positive for larger businesses but may also drastically affect the livelihood of smaller carriers.

Mr. Keech (Narrabri) reminded the NWWOL Committee that it needs to focus on road networks not trucking issues.

8. FUNDING

Clr Faber (Narrabri) addressed the issue of obtaining increased funding from the government to not only help maintain the existing roads but to upgrade more roads due to the increase in the number of trucks that now use our shire roads. Clr Faber suggested that we gather as much information together so that if the State Government knocks back any funding proposals, the NWWOL group can then approach the Federal Government.

Ms. Menzie (Glen Severn) believes that the NSW state government is in far too much debt to be able to provide funding above what they already do and that NWWOL group should consider approaching federal government straight away.

Mr. Moran (Inverell) advised the NWWOL Committee that the Institute of Public Works Engineering Australia (NSW Division) (IPWEA) has formally approached local government for asset information in a survey entitled: "Roads and Bridge Benchmark Survey" and based on the results received from the councils, a shortfall for infrastructure funding will be put together. Mr. Moran reiterated the importance of getting the required information back to the IPWEA so that an accurate proposal could be finalised.

RECOMMENDATION: That all shires involved in the NWWOL Committee support the IPWEA "Roads & Bridge Benchmark Survey" request for information and return such information by the third week of December 2008 and once the study is complete, the committee consider the results and then decide on a course of action regarding funding.

RESOLVED: (Faber/Tremain)

9. PURPOSE OF NWWOL

Mr. Keech (Narrabri) suggested that the committee needs to confirm its purpose.

Mr. Wolfenden (Moree) advised the committee that he and the Weight of Loads Support staff are continuing to work together to produce a Weight of Loads management Manual which will include; Constitution, previous minutes, policies, agreements etc.

10. SPEED LIMITS

Clr Fernance generated general discussion about speed limits and possibility reducing them within shires so as to lessen the damage on the roads caused by heavy trucks.

vii. NEXT MEETING

The next meeting will be held Monday, 2nd March 2009 at Glen Innes commencing at 10.30am.

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2nd March 2009

CONCLUSION: There being no further business the meeting closed at 12:15pm.

ACTION LIST PERTINENT TO NWWOL GROUP OPERATIONS

TASK	RESPONSIBLE BODY	COMPLETION DATE
Each member council return required information for IPWEA survey entitled: "Roads & Bridge Benchmark Survey".	Each individual Committee Member.	By the 3rd week of December 2008.
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	11th December 2008 NB: As at 22.01.09- four (4) member councils had replied, being: Walgett, Narrabri, Gwydir and Gunnedah
Table Minutes of Quarterly Meeting held on 01/09/2008 at next quarterly meeting.	Moree Plains Shire Council	2nd March 2009

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2nd March 2009

4. WESTERN SLOPES DISTRICT EMERGENCY MANAGEMENT COMMITTEE MINUTES

REPORTING SECTION: Rural Infrastructure & Support Services

AUTHOR: Ian Taylor - Director Rural Infrastructure & Support Services

FILE NUMBER: 004/09/03/84

Summary:

Western Slopes District Emergency Management Committee is instituted under the State Emergency and Rescue Management Act 1989. This report provides Council with the minutes of the December 2008 meeting.

Discussion (including issues and background):

Western Slopes District 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 district level. It incorporates the Local Emergency Management Areas of Coonamble, Dubbo, Gilgandra, Mid Western, Narromine, Warren, Warrumbungles, Walgett and Wellington Councils.

Relevant Reference Documents:

Western Slopes District Emergency Management Committee Minutes, 4 December 2008

Stakeholders:

All emergency response agencies
All persons in Western Slopes District

Financial Implications:

Nil

Recommendation:

1. That Council note the minutes of the Western Slopes District Emergency Management Committee meeting held 4 December 2008.

WESTERN SLOPES DISTRICT EMERGENCY MANAGEMENT COMMITTEE

Minutes of Meeting – 04 December 2008

Meeting venue: Rural Fire Service – Dubbo HQ

Meeting opened at: 13:30 hours.

PRESENT:

NAME	AGENCY
A. C. Steve BRADSHAW	Chairman - NSW Police Force
Stuart DAVIES	DEMO (Executive Officer)
Chris EVANS	Department of Commerce
Greg POWELL	Ambulance Service
Phil SOUTHWELL	Warrumbungle Shire Council
Martin HOLMES	Defence
Bryson REES	Wellington Council
Graham MILGATE	Volunteer Rescue Association
Greg MARKWICK	Department of Primary Industries
Neil HARRIS	NSW Fire Brigades
Andrew DRUMMOND	Mid Western Regional Council
Gordon HILL	Rural Fire Service
Kaylene GREEN	GWAHS - Health
Stewart McLEOD	Dubbo City Council
Carmen DWYER	DECC
Ian TAYLOR	Walgett Shire Council
Murray RUSSELL	Coonamble Shire Council
David THOMAS	Country Energy
Myles HUMPHRIES	Gilgandra Shire Council
David MONK	State Emergency Service
Total: 20	

OBSERVERS:

Name	Agency
Les CLARKE	Volunteer Rescue Association
Ingo STEPPAT	GWAHS - Health
David FELTON	NSW Fire Brigades
Allen LUZURIAGA	State Emergency Service
Robert JACOBSON	Country Energy
John MAYFIELD	DEMO – Central West
Kel WISE	DEMO – Far West District
Total: 8	

GUEST / PRESENTATION:

Name	Agency
Greg LEWIS	NSW Fire Brigades
Total: 1	

Meeting total: 28

1. APOLOGIES:

Name	Agency
Ashley WIELINGA	Warren Shire Council
Ariq SADIAQ	Department of Community Services
Mark SHERVASHIDZE	Department of Community Services
Stephen CASHEL	Australian Red Cross
Gail SNELGAR	Australian Red Cross
John BRENNAN	Country Energy
Peter HALLIWELL	Country Energy
Geoff KIEHNE	St John Ambulance
Paul GALLAGHER	Narromine Shire Council
Bob GERAGHTY	Warrumbungle Shire Council
Max STONESTREET	NSW Ambulance
Paul DODD	ARTC
Dean BOYCE	RSPCA
Mayor Anne JONES	Wellington Council
Total: 14	

BUSINESS ITEM:
ACCEPTANCE OF APOLOGIES:

It was moved:	**Acceptance of all apologies.**
MOVED: Neil HARRIS **SECONDED:** Greg MARKWICK	**CARRIED**

BUSINESS ITEM:
2. INTRODUCTIONS:

The Chairman asked all in attendance to provide a self introduction.

BUSINESS ITEM:
3. CONFIRMATION OF PREVIOUS MEETING MINUTES

CONFIRMATION OF MINUTES for meeting held on 4th September 2008.	
MOVED: Neil HARRIS **SECONDED:** David MONK	**CARRIED**

4	MATTERS ARISING FROM PREVIOUS MEETING
4.1	District DEOC: Update report from DEMO / DEOC Working Group and Dubbo City Council – quotes for work being obtained by Dubbo City Council. DEOCON Bradshaw advised committee that NSW Police Force would be establishing a Police Operations Centre in new Western Region Office located on Floor 2, Dubbo Police Station complex. On completion the facility could be used as DEOC for smaller operations.
4.2	ERM – DEMC Policy: Update report - no change. No policy has been issued by SEMC. ERM reports from LEMCs discussed in GENERAL BUSINESS.
4.3	DEMC Agency Report Template: DEMO displayed the new report template. The committee supported the new template and it will be used 2009.
4.4	DEMC Membership: DEMC policy – DEMC to review membership list annually at **December meeting.** **DEMC Membership List: refer ATTACHMENT No. 1.**

4.6	LEMC Meeting Dates: DEMO report: Walgett LEMC held on 08/10/2008. Warren LEMC meeting held on 11/06/2008. August 2008 meeting cancelled due to unavailability of LEMO. Coonamble LEMC meeting overdue. Meeting planned for 12/12/2008. (DEMO discussed with LEMO Coonamble the concept of [1] having 'joint meetings' with Walgett LEMC and [2] Coonamble & Walgett areas joining for EM purposes as per provisions of the SERM Act) All other LEMCs are meeting in a timely manner.
4.7	**Combined Western Slopes & Far West Workshop / Exercise at Ivanhoe** – Major Rail incident. No change since last meeting. No reply received from SEMC to Exercise Debrief Report - Executive Recommendations for State level consideration. DEMO discussed with GWAHS on 20/11/2008 and a meeting will be organized in near future between GWAHS / Ambulance / DEMO to progress District level "Health" based issues. **Action:** 1. *DEMO to follow up 'State' based issues with SEMC who have received a copy of the Debrief Report.* 2. *DEMO to meet and discuss GWAHS & Ambulance issues with agencies.*
5	**PRESENTATION:** **NSW Fire Brigades – Pre Incident Plan Project** Presentation given by Inspector Greg LEWIS – NSWFB (Zone Operations Commander, Dubbo) Inspector LEWIS advised committee that work being undertaken at present time was purely internal NSWFB based. There is potential for project to be associated with local emergency management projects in the future. Committee thanked NSWFB for providing the presentation.

6	**CORRESPONDENCE REPORT:**
	▪ Extract from SEMC Meeting Agenda 04/12/2008 – (1) Working together to manage emergencies program 2009/2010. Launched on 28 November 2008 with applications closing on 6 March 2009. Further information on web: www.emergency.nsw.gov.au (2) SEMC meeting dates for 2009 (same dates as DEMC) (3) Copy of minutes – Ministerial Council for Police & EM meeting in Sydney on 06/11/2008. Main points being:
	  ▪ Disaster resilience in the community
	  ▪ Climate Change & EM

- Volunteering in EM
- National partnerships between governments and with the private sector and non-government organizations.
- Endorsed the draft Australian Emergency Management Arrangements for consideration by the COAG.
- Nationally consistent community emergency warning system.
- Community disaster preparedness public education campaign

The council unanimously agreed that the future direction for Australian emergency management should be based on creating a more disaster resilient Australia through:

- Further development National Catastrophic Disaster Plan;
- Improving volunteer attraction and retention
- Development of climate change adaptation strategies for the emergency management sector;
- Building a strategy for enhancing national partnerships with private sector and non government agencies;
- Development of national strategies for community engagement, education, enhancing self reliance and recovery.

- 2007/2008 DEMC report sent to SEMC for Annual Report.
- Advice from LEMOs on EM appointments by LGA. (Outstanding returns: Coonamble / Gilgandra / Warren.)
- NSW Police – Castlereagh LAC: Approval for use of Training Room at Walgett Police Station as the LEOC with Shire Council Chambers as the secondary LEOC.
- Warrumbungle Shire Council – Estimate of costs, Hailstorm 26/11/2008
- Dangerous Goods – Major Hazard Facilities: Extract from Workcover website): Notification by Major Hazard Facilities (MHF's) and Potential MHFs – operators of all major hazards facilities and potential MHFs that are operating on 13/10/2008 must provide Workcover with notification no later than 12 January 2009. This notification is required in addition to Dangerous Goods notification. After 13/10/2008 any person who intends to operate a MHF or a potential MHF must notify WorkCover within three months of the person forming the intention to operate that facility.

DEMO raised the question: Does this apply to Dubbo Railyards – Patricks Facility?

Committee agreed that the matter needed to be clarified with NSW Workcover.

ACTION:
DEMO to check with Workcover on license status off Patrick facility at Dubbo Rail yards and provide advice to Dubbo City LEMC.

7	**DEMO REPORT:** • District EM Training: Update on courses – several courses cancelled because of insufficient nominations. • Update from DEMO Conference – held in Sydney October 2008 ▪ Review of SERM Act. ▪ Regional support to EM system / EM service delivery ▪ EM structures / effectiveness of current EM arrangements ▪ Local EM plans; purpose, format and support to LEMCs ▪ Volunteers within ES agencies • SIMS roll-out (Spatial Information Management System): EICU – Department of Lands to provide demonstration to DEMO 22/12/2009. Workshop to be held at Dubbo in February / March. • NSW / QLD Emergency Management liaison meeting held on 30/10/2008. **Moved DEMO report be accepted.** **Moved:** Greg MARKWICK **SECONDED:** Ingo STEPPAT **CARRIED**
8	**GENERAL BUSINESS**
8.1	**District Contact Directory Review:** ***Permanent Agenda Item*** Review Contact Directory. Contact Directory tabled for review and change by committee members. DEMO to distribute Contact Directory with Meeting Minutes.
8.2	**Emergency Risk Management Projects:** Report from LEMC and DEMO. ***Permanent Agenda Item*** UPDATE REPORTS FROM LEMO's & DEMO: **Walgett:** Draft document has been prepared. Next LEMC meeting will review report. **Dubbo City:** Draft "All Hazards" report has been completed and distributed. The LEMC Working Group will meet 08/12/2008 to review document. **Gilgandra:** Report has been adopted by LEMC & DEMC. Nothing done since then. Issues raised in report to be addressed by LEMC. **Coonamble:** Report on 'Natural Disasters" completed. Report has been adopted by LEMC & DEMC. Not a lot of progress since then. LEMC has to be re-activated and work on issues raised in report. **Mid Western:** SEMC knocked back report. Assessment undertaken by SEMC reported that 75% completed. LEMC working with CENTROC Consultant to address issues.

	Warrumbungles: Completed report. Matter discussed at LEMC meeting 10/11/22008. Phil Southwell (E.S Coordinator – Shire Council) to meet with DEMO and examine report with view to provide a 'Strategic report' to LEMC so that project can be progressed. **Wellington:** Report has been approved by LEMC.
8.3	**DEMC Membership:** **Membership list to be formally endorsed at the DECEMBER meeting.** Current membership List was reviewed by committee. Committee agreed with proposal that no changes were required. **MOVED:** Graham MILGATE **SECONDED:** Andrew DRUMMOND **CARRIED** **DEMC Membership List: refer ATTACHMENT No. 1.**
8.4	**LEOCON positions – Review: Approval of DEOCON.** ***Permanent Agenda Item*** NSW Police Force – Western Region policy is to review and appoint LEOCONs and Alternate LEOCONs at each DEMC meeting date. DEMO presented current list to committee. **Current list is attached - Attachment No.2.** For committee member's information after Region Commanders / DEOCONs approval.
8.5	**DEMC MEETING DATES: Review of dates** Our current format of 1st Thursday on March / June / September & December clashes with the SEMC who meet on the same day. Consideration. Committee discussed. Committee agreed that dates will stay as planned with a change to the June meeting. This meeting to go forward 2 weeks (Third Thursday of month) so that SEMC and OES can attend the June meeting if desired. **Moved:** Carmen DWYER **Seconded:** Myles HUMPHRIES **CARRIED**
8.6	**LEMC MEETING DATES: Schedule of meetings.** Warrumbungle LEMC have provided list of meeting dates for 2009. (16/2; 18/5; 17/8 and 16/11/2008) Committee endorsed recommendation that all LEMCs provide meeting schedule list to DEMO, and that DEMO prepare and distribute a "Meeting Schedule" for 2009.

	Action: *DEMO to prepare and distribute Meeting Schedule 2009.*
8.7	**STRATEGIC DIRECTION – FORMAT DEMC MEETINGS:** Committee considered recommendation: Meeting / Presentation Schedule to be prepared for 2009 meetings with each Functional Area Agency / Coordinator to be listed on meeting agenda for presentation of planning and other important issues being considered / action within that area. DEMO spoke on recommendation - Increase participation in DEMC process and extend understanding and information within the DEMC and agencies. The Committee supported the proposal. Engineering Functional Area (Chris EVANS – Department of Commerce) agreed to provide a presentation at the next DEMC meeting. Presentations for consideration for June meeting were: 1. NSWFB – Hazmat 2. SES – State Storm Plan. 3. Mid Western LEMC – Electronic Displan 4. Environment Functional Area – DECC (Carmen Dwyer) [Dangerous Goods transportation] Several committee members spoke about streamlining the DEMC activities and meeting procedures. The Chairman supported these views and expressed a desire that meetings should not take as long as they presently do. Committee endorsed the proposal: 1. Meeting Minutes be distributed earlier that at present, and should be within 2 weeks of the date of meeting held. 2. Agency reports to be distributed by DEMO, via email, to members prior to meeting. 3. DEMC members to be provided with a schedule of deadline dates for future meetings. 4. Agency reports not received prior to meeting deadlines and distributed prior to meeting would not be discussed at meeting. Reports will be collected at meeting and distributed with meeting minutes. 5. Agencies wishing to have matters discussed at the meeting must give due notice and provide report listing the discussion item, prior to closure of meeting deadlines. **Action:** *DEMO to prepare a timeline for dates of actions for agencies to follow for reports.*

8.8	**DISTRICT DISPLAN:** Committee discussed issues advised by DEMO: Committee agreed: • To provide support and timely information to DEMO to finalise draft plan. • To support the concept of having a "Risk Summary" for each LEMC area within the District Displan. • To support the concept of having a "Risk Treatment Summary" (listing the main OPERATIONAL treatment strategies) for each LEMC area within the District.

9	**MATTERS RAISED AT LEMC MEETINGS and/or by LEMOs -** Submitted for attention of DEMC.
	NIL reported to DEMO / DEMC Executive Officer.
10	**LEMO – LEMC REPORTS**
	Reports received from: # Gilgandra LEMO Copies of report distributed to members and will be included in meeting minutes.
11	**AGENCY REPORTS**
	Reports received prior to meeting from: • Rural Fire Service • Australian Rail & Track Corporation (ARTC) • DECC – Environment • DPI • NSWFB Copies of report included in meeting minutes. Report raised at meeting: David Monk (SES) reported that recent Storm event at Coonabarabran had presented a few issues. Local community members were not phoning "132500" SES contact number and were calling the local VRA Rescue Squad and Police direct. The Coonabarabran Hospital was extensively damaged. The event was being managed from SES Region Office, Dubbo using Coonabarabran VRA Rescue Squad resources on the ground. The police had assumed too much operational responsibility, which may have been due to police relatively new to role of LEOCON. SES will be discussing some other operational issues direct with NSW Fire Brigades. There is a need to further discuss 'Storm' Operations / Storm Plan provisions with the LEMC. The committee noted the report.

12	**MATTERS RAISED WITHOUT NOTICE:** Nil
13	**CONFIRM NEXT MEETING:** **Confirm date / location / venue for the next meeting** **DATE:** Thursday, 5th MARCH 2009 at venue to be determined and advised.
	MEETING CLOSED: 1510 hrs

Assistant Commissioner BRADSHAW
DEOCON / Chairman

Minute Recorder:
Stuart Davies
District Emergency Management Officer
(Executive Officer)

LIST OF ATTACHMENTS

Attachment No. 1 - DEMC member list

Attachment No. 2 - LEOCON Appointments

Attachment No. 3 – 2008/2008 EM District Training Program
{Separate electronic file}
Refer to DEMO Report.

Attachment No. 4 - Agency Reports:
{Separate electronic file – sent to DEMC members}

- Rural Fire Service
- ARTC
- DECC – Environment
- NSWFB

Attachment No. 5- LEMC Reports:
{Separate electronic file - sent to DEMC members}

No reports received prior to meeting agenda being forwarded to DEMC members.
Received at a later date:

- Gilgandra LEMO

Attachment No. 6 – DEMC Contact Directory:
{Separate electronic file – sent to DEMC members}

ATTACHMENT No. 1:

DEMC COMMITTEE MEMBERSHIP List:

Western Slopes District Emergency Management Committee

Chair: Assist Commissioner Steve Bradshaw

(Alternate) Local Area Commander – Stan SINGLE (Dubbo)
Local Area Commander – Michael CLEARY (Mudgee)
Local Area Commander – Mark GALLAGHER (Walgett)

District Emergency Management Officer (DEMO): Stuart Davies

DEMC profile:

AGENCY	NUMBER
Emergency Service Organisations	6
Functional Areas	7
Local Government	9
Others	8
TOTAL	30

DEMC Members:

ORGANISATION	*NAME*
Emergency Service:	
NSW Police	(as nominated by NSW Police Force - Region Commander)
NSW Fire Brigades	Region Commander - Neil Harris
Ambulance	Operations Manager – John Stonestreet / Max Stonestreet
State Emergency Service	Region Controller – David Monk
Rural Fire Service	Operations Officer – Gordon Hill
Volunteer Rescue Association	Region Coordinator – Graham Milgate
Functional Areas:	
Agriculture & Animal Services:	Greg Markwick (DPI)
Communication Services:	Mark Rich (Telstra)
Engineering Services:	Chris Evans (Commerce)
Environmental Services:	Carmen Dwyer (DEC)
Health Services:	Kaylene Green (GWAHS – Health)
Transport Services:	Sharlie Ovrahim (Transport)
Welfare Services:	Mark Shervashidze (DOCS)
Local Government*:*	
Coonamble	Murray Russell
Dubbo City	Stewart McLeod
Gilgandra	Myles Humphries
Mid Western Regional	Andrew Drummond
Narromine	Paul Gallagher
Warren	Ashley Wielinga
Warrumbungles	Bob Geraghty
Walgett	Ian Taylor
Wellington	Bryson Rees
Others:	
Australian Red Cross	Stephen Cashel
St John Ambulance Australia (NSW)	Geoff Kiehne
Australian Rail & Track Corporation	Paul Dodd
Defence	Martin Holmes (JOSS – NSW)
Singapore Power (natural gas)	Jeffrey Hollis
Country Energy	Peter Halliwell
Royal Flying Doctor Service	Roger Petheram
Roads & Traffic Authority	Paul Maloney

CURRENT AS AT DEMC MEETING: 04 DECEMBER 2008

ATTACHMENT No. 2:

LEOCON APPOINTMENTS – Western Slopes EM District: Appointments as at DEMC meeting held 04 SEPTEMBER 2008.

LGA / EM Area	LEOCON	ALTERNATE LEOCON
Dubbo City	Supt. Stan SINGLE (Dubbo)	Insp. Matt SCOTT (based at Dubbo)
Coonamble	Sgt. Mark HOATH (Coonamble)	Supt. Mark GALLAGHER (LAC – Castlereagh based at Walgett)
Gilgandra	Sgt. Kane NORRIS (Gilgandra)	Supt. Stan SINGLE (LAC – Orana based at Dubbo)
Mid Western Regional	Supt. Michael CLEARY (Mudgee)	Inspector Greg SPINKS (based at Mudgee).
Narromine	Sgt. Duane MACPHERSON (Narromine)	Supt. Stan SINGLE (LAC – Orana based at Dubbo)
Warren	Sgt. Matthew HORSINGTON (Warren)	Supt. Michael Robinson (LAC – Darling River based at Bourke)
Warrumbungles	Sgt Scott TANNER (Coonabarabran)	Supt. Michael CLEARY (LAC – Mudgee based at Mudgee)
Walgett	Supt. Mark GALLAGHER (Walgett)	Insp. David (Bob) NOBLE (based at Walgett)
Wellington	S/Sgt. Andrew HURST (Wellington)	Supt. Stan SINGLE (LAC – Orana based at Dubbo)

SUBJECT TO APPROVAL BY DEOCON / REGION COMMANDER AFTER DEMC MEETING CONDUCTED 04 DECEMBER 2008.

Assistant Commissioner Steve Bradshaw
Region Commander
Western Region

ATTACHMENT No. 3:

2008-2009 Western Slopes EM Training / Activity Program

{Separate electronic file attached}

ATTACHMENT No. 4:

AGENCY DEMC REPORTS:

Rural Fire Service
ARTC
DECC – Environment
NSWFB
DPI

{Separate electronic file attached}

ATTACHMENT No. 5:

LEMC DEMC REPORTS:

Gilgandra LEMO

ATTACHMENT No. 6:

DEMC EMERGENCY CONTACT DIRECTORY:

{Separate electronic file sent to DEMC members}

ATTACHMENT No. 3:

2008-2009 Western Slopes EM Training / Activity Program

{Separate electronic file attached}

ATTACHMENT No. 4:

AGENCY DEMC REPORTS:

Rural Fire Service
ARTC
DECC – Environment
NSWFB
DPI

DISTRICT EMERGENCY MANAGEMENT COMMITTEE AGENCY or FUNCTIONAL AREA REPORT TO DEMC

24th November 2008

Report submitted by: Regional Operations Manager – Gordon Hill

Agency or functional area: NSW Rural Fire Service

Date: 24th November 2008

Report submitted for inclusion in the Business Papers of the Western Slopes District Emergency Management Committee meeting scheduled for: 4th December 2008

The following activities have been undertaken or are being undertaken by this agency:

PLANNING:
Hazard Reduction program has been completed in Region West for the 2008 year with a total of 14973. 6 H/as treated as follows-

Burning	8172 .4 H/as
Mechanical	6269. 6 H/as
Grazing	378 . 05 H/as
Other	153. 55 H/as

TRAINING (EXTERNAL):

Three staff members from Region West have attended the Advanced Diploma in Business Management at Bateman's Bay this year.

TRAINING (INTERNAL):

A Group Leader Grasslands course has been developed and is being rolled out across Region West.

Practical Crew Leader assessments were conducted as part of the 2008 Burrendong exercise.

Other courses completed included;

Fire Line Tree Felling course 7th August - 10th August at Darlington Point in the Riverina.

Region West will pilot a program involving the assessment of RFS members at "real" Incident Management Teams over the 08/09 fire season.

OPERATIONS:

District Operations have supported a significant number of Hazard reduction burns across the region.
These strategic Hazard reduction works will assist in the containment of wildfires later in the fire season in a number of areas.

The lack of winter rains in many areas has resulted in reduced summer fuels in most areas of the region west of the Newell Highway.

Spring rains in many eastern parts of the region, mainly on the Western slopes and ranges have produced significant areas of grassland fuels which were beginning to cure off.

Several fires occurred in early November in forested areas in the Wellington and Orange districts as a result of lightning strikes.
These fires which were in difficult country were aggressively attacked and extinguished in the early stages following detection utilising aircraft and supporting ground crews.

Forested areas on the slopes and ranges are carrying moderate to heavy fuel loadings which were beginning to dry off before significant falls of rain were received in mid November.

Under the current weather conditions, with the arrival of the significant rainfall, the fire season in the Western slopes part of the region will be delayed until middle December or later.

All District Brigade equipment has been inspected and serviced during winter and spring ready for any outbreaks of fire.

The ongoing drought conditions still evident in a major part of the region coupled with the emerging negative financial growth will result in reductions in some local brigade membership numbers as regional workforce numbers are reduced.

State and Federal aviation resources will be available again this fire season to support brigades in the early detection and initial response to identified fires.

EXERCISES:

The annual multi Agency Exercise for Region West was conducted on the 30/31 August 2008 at Burrendong sport and Recreation Centre.

This exercise which involved other agencies such as NSWFB, Correctives Services and St John Ambulance proved to be very successful with over 300 persons attending.

PROJECTED ACTIVITIES: Nil

DEVELOPMENT PROJECTES: Nil

EMERGENCY RISK MANAGEMENT PROJECT STUDIES: Nil

CONTENTIOUS ISSUES OR MATTERS TO BE RAISED: Nil

OTHER MATTERS: Nil

Signed:

G R Hill

WESTERN SLOPES DISTRICT EMERGENCY MANAGEMENT COMMITTEE

FUNCTIONAL AREA REPORT

FOR DEMC MEETING – THURSDAY 4th December 2008

Report submitted by: Paul Dodd, Western Region Safety Officer, Parkes

Agency or Functional area: Australian Rail Track Corporation

Date: Wednesday 3rd December 2008

This report is submitted for inclusion in the Business Papers of the Western Slopes District Emergency Management Committee meeting scheduled for: Thursday 4th December 2008.

The following activities have been undertaken or are being undertaken by this agency:

PLANNING: ARTC are not planning or carrying out any major activities that will have any impact on the Western Slopes District Emergency Management Committee.

With the coming summer weather ARTC will not be carrying out any hazard reduction burns within the rail corridor and all "hot" work such as rail welding and rail grinding will only be carried under approved conditions, this requires approval from the corridor manager and is subject to stringent controls even if the situation is an emergency or track failure issue..

TRAINING (INTERNAL): **Nil.**

TRAINING (EXTERNAL): A number of ARTC Safety Officers including myself have submitted our training development programme for the next 12 months which will include a number of advanced computer training courses and the emergency management "Evacuation Management" training course as discussed in the last ARTC report.

OPERATIONS: With the current grain harvest underway ARTC track maintenance personnel in-conjunction with Transfield Services are carrying out mandatory reactive maintenance activities within grain sidings throughout the region to ensure that these sidings are in a suitable condition for the transport of grain.

In relation to the above there was a derailment at Wyanga (between Peak Hill and Narromine) on Thursday of last week where the rails spread underneath some loaded 81 tonne grain wagons the resulting damage took 2 days to repair.

ARTC personnel have been involved with Parkes Shire council and the RTA in relation to road improvement works at Welcome level crossing (between Parkes and Forbes) and also at the Newell Highway level crossing at Parkes. The work at Parkes

involved the removal of a large steel panel from within the road surface that used to cater for the mechanical operation of the points and signals from the former Parkes signalbox.

Major re-sleepering works are planned between Parkes and Narromine commencing after the New Year break, this work will involve the installation of some 30.000 new timber and steel sleepers between these locations.

EXERCISES: ARTC are not planning any exercises within the Central West DEMC zone that would have any impact on the District Emergency Management Committee, if any exercises are being planned by any of the other agencies or functional areas that would need a response from ARTC please do not hesitate to contact me at anytime and I will advise on what ARTC can and cannot provide.

PROJECTED ACTIVITIES: The new intermediate siding for Fletcher International is planned to be commissioned on Tuesday 16th December 2008, the siding located just east of Yarrandale Road level crossing will allow Fletcher's to unload and reload container and other traffic for transport between Dubbo and Port Botany.

Although the siding will have the capacity to accommodate trains up to 1350 metres in length, current plans are that trains of only 650 metres will service the siding owing to accommodation restrictions within Dubbo yard.

The operational plan that has been developed for the shunting of the siding will see only minor delays to road traffic at Yarrandale Road when trains are departing the siding, as all trains entering the siding will do so from the Merrygoen end of the siding.

DEVELOPMENT PROJECTS: ARTC are at present in the process of developing a project that will see the removal of all manual methods of operating trains between locations, this will see the removal of mechanical signalling systems and manual systems of safeworking.

The major reason for this project is the continuing theft of various manual and mechanical pieces of safeworking equipment from locations all over the state, despite the best efforts of ARTC and train operational personnel these thefts are still continuing causing operational delays to trains and additional work loads on network control staff.

EMERGENCY RISK MANAGEMENT PROJECT STUDIES: ARTC will continue to participate in the review of any Risk Management Studies or Projects that any of the other agencies or functional areas submits for review.

CONTENTIOUS ISSUES OR MATTERS TO BE RAISED: **Nil.**

OTHER MATTERS: **Nil**

DEMC Contact Information if going on leave during the following 6 months: **N/A**

WESTERN SLOPES DEMC – MEETING MINUTES: 04 DECEMBER 2008

Signed:

Paul Dodd
Western Region Safety Officer

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Western Slopes DISTRICT EMERGENCY MANAGEMENT COMMITTEE

Agency / Functional Area REPORT to DEMC

Report submitted by: Kharl Turnbull

Agency or Functional area: Department of Environment and Climate Change (DECC)

Date: 2/ 12/ 08

Report submitted for inclusion in the Business Papers of the District Emergency Management Committee meeting scheduled for: 4h December 2008

The following activities have been undertaken or are being undertaken by this agency:

PLANNING: Nil

TRAINING (INTERNAL): Nil

TRAINING (EXTERNAL): Nil

OPERATIONS: Nil.

EXERCISES: Nil

PROJECTED ACTIVITIES: Nil

DEVELOPMENT PROJECTS: Nil

EMERGENCY RISK MANAGEMENT PROJECT STUDIES: Nil

CONTENTIOUS ISSUES OR MATTERS TO BE RAISED: Nil

OTHER MATTERS: Nil

Signed: Carmen Dwyer .....

.....

Western Slopes DEMC – December 2008

Agency Report: **NSW Department of Primary Industries**
(Agriculture Services Functional Area)

Preparedness / Training

Basic Emergency management training was provided for 22 regional staff and assessment against national competencies was conducted. Training conducted for 54 DPI and RLPB staff in "Working Safely Around Aircraft" in preparation for locust operations

DPI Division of State Forests has moved onto alert status for bushfires across the region as a routine element of fire management on the estate.

NSW DPI has moved into new premises in Dubbo at the corner of Cobra and Hampden Streets. The conference room opf the new office has been equipped with IT and phone facilities for use as an EOC in DPI operations.

Operations

DPI is currently operational in control of Australian Plague Locusts particular in the Riverina and South West Slopes area. Australian Plague Locust Commission is responsible for locust control in the area of the state west of the Newell Highway and DPI and the Rural Lands Protection Boards are responsible in the eastern parts of the state.
Recent sitrep is attached.

GREG MARKWICK
DASFAC
Regional Director
DPI (Western Region)
Dubbo.

NSW DEPARTMENT OF **PRIMARY INDUSTRIES**

Emergencies Weeds & Pest Animals
Locked Bag 21, ORANGE NSW 2800
Phone (02) 6391 3680, Fax (02) 6391 3388

AUSTRALIAN PLAGUE LOCUST
STATE LOCUST COORDINATION CENTRE
SITUATION REPORT No. 13 - 28 November 2008

CURRENT SITUATION

Areas affected
Cooler wet weather during the last 2 weeks has affected the reporting of locust activity. It is likely that locust numbers have not altered markedly, but rather that locusts are less mobile and hence less visible. Swarming locusts went to ground as conditions were unfavourable for flying. Consequently, reports may not accurately reflect either numbers or areas of activity. As weather returns to a drier pattern early next week, there will be an expected upswing in locust activity and reporting.

The **TOTAL NUMBER OF CONFIRMED REPORTS** is **2,813** (see *Appendix 1*), which is **AN INCREASE** of 92 since the last Report. Based on new system for calculating locust area of infestation (10km buffer of all points), reports of locusts have been received across an area up to 9.4 million ha, or approximately 11.7% of the State. Swarm areas now cover 3.4 million ha, or approximately 4.2% of the State. Total number of swarms is 314.

The rainfall occurring over wide areas of the state has disrupted harvest in most districts and is likely to be further delayed as a result of the storm activity. Harvest will resume next week as crops dry out which may affect reporting.

Fine weather early this week encouraged some swarming action particularly in the afternoons. Storms across central and southern NSW yesterday and today have created ideal conditions for uplift of swarms. Some migration has been noticed in the Riverina board and more migration of up to 500km to the south may occur. Rangers have been asked to be alert to new swarms appearing from outside their districts and the possibility of swarms occurring where there are no previous reports.

Very light density swarms entered the residential areas of Wagga on Friday morning which will likely increase reports from the public over the weekend.

Incidence of egg development is increasing indicating likely further hatchings of nymphs (in favourable conditions) from mid-December. Low density locusts in the south-eastern part of the Nyngan RLPB are expected to start laying next week with hatchings mid-late December and banding around Christmas. Surveys of swarms surrounding Temora and Wagga indicate that fat levels are low and egg development is at an early stage, particularly in locusts on stubble.

Control
Fixed wing aerial spraying with Sumithion (ULV fenitrothion) is on standby until weather conditions improve and control targets can be identified. APLC aerial surveillance and ground surveillance by rangers to the 28 November has indicated that there are currently no targets suitable for aerial control. The requirement for a "no spray buffer zone" of a minimum 1500 m upwind and 150 m on all other sides of water sources (dams), creekbeds, domestic dwellings and other sensitive areas will limit the possibilities for aerial application.

Swarms detected in close proximity to crops awaiting harvest will present problems in relation to the withholding period applicable to the chemical used. Harvesting operations and harvest planning can be expected to take precedence over locust control spraying.

Ground spraying of fledgling swarms with high boom settings or misters in the early evening or morning to catch locusts on the ground continues to be effective and is encouraged where appropriate. Windy conditions have limited the extent of this spraying. Only trained operators are permitted to use misting sprayers. An SOP for mister use is being developed by Wagga FCP.

Landholders are usually supplied with either chlorpyrifos or fenitrothion for ground spraying of locusts. Metarhizium has been used on a few organic crops and sensitive area habitats. Post control checks are being carried out in most Boards. They have shown chemical application to be effective without any adverse impacts.

All Boards are responding to reports from landholders and implementing local locust control measures where appropriate.

Surveillance
To midday 28 November aerial and ground surveillance by APLC and RLPB Rangers has not identified any targets suitable for aerial control in Narrandera or Condobolin RLPBs. The population in this region appears less dense than previously and may have dispersed locally or partially relocated further afield.

Conditions for significant movements of locusts appeared favourable on the evening of 28 November with subsequent reports of unusual levels of locust activity across a number of districts during the night. Prevailing unstable weather is hampering confirmation of substantial changes to the overall population and close monitoring will continue as conditions allow.

NSW DPI recommenced aerial surveillance 25 November based on ground co-ordinates provided by rangers. 7 of 25 target areas were covered with very low numbers of locust identified, likely due to cool conditions. No further aerial surveillance has been possible with surveillance not expected to resume until Tuesday 1st December.

Ground staff are continuing to verify swarms and assess them for aerial or ground control. Locust condition and egg development is also being monitored.

Forecast
Forcasts indicate scattered storms throughout Friday and Saturday. Showers will clear late Saturday and Sunday. Control opportunities are likely to improve next week with fine weather and temperatures in the mid to high twenties predicted (information from BOM website and COLA).

OPERATIONS/STAFFING

Insecticide Management
Insecticide distributed to FCPs/RLPBs, on-hand at DPI storage facilities and on order is shown in *Appendix 3.*

Two deliveries of fenitrothion in small containers will shortly finalise a much-delayed order. These deliveries are expected into store 2nd December and 11th December. Chlorpyrifos is continuing to be used in preference to fenitrothion where appropriate. Enough chlorpyrifos has been sourced to treat 30,000 ha. Bulk quantities of fenitrothion are being issued to, and used by spray contractors and local government. A reconciliation of chemical quantities in logistic store against SCC records continues.

Coordination and Command Centres

- SCC in Orange
- LLCC Operating in "C" block at Wagga ARI
    - Controller, Operations Manager, Operations Support, Planning Manager, Logistics Manager, Registry, Air Ops Controller, Air Ops Observers
- Operating FCP at Wagga RLPB office at 17 Trail St Wagga
- Operating FCP at Narrandera RLPB office at 8 Bolton St Narrandera

- Operating FCP at Forbes RLPB office at 46 Sheriff St Forbes
- Establishing roster for staffing requirements to Friday 19 December. Staff will not be rostered into Coordination Centres and Command Posts from 19 December through to the New Year.
- Hume, Forbes and Gundagai RLPBs report to Wagga Wagga LCC.

Staffing (for 28 November 2008)

State Coordination Centre (SCC)	11 NSW DPI / 1 State Council of RLPBs
Wagga Local Coordination Centre	5 NSW DPI
Wagga Forward Command Post	6 NSW DPI / 3RLPB
Narrandera Forward Command Post	2 NSW DPI / 2 RLPB
Forbes Forward Command Post	2 RLPB
Local RLPB (Gundagai/Condobolin)	7 RLPB
Total staff	24 NSW DPI / 15 RLPB = 39

OH&S
Zero injuries or fatalities reported.

Audits
Between 24 October and 26 November, 17 audits of FCPs, LCCs, RLPBs, Patrick Logistics insecticide storage depot and SCC were completed. Some audits were to follow up outcomes of previous audits, whilst some audits were new. The areas and activities audited included: chemical storage & distribution at SCC, FCP & Patrick Logistics (7); aircraft (3); ground control contractors (2); and logistics (5).

There are 11 audits with recommendations still to be finalised and confirmed.

INCIDENT REPORTS
Zero incidents have occurred since the last Sitrep. 6 incidents have been reported to date and these have been addressed.

RISK ASSESSMENT

Locust control staff operate under SOPs developed in consultation with staff from NSW DPI and RLPBs. Any aerial operations will operate under aircraft industry standards and SOPs.

NSW DPI continues to undertake risk assessment of all activities associated with locust control.

COMMUNICATIONS

- The external website has been updated
- The TV advertisement continues to run
- Communications key message continues to stress the importance of reporting even though harvest is underway
- Media release in the Riverina area covering backyard treatment options
- NSW DPI is assisting a journalist and photographer from the Sydney Morning Herald in the Narrandera area
- The ABC Radio community service announcement continues to run
- The ABC has approached NSW DPI asking if there is anything they can d to further assist the operation
- Further information has been supplied to the ABC locust website
- The Emergency (First Response) extranet and Locust Portal continues to be updated
- Phone hookup with RLPB will occur Monday 1 December 2008

The plague locust web page can be viewed on NSW DPI's external website at www.dpi.nsw.gov.au/info/locust. A plague locust site is also available on NSW DPI's intranet at http://intranet.dpi.nsw.gov.au/divisions/abms/branches/ewpa/reports/plague-locust so that staff can view the situation reports.

Regular phone link ups are held with NSW DPI Plague Locust Executive Management Team, Plague Locust Management Group, NSW Farmers' Association, Australian Plague Locust Commission, VIC DPI, RLPB rangers, FCP, LCC and SCC staff to discuss the locust situation across the State.

WESTERN SLOPES DEMC – MEETING MINUTES: 04 DECEMBER 2008

Contact details for the FCPs, LCC and SCC are available.

The next Sitrep will be produced on Tuesday 2nd December 2008 or earlier if needed.

Karen Roberts
Planning Manager
State Locust Coordination Centre

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WESTERN SLOPES DEMC – MEETING MINUTES: 04 DECEMBER 2008

District Emergency Management Committee
Western Slopes
NSW Fire Brigades Agency Report

4th December 2008

Report submitted for inclusion in the Business Report of the Western Slopes DEMC.

PLANNING:

- Second Deputy Captain appointed at 280 Stn Dubbo. Mr Rikki Brain.
- Hazard Categorisation throughout all towns protected by the NSW Fire Brigades as part of the Service Delivery Planning process has been conducted
- Officers at both Zone and Station level have been actively participating in local ERM studies
- Recruitment is on going for all Western Slopes Brigades at Coolah, Dunedoo, Gilgandra, Parkes, Peak Hill, Trangie, Walgett, Warren.

TRAINING (INTERNAL):

- Training is ongoing – conducted at both station level by Station Commanders and from Zone by Senior Instructors and the Zone Management Team (ZMT)
- Captains and selected Deputy Captains from 261 Coolah, 284 Delroy, 280 Dubbo, 281 Dunedoo, 300 Gilgandra, 367 Lightning Ridge, 401 Narromine, 465 Trangie, 482 Walgett, 491 Warren, 493 Wellington attended Captains conference at Wellington on 15th and 16th of November.
- Officers at 280 Dubbo, 300 Gilgandra, 482 Walgett, 493 Wellington provided with Fire Investigation Training and Built Environment Training conducted over 3 days in September this year
- Ongoing – conducted at both Station level by Station Commander and from Zone level by Senior Instructor and Zone Management Team
- Station Skills Maintenance program – ongoing
- Senior Instructor concentrating on Rescue training and Summer Fire Safety messages and appointing new motor drivers
- Operational Bulletins provided on Automatic Teller Machine Gas attacks and Chlorine enhanced improvised explosive devices,

TRAINING (EXTERNAL):

- Supt & Insp RW1 attended ICM Exercise 'Sudden Impact' Discussion Exercise in November
- New Senior Instructor appointed for RW1 S/O Lance McCabe

OPERATIONS:

- Ongoing response to structure fires, hazmat and rescue incidents throughout the Western Slopes DEMC.

PROJECTED ACTIVITIES:

To participate in:

- Continue PIP's – for Significant Assets in Western Slopes District.
- Participation in local ERM plans
- Participation in the Dubbo Railway exercise (hazmat)
- NSW Fire Brigades Summer Fire Awareness campaign.
- Inspector & Senior Instructor to liaise with senior officers of other agencies for possible multi agency exercises to develop cross agency skill set

WESTERN SLOPES DEMC – MEETING MINUTES: 04 DECEMBER 2008

EMERGENCY RISK MANAGEMENT PROJECT STUDIES:

- Participation in ERM projects throughout Western Slopes DEMC
- Hazard Categorisation throughout all towns NSW Fire Districts as part of the of the Service Delivery Planning Process has been completed

Superintendent David Felton
Zone Commander Regional West

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ATTACHMENT No. 5:

LEMC DEMC REPORTS:

Gilgandra LEMO

LEMC PROGRESS REPORT FOR WESTERN SLOPES EMERGENCY MANAGEMENT COMMITTEE MEETING TO BE HELD: 4 DECEMBER 2008			
LEMC	GILGANDRA	DATE PREPARED	27/11/2008
REPORT PREPARED BY	Myles Humphries – LEMO		
DATES LEMC MEETING HELD AND COMMENT	28 October 2008 – Members were provided with an overview of an EWS currently being advertised through Councils. Members noted costs involved for Council. The committee was advised of a visit by the Orange based rescue helicopter to inspect the site of the proposed heliport at the Gilgandra MPS. Unfortunately the visit was postponed due to emergency commitments. Contact was made with the Gilgandra based RSPCA inspector in relation to attendance at MVA's involving livestock.		

LOCAL DISPLAN	**LAST REVIEW DATE**	February 2004
LOCAL SUB PLANS (as applicable) ✱ **Flood** ✱ **Bush Fire Risk Management Plan** ✱ **Bush Fire Operation Plan** ✱ **Airport Emergency Plan** ✱ **Other**	**LAST REVIEW DATE** 16 September 2008 16 October 2006 16 October 2006 June 2004	COMMENTS: Plan is current Plan is Current Plan is Current To be redeveloped
LOCAL FUNCTIONAL AREA PLANS (as applicable) ✱ **Welfare** ✱ **Communications**	**LAST REVIEW DATE** June 2003 No Draft	Reviewed with Displan To be developed
EMERGENCY OPERATION CENTRE	LOCATION ESTABLISHED	SES H/Q Warrie Street YES
	DISPLAN LINES IN PLACE	YES
LOCAL EMERGENCY OPERATION CENTRE SOPS	LAST REVIEW DATE	To Be Developed
EXERCISES HELD	DATE LAST HELD	17th October 2006
	EXERCISE TYPE	Mid Air Crash
	EXERCISE SCENARIO	Fire, Rescue, Hazmat
EMERGENCY MANAGEMENT TRAINING	**COURSE NAME**	ERM Implementation
	NUMBERS TRAINED	6

EMERGENCY RISK MANAGEMENT IMPLEMENTATION PROGRESS:		
LEMC have committed to review of ERM Report and the production of a "Executive Review Report".		
Comment on LEMC ERM process/progress: The committee completely reviewed the ERM document and agreed on deficiencies to be worked on over the coming meeting		
Further information	Please **Bold/Shade** appropriate response	
Has Natural Disaster Mitigation Programme (NDMP) Funding been applied for to do this ERM study?	**YES**	NO
Was this application successful?	**YES**	NO
Is the LEMO or a consultant conducting the ERM process facilitation.	LEMO	**CONSULTANT**

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ATTACHMENT No. 6:

DEMC EMERGENCY CONTACT DIRECTORY:

{Separate electronic file sent to DEMC members}

5. WESTERN DIVISION ANNUAL CONFERENCE MINUTES

REPORTING SECTION: General Manager

AUTHOR: Ray Kent - General Manager

FILE NUMBER: 004/09/03/84

Summary:

The Minutes of the Conference, which was held at Balranald between 1st and 3rd March 2009, are attached.

Discussion (including issues and background):

Members may recall that Council considered a proposal from the Western Division, in 2008, that each member Council contribute $9,000 annually to enable the employment of a full time Chief Executive Officer. Council resolved that it was not supportive of the proposal. The matter was discussed at the Conference where a majority of Councils opposed the proposal. The motion carried by the Conference is found on page 9 of the Minutes. The motion reads:

"That the Western Division Group of the Shires Association of NSW engage a part time CEO to be located in the Western Division and funded by the Western Division Shires Association account with a $1,000 levy for each Council per year for a 3 year term."

Relevant Reference Documents:

Nil

Stakeholders:

Western Division Councils

Financial Implications:

Additional expenditure of $1,000 per annum for 3 years.

Recommendations:

1. That the Minutes be noted and an additional budget of $1,000 be provided for membership fees in 2009/10

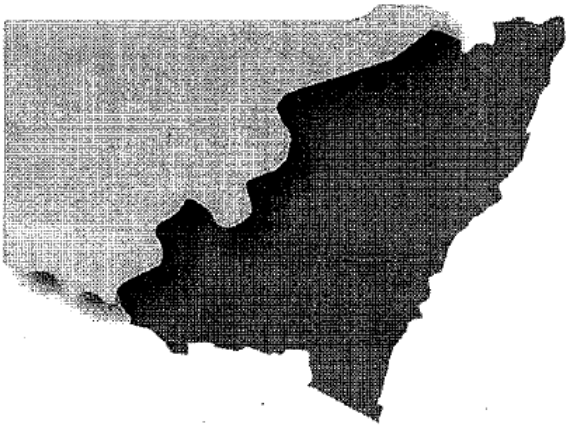
Attachments:

Minutes of the Annual Conference of the Western Division Group of the Shires Association held 1st to 3rd March 2009.

WESTERN DIVISION GROUP OF THE
SHIRES ASSOCIATION OF NSW

2009 ANNUAL CONFERENCE

MINUTES



1 – 3 March 2009

Hosted by Balranald Shire Council

Major Sponsor:

Department of Lands

"Vision and Determination to Achieve Positive Outcomes"

WESTERN DIVISION GROUP OF THE SHIRES ASSOCIATION OF NSW
ANNUAL CONFERENCE HELD IN BALRANALD ON SUNDAY 1 - TUESDAY 3 MARCH 2009

- IN ATTENDANCE -

MEMBER COUNCILS:

Balranald Shire Council:
- Councillor Ron Mengler, Mayor
- Councillor Tina Powis, Deputy Mayor
- Councillor Jeffrey Mannix
- Councillor Stephen O'Halloran
- Councillor Anthony Conway
- Councillor Ken Barnes
- Councillor Colin Armstrong
- Councillor Phil Ervin
- Councillor Leigh Byron
- Councillor Peter Lawler
- Mr Donald Cooper, General Manager
- Mr Chris Littlemore, Director of Corporate Services
- Mr Roy Hetherington, Director of Infrastructure & Development
- Mr Hank Van Apeldoorn, Manager Economic Development

Bogan Shire Council:
- Councillor Ray Donald, Mayor
- Councillor James Hampstead, Deputy Mayor
- Councillor Hazel Griffiths
- Councillor Glen Neill
- Mr Michael Brady, General Manager

Bourke Shire Council:
- Councillor Andrew Lewis, Mayor
- Councillor Wally Mitchell
- Mr Geoff Wise, General Manager

Brewarrina Shire Council:
- Councillor Matthew Slack-Smith, Mayor
- Councillor Wulf Reichler, Deputy Mayor
- Councillor Janette Barker
- Councillor Robert Watson
- Ms Glenda Tasker, General Manager

Broken Hill City Council:
- Mr Ken Boyle, Administrator
- Mr Frank Zaknich, General Manager

Carrathool Shire Council:
- Councillor Peter Laird, Mayor
- Councillor Vince Cashmere
- Mr Ken Croskell, General Manager

Central Darling Shire Council:
- Councillor Ray Longfellow, Mayor & President, Western Division Group
- Councillor Graham Wellings, Deputy Mayor
- Councillor Moya Reid
- Councillor Peter Sullivan

- Councillor Clive Linnett OAM, AFSM
- Councillor Garry Astill
- Councillor Ron Page
- Mr Tim Hazell, General Manager
- Mrs Mel Brown, Executive Support

Cobar Shire Council:
- Councillor Lilliane Brady, Mayor
- Councillor Greg Martin, Deputy Mayor
- Councillor Robert Sinclair
- Councillor Gerard Francisco
- Councillor Michael Cox
- Mr Ray Smith, General Manager

Hay Shire Council:
- Councillor Michael Rutledge, Mayor
- Councillor Peter Dwyer, Deputy Mayor
- Councillor Lionel Garner
- Mr Allen Dwyer, General Manager

Lachlan Shire Council:
- Councillor Des Manwaring, Mayor
- Councillor Peter Harris
- Mr George Cowan, General Manager

Walgett Shire Council:
- Councillor Ian Woodcock, Mayor
- Councillor Geoffrey Colless, Deputy Mayor
- Mr Ray Kent, General Manager

Wentworth Shire Council:
- Councillor Margaret Thomson, Mayor
- Councillor Brian Wakefield, Deputy Mayor
- Councillor Melisa Hederics
- Councillor William Wheeldon
- Councillor Don McKinnon
- Councillor Susan Nichols
- Councillor Ian Whitfield
- Mr Peter Kozlowski, General Manager

MINISTERS:
- The Hon Barbara Perry MP, Minister for Local Government and Minister Assisting the Minister for Health (Mental Health)

SHADOW MINISTERS:

- Mr Kevin Humphries MP, Shadow Minister for Healthy Lifestyles, Aboriginal Affairs and Western NSW
- The Hon Sussan Ley MP, Federal Member for Farrer and Shadow Minister for Justice and Customs

LOCAL MEMBERS:

- Mr John Williams, MP, Member for Murray-Darling

LOCAL GOVERNMENT AND SHIRES ASSOCIATION OF NSW

- Councillor Bruce Miller, President
- Mr Bill Gillooly, AM, Secretary General
- Mrs Lillian Tiddy, Manager of Workplace Solutions
- Ms Kate Walsh
- Ms Liz Gems
- Mr Mark Anderson

OTHERS:

- Mr Mike Flemming, Director Reform Implementation, Department of Local Government
- Mr Geoff Woods, Western Lands Commissioner
- Mr Peter Dearden, Western Regional Manager - Roads and Traffic Authority
- Mr Jeff Caldbeck, Chief Executive Officer – Central West Rural Counselling Service
- Councillor Terry Hogan AM, RAMROC Chairman and Mayor of Jerilderie Shire Council
- Mr Scott Dunn, Active Living, Senior Project Coordinator, Heart Foundation
- Commander Ian Dickson, Barrier Local Area Command
- Mr Paul Smith, Acting Manager – Region West, Rural Fire Service
- Mr Mark Peacock, Director Western Branch, National Parks and Wildlife
- Father Chris Reily – Youth Off the Streets

SPONSORS:

Department of Lands
- Mr Doug Walsham, Executive Manager

Lower Murray Darling Catchment Management Authority
- Mr Mark King, Chairman
- Ms Susan Walla, Education Facilitator

Telstra
- Mr Andrew Cottrill, Area Manager – Riverina Murray

Local Government Procurement
- Mr Brian O'Mara, General Manager

Country Energy
- Mr Derrick Hines, Account Manager – Government
- Ms Maryanne Zammit

Suncorp
- Mr Alister Murphy
- Mr Troy Constance

Balranald Ex-Services Club
- Mr Peter Sidaway, President

Australian Vintage
- Mr Brendan Blake
- Mrs Jenny Blake

Pipeline Technology Services
- Mr Richard Powel

WESTERN DIVISION GROUP OF THE SHIRES ASSOCIATION OF NSW
ANNUAL CONFERENCE HELD IN BALRANALD ON SUNDAY 1 - TUESDAY 3 MARCH 2009

- APOLOGIES -

GOVERNORS
- Her Excellency Ms Quentin Bryce AC, Governor-General of Australia
- Her Excellency Professor Marie Bashir AC, VCO, Governor of New South Wales

MINISTERS:
- Senator The Hon Penny Wong MP, Federal Minister for Climate Change and Water
- The Hon Peter Garrett MP, Federal Minister for Environment Heritage and the Arts
- The Hon Nathan Rees MP, Premier of New South Wales and Minister for the Arts
- The Hon Joseph Tripodi MP, Minister for Finance, Minister for Infrastructure, Minister for Regulatory Reform and Minister for Ports and Waterways
- The Hon Tony Kelly MLC, Minister for Police and Minister for Lands
- The Hon Ian Macdonald MLC, Minister for Primary Industries, Minister for Energy, Minister for Mineral Resources and Minister for State Development
- The Hon Linda Burney MP, Minister for Community Services
- The Hon Paul Lynch MP, Minister for Ageing, Minister for Disability Services and Minster for Aboriginal Affairs
- The Hon Tony Catanzariti MLC, Member of the Legislative Council

COUNCILLORS:
- Councillor Angus Geddes, Brewarrina Shire Council
- Councillor Graham Wellings, Central Darling Shire Council
- Councillor Gerard Francisco, Cobar Shire Council
- Councillor Peter Harris, Lachlan Shire Council
- Councillor Katrina Humphries, Mayor, Moree Plains Shire Council
- Councillor Mike Montgomery, Moree Plains Shire Council
- Mr David Aber, General Manager, Moree Plains Shire Council
- Councillor Geoffrey Colless, Walgett Shire Council
- Councillor Ian Whitfield, Wentworth Shire Council

OTHERS:
- Mr Ray Stubbs, Chief Executive Officer – RAMROC Councils
- Mr Tony Thirlwell, Chief Executive Officer – Heart Foundation
- Mr Chris Taylor, Area General Manager – Telstra Country Wide Western Region
- Mr William Thomson, Chairperson, Tibooburra Villiage Committee
- Mr Brian Dodson, Rural Financial Councillor – Wentworth/Balranald Rural Counselling Service

- SESSION 1 -

CHAIRED BY COUNCILLOR RAY LONGFELLOW, PRESIDENT

CALL TO ORDER:

President, Couricillor Ray Longfellow called the proceedings to order for the commencement of the 2009 Annual Conference.

MINUTE SILENCE:

Minute silence was held for the victims of the Victorian Bushfires

NATIONAL ANTHEM:

Delegates and guests were requested to be upstanding for the singing of the National Anthem.

WELCOMES:

President, Councillor Ray Longfellow welcomed delegates and guests to the 2009 Annual Conference.

OFFICIAL OPENING AND ADDRESS:

The Hon Barbara Perry MP Minister for Local Government addressed the Conference. At the end of her presentation, the Minister Officially opened the conference.

ADDRESSES:

The following guests made addresses to delegates on a variety of relevant issues.

- Mr Kevin Humphries MP, State Member for Barwon, Shadow Minister for Healthy Lifestyles, Shadow Minister for Aboriginal Affairs, Shadow Minister for Western NSW
- Councillor Bruce Miller, President Shires Association of NSW
- Mr John Williams MP, State Member for Murray-Darling
- Father Chris Riley, CEO and Founder Youth Off The Streets

Nominations for the Executive Positions of the Western Division Group of the Shires Association of NSW opened.

The Conference adjourned for morning tea at 11.00am and reconvened at 11.30am.

- SESSION 2 -

CHAIRED BY COUNCILLOR RAY LONGFELLOW, PRESIDENT

ADDRESSES:

The following guest made an address to delegates on a variety of relevant issues.

- The Hon Sussan Ley, Federal Member for Farrer, Shadow Minister for Housing and the Status of Women

FORMAL CONFERENCE BUSINESS:

STANDING ORDERS:

MOTION: That the standing orders as printed in the business paper be adopted. Moved Hay, Seconded Bogan	CARRIED

APOLOGIES:

MOTION: That the apologies be accepted. Moved Carrathool, Seconded Cobar	CARRIED

CONFIRMATION OF MINUTES:

2008 Annual Conference

MOTION: That the minutes of the 2008 Annual Conference held in Cobar on 2-4 March 2008, as distributed, be adopted. Moved Cobar, Seconded Bogan	CARRIED

2008 Mini Conference

MOTION: That the minutes of the 2008 Mini Conference held in Sydney on 2 June 2008, as distributed, be adopted. Moved Brewarrina, Seconded Wentworth	CARRIED

2008 Mid Term Meeting

MOTION: That the minutes of the 2008 Mid Term Meeting held in Cobar on 17 October 2008, as distributed, be adopted. Moved Cobar, Seconded Central Darling	CARRIED

PRESIDENT'S REPORT:

President, Councillor Ray Longfellow referred to his President's Report as printed in the Agenda.

MOTION: That the President's Report be adopted. Moved Central Darling, Seconded Bourke	CARRIED

SECRETARY'S REPORT:

President, Councillor Ray Longfellow referred to the Secretary's Report.

WESTERN DIVISION GROUP OF THE SHIRES ASSOCIATION OF NSW
ANNUAL CONFERENCE HELD IN BALRANALD ON SUNDAY 1 - TUESDAY 3 MARCH 2009

MOTION: That the Secretary's Report, be adopted. Moved Central Darling, Seconded Cobar	CARRIED

FINANCIAL REPORT:

President, Councillor Ray Longfellow referred to the Financial Report.

MOTION: That the Financial Report, be adopted. Moved Cobar, Seconded Central Darling	CARRIED

CONSIDERATION OF MOTIONS:
It was requested that Motion 13/09 be moved forward on the Agenda and discussed due to the relevance of the future of the Western Division Group of the Shires Association of NSW.

MOTION 13/09 – Bourke Shire Council

MEMBERSHIP ON THE EXECUTIVE FROM WESTERN DIVISION GROUP OF THE SHIRES ASSOCAITION OF NSW

That the Western Division Group of the Shires Association of NSW resolves that only the representatives from J Division be eligible for appointment to the Executive of the Western Division of the Group of Shires Association. Moved Bourke, Seconded Cobar	DEFEATED

FUTURE OF THE WESTERN DIVISION GROUP OF THE SHIRES ASSOCIATION OF NSW:

The President, Councillor Ray Longfellow offered the following words to the Conference delegates:
'As can be seen, our theme for this conference is 'Vision and Determination to Achieve Positive Outcomes' We are encountering difficult times because of the economic downturn, globally and locally, and the immediate future is less than positive but we must have the fortitude to move forward with vision and determination and we will achieve positive outcomes.
I realize that many of our Councils have affiliations with ROC's groups, and that is to be complimented and a positive way forward.
We as the Western Group of Shires have a unique understanding of the needs for this diverse and huge part of Western NSW, covering a landmass of approximately 42% of the State.
We know about the isolation, the tyranny of distance, and at times the lack of political will – both State and Federal – to acknowledge our unique circumstances. But as a united body we can achieve political clout, providing positive outcomes for our constituents and the Western Division as a whole.
We do have a role to play and united we can achieve; we can show we have vision and we have the determination and will to succeed and work together to gain positive outcomes.
We can learn from past mistakes – the way is forward and united we can, and will survive.
I encourage open robust and constructive debate to achieve a rewarding outcome that is acceptable and positive for the way forward.

Nominations for Executive positions closed at 1:00pm

The Conference adjourned for lunch at 12.35pm and reconvened at 1.35pm.

WESTERN DIVISION GROUP OF THE SHIRES ASSOCIATION OF NSW
ANNUAL CONFERENCE HELD IN BALRANALD ON SUNDAY 1 - TUESDAY 3 MARCH 2009

- SESSION 3 -

CHAIRED BY COUNCILLOR RAY DONALD, SENIOR VICE PRESIDENT

FUTURE OF THE WESTERN DIVISION GROUP OF THE SHIRES ASSOCIATION OF NSW:

MOTION: That the Western Division Group of the Shires Association of NSW engage a part time CEO to be located in the Western Division and funded by the Western Division Shires Association account with a $1000 levy for each Council per year for a 3 year term.
Moved Bogan, Seconded Bourke CARRIED UNANIMOUSLY

ADDRESS:

The following guests made addresses to delegates on a variety of relevant issues:

- Mr Scott Dunn, Active Living, Senior Project Coordinator, Heart Foundation
- Mr Geoff Woods, Western Lands Commissioner
- Ms Lillian Tiddy, Manager of Workplace Solutions, LGSA
- Mr Brian O'Mara, Manager Local Government Procurement, LGSA

The Conference adjourned for afternoon tea at 3.06pm and reconvened at 3.35pm.

- SESSION 4 -

CHAIRED BY COUNCILLOR RAY LONGFELLOW, PRESIDENT

ADDRESS:

The following guests made addresses to delegates on a variety of relevant issues:

- Mr Paul Smith, Acting Manager – Region West, Rural Fire Service
- Mr Doug Walsham, Executive Manager, Titling & Registration Services, Land & Property Information, Department of Lands

ELECTION OF EXECUTIVE POSITIONS:

Secretary, Mr Tim Hazell announced that Councillor Ray Longfellow was elected President, Councillor Ray Donald was elected Senior Vice President and Councillor Lilliane Brady and Councillor Wulf Reichler were elected Vice Presidents.

CONSIDERATION OF MOTIONS:

MOTION 1/09 – Wentworth Shire Council

REFUND RECYCLED CANS OR BOTTLES

MOTION: That the Western Division Group of Shires write to the State Government requesting that it introduce a trial 3 year 10 cent refund system on all recycled bottles and cans, covering the Western Division similar to the successful program in South Australia.

Moved Wentworth, Seconded Bourke CARRIED

MOTION 2/09 – Bourke Shire Council

BEVERAGE BOTTLES – COVERED IN MOTION 1

MOTION 3/09 – Wentworth Shire Council

ROADSIDE RUBBISH

MOTION: That the Western Division Group of Councils write to the State Government requesting that the Road Traffic Authority reviews its contracts with local government with a view to increasing substantially the funding provided for the removal of roadside rubbish, on the basis of covering all costs incurred for the work involved and ensuring that the cleanliness roadsides meet the expectations of the local area.
Moved Wentworth, Seconded Bogan CARRIED

MOTION 4/09 – Bogan Shire Council

CATCHMENT MANAGEMENT AUTHORITY

MOTION: That the Shires Association contact the Minister and State Opposition to have the Chair of the thirteen Catchment Management Authorities elected by the members of the board and not appointed by the Minister.
Moved Bogan, Seconded Balranald CARRIED

MOTION 5/09 – Wentworth Shire Council

PLANNING APPROACH TO RURAL LANDS

MOTION: That the Western Division Group of Shires makes immediate representations to the State Government requesting that it develops a land use planning approach to rural lands to ensure that the "lot size for a dwelling entitlement" is based on local circumstances and actual trends including the existing pattern of farming, existing pattern of allotments, current pressure for subdivision and dwellings and current pressure for change and, further, that a degree of flexibility in the planning system in rural areas be provided that enables merit consideration of exceptional cases which do not comply with the Local Environmental Plan.
Moved Wentworth, Seconded Balranald CARRIED

MOTION 6/09 – Cobar Shire Council

DRAFT ACCREDITATION SCHEME FOR LOCAL GOVERNMENT BUILDING CERTIFIERS

MOTION: That the Western Division opposes any efforts by the NSW State Government to force council building surveyors to become individually accredited in a similar way to certifiers in the private sector.
Moved Cobar, Seconded Broken Hill CARRIED

MOTION 7/09 – Bourke Shire Council
COST FOR IMPLEMENTATION OF THE RECOMMENDATION OF THE INDEPENDENT INQUIRY INTO SECURE AND SUSTAINABLE URBAN WATER SUPPLY AND SEWERAGE SERVICES FOR NON METROPOLITAN NSW

MOTION: That the Western Division Group of the Shires Association of NSW seek as a matter of urgency more accurate costings in relation to the recommended model for potential management of Town Water & Sewerage Supplies.

WESTERN DIVISION GROUP OF THE SHIRES ASSOCIATION OF NSW
ANNUAL CONFERENCE HELD IN BALRANALD ON SUNDAY 1 - TUESDAY 3 MARCH 2009

Moved Bourke, Seconded Balranald	CARRIED

MOTION 8/09 – Bogan Shire Council

HIGH SECURITY WATER

MOTION: That the Shires Association request the Minister for Water Utilities and the State Opposition to implement a system where high security water saved during the year from Council's allocation be transferred to the following year or available for sale and not lost.
Moved Bogan, Seconded Cobar CARRIED

MOTION 9/09 – Balranald Shire Council

MINISTERIAL RESPONSES

MOTION: That the Western Division Group make representations to the Premier regarding the unacceptable delays by Ministers in responding to correspondence and representations by Councils.
Moved Balranald, Seconded Broken Hill CARRIED

MOTION 10/09 – Bourke Shire Council

LOCAL GOVERNMENT ELECTIONS – Bourke Shire Council requested that Motion 11 be covered by Motion 11

MOTION: That the Western Division Group of the Shires Association of NSW requests that future Local Government Elections held in the Western Division be managed by the individual shires and not by the Electoral Commission.

MOTION 11/09 – Bogan Shire Council

LOCAL GOVERNMENT ELECTIONS

MOTION: That the Shires Association continue to lobby the State Government and the State Opposition to change the guidelines for conducting Local Government Elections so that: 1. Future Local Government Elections are conducted by the respective Councils. 2. That voting for Local Government Elections be changed from the current proportional representation to a straight preferential system. 3. The number of candidates to be voted for be at least the same as the number of Councillors on the Council.
Moved Bogan, Seconded Bourke CARRIED

MOTION 12/09 – Bourke Shire Council

FEE PAYABLE TO COUNCILLORS' & MAYOR

MOTION: That the Western Division of the Group of the Shires Association of NSW make a submission to the Local Government Remuneration Tribunal requesting that the Western Division Shires be move to a Category 3 for the scales of fees for Councillors & Mayors.
Moved Bourke, Seconded Central Darling CARRIED

MOTION 14/09 – Cobar Shire Council

FUTURE OF THE WESTERN DIVISION – OBSELETE FOLLOWING MOTION MOVED IN MORNING SESSION

WESTERN DIVISION GROUP OF THE SHIRES ASSOCIATION OF NSW
ANNUAL CONFERENCE HELD IN BALRANALD ON SUNDAY 1 - TUESDAY 3 MARCH 2009

MOTION 15/09 – Carrathool Shire Council

EFFECT OF FAIR VALUE INFRASTRUCTURE ASSETS

MOTION: That the Department of Local Government (DLG) in conjunction with the Local Government Accounting Advisory Group (LGAAG) re-evaluate the medium and long term consequences on rural councils (and their ratepayers) in having to achieve a zero or better Operating Surplus (before capital income) – particularly when regard is given to the recent DLG requirement to Fair Value Infrastructure, Property, Plant & Equipment assets on an ongoing basis (i.e. the funding of depreciation).
Moved Carrathool, Seconded Central Darling CARRIED

MOTION 16/09 – Bourke Shire Council

PAYMENT OF LOCAL GOVERNMENT RATES FOR LAND PURCHASED FOR NATIONAL PARKS

MOTION: That the Western Division Group of Shires Association of NSW recommends that all land purchased in the future by State Government for conversion to National Parks have a condition of Land Acquisition that Local Government Rates will be paid continuously on the National Parks land.
Moved Bourke, Seconded Balranald CARRIED

MOTION 17/09 – Cobar Shire Council

SEALING OF THE IVANHOE ROAD ('THE WOOL TRACK')

MOTION: That all members of the Western Division support the efforts of Balranald, Central Darling and Cobar Shires in their attempts to gain Federal Government funding for the sealing of the Wool Track from Balranald through to Cobar.
Moved Cobar, Seconded Central Darling CARRIED

MOTION 18/09 – Cobar Shire Council

AIR SERVICES TO FAR WEST NSW

MOTION: That the Western Division, through the Local Government Shires Association, lobbies the NSW State Government to ensure that an appropriate level of commercial air services is reinstated for those Far West NSW communities that have lost such services following the withdrawal of REX.
Moved Cobar, Seconded Bogan CARRIED

MOTION 19/09 – Bourke Shire Council

LOSS OF COMMERCIAL AIR SERVICES TO FROM WESTERN COMMUNITIES

MOTION: That the Western Division Group of the Shires Association of NSW make urgent representation to the Federal and State Ministers for Transport and to the Federal Member for Calare and State Members for Barwon & Dubbo seeking support to reactivate Commercial Air Services to the isolated rural communities of Cobar, Bourke, Coonamble , Walgett and Lightning Ridge, and indicate that the Western Division of Shires Association are eager to work cooperatively with all appropriate people to get these services re-established.
Moved Bourke, Seconded Cobar CARRIED

MOTION 20/09 – Bourke Shire Council

TRUCK PARKING BAYS

MOTION: That the Western Division Group make representations to the RTA requesting that additional truck parking and rest bays be provided along the State's main highways.
Moved Balranald, Seconded Cobar CARRIED

MOTION 21/09 – Bourke Shire Council

BICYCLES HELMETS

MOTION: That the Western Division Group of the Shires Association of NSW petition the State Government to repeal the requirement for bicycle riders to wear helmets and obey other requirements such as lights at night, brakes, no riding on footpath etc or to immediately introduce legislation allowing Police and Council Officers to impound bicycles when the rider does not wear a helmet etc.
Moved Bourke, Seconded Cobar CARRIED

MOTION 22/09 – Cobar Shire Council

WEATHER WATCH RADAR FOR NORTH WEST NSW

MOTION: That the Western Division supports the establishment of a Weather Watch Radar system at Cobar in order to fill a huge gap of non-coverage of severe weather conditions.
Moved Cobar, Seconded Wentworth CARRIED

MOTION 23/09 –Bogan Shire Council

ROLE OF HEALTH COUNCILS

MOTION: That the Shires Association contact the Minister of Health and State Opposition to increase the roles of Health Councils within the Health System.
Moved Bogan, Seconded Cobar CARRIED

MOTION 24/09 –Carrathool Shire Council

POLICE ROSTERING

MOTION: That the Shires Association of NSW request the Commissioner of Police to review the rostering of police personnel from remote rural communities to larger centres as such action leaves these communities either without a police presence or with a reduced police presence.
Moved Carrathool, Seconded Cobar CARRIED

MOTION 25/09 –Bourke Shire Council

SHOPPING TROLLEY DEPOSITS

MOTION: That the Western Division Group of the Shires Association of NSW petition the State Government to introduce legislation requiring retail outlets offering shopping trolleys to customers to charge a deposit for their use".
Moved Bourke, Seconded Bogan CARRIED

WESTERN DIVISION GROUP OF THE SHIRES ASSOCIATION OF NSW
ANNUAL CONFERENCE HELD IN BALRANALD ON SUNDAY 1 - TUESDAY 3 MARCH 2009

MOTION 26/09 –Wentworth Shire Council

CONVERSION OF LEASHOLD LAND TO FREEHOLD LAND

MOTION: That the Western Division Group of Councils write to the State Government requesting that all leasehold land in the area represented by the Western Division Group of Councils of the Local Government Shire Association be converted to freehold land and that the development of a strategic plan to achieve this goal be instigated within three months.
Moved Wentworth, Seconded Balranald CARRIED

MOTION 27/09 –Bourke Shire Council

ECONOMIC TRIAL ZONES

MOTION: That the Western Division Group of the Shires Association of NSW request that the Federal and State Governments look seriously at the Economic Trial Zone Model which has been developed by the Barwon Darling Alliance for implementation as a trial.
Moved Bourke, Seconded Broken Hill CARRIED

MOTION 28/09 –Carrathool Shire Council

AD HOC PURCHASED OF RURAL PROPERTIES

MOTION: That the Shires Association of NSW object to the ad hoc purchasing of rural properties and attendant water licences (by either the Federal or State Government) without conducting a detailed cost/benefit analysis of the action, including the economic and social affect on dependant communities.
Moved Carrathool, Seconded Bogan CARRIED

MOTION 29/09 –Central Darling Shire Council

FEDERAL GOVERNMENT GRANTS

MOTION: That the Western Division Group of the Shires Association of NSW request that the Federal Government consider extended time frame when calling for grant applications for important and significant works.
Moved Central Darling, Seconded Broken Hill CARRIED

MOTION 30/09 –Balranald Shire Council

RATE SUBSIDIES FOR DROUGHT AFFECTED PROPERTIES

MOTION: That the Western Division Group again make representations to the Premier to introduce rate reimbursement subsidies to eligible farmers and businesses along the same lines as the Victorian Government.
Moved Balranald, Seconded Cobar CARRIED

MOTION 31/09 –Balranald Shire Council

RURAL COMMUNICATIONS

MOTION: That the Western Division Group make representations to the Minister for Broadband, Communications and the Digital Economy and Telstra to extend Next G coverage to the whole of the Western Division to ensure that both mobile phone and other wireless applications are available to the whole Western Division community.
Moved Balranald, Seconded Bourke CARRIED

WESTERN DIVISION GROUP OF THE SHIRES ASSOCIATION OF NSW
ANNUAL CONFERENCE HELD IN BALRANALD ON SUNDAY 1 - TUESDAY 3 MARCH 2009

MOTION 31/09 –Central Darling Shire Council

NEXT G NETWORK

MOTION: That the Western Division make immediate representation to Telstra and the Minister for Communications decrying the poor reception in rural areas of the Next G network.
Moved Central Darling, Seconded Broken Hill CARRIED

MOTION 32/09 –Bogan Shire Council

COBB & CO SYLLABUS

MOTION: That the Shires Association make further representations to the Minister for Education and State Opposition to have the Cobb & Co Coach syllabus become a mandatory part of NSW history taught in schools.
Moved Bogan, Seconded Cobar CARRIED

The Conference adjourned for Day 1 at 5.21pm.

- SESSION 5 -

CHAIRED BY COUNCILLOR RAY LONGFELLOW, PRESIDENT

ADDRESSES:

The following guests made addresses to delegates on a variety of relevant issues.

- Mr Jeff Caldbeck, Chief Executive Officer, Central West Counselling Service
- Mr Peter Dearden, Western Regional Manager, RTA

The Conference adjourned for morning tea at 10.19am and reconvened at 10.30am.

- Mr Derrick Hines, Country Energy
- Mr Andrew Cottrill, Area General Manager – NSW Riverina Murray, Telstra
- Commander Ian Dickson, Barrier Local Area Command, NSW Police

- SESSION 6 -

CHAIRED BY COUNCILLOR RAY DONALD, VICE PRESIDENT

LATE MOTIONS:

MOTION 33/09 – Bourke Shire Council

ALCOHOL LINKING PROJECT

That representation be made to the Premier, the Leader of the Opposition, Local Member and Minister of Police to modify the "Alcohol Linking Project" to also collect statistics regarding the combined use of alcohol and illegal drugs on incidents of crime particularly domestic violence.
Moved Bourke, Seconded Cobar CARRIED

MOTION 34/09 – Bourke Shire Council

RANDOM DRUG TESTING

Request that random drug testing be introduced in the Darling River Local Area Command following the Council's recognition of the severe impact of drugs in these communities.
Moved Bourke, Seconded Cobar CARRIED

MOTION 35/09 – Bogan Shire Council

COUNCIL INVESTMENTS

That prior to Council's entering into arrangements to invest funds in securities other than term deposits or bank bills, that it be mandatory for Councils in this position to insist on a statement of advice or similar being provided by Investment Institutions (including banks) offering those securities as to the risks associated with those securities in accordance with a predetermined rating, eg. High, medium, low risk, taking into account time horizons and underlying investment classes.
Moved Bogan, Seconded Central Darling CARRIED

MOTION 36/09 – Bogan Shire Council

DROUGHT POLICY

That the Western Division Group of Shires Association make representations to ensure that the new drought policy contain long term funding for rural counsellors. Moved Bogan, Seconded Bourke CARRIED

MOTION 37/09 – Bogan Shire Council

DROUGHT POLICY

That the Western Division Group of the Shires Association Executive select a delegation to send to Minister Burke to stress the need for further ongoing drought related support in the new drought policy. Moved Bourke, Seconded Central Darling CARRIED

The General Manager of the Bourke Shire Council informed the Conference that $2153.00 had been raised from the raffle that was held the previous evening for the Victorian Bushfire Appeal.

The President, Councillor Ray Longfellow resumed the Chair and spoke of the positive progression of the Western Division. He offered a vote of thanks to the following:

- The Mayor of Balranald Shire, Councillor Ron Mengler
- The General Manager of the Balranald Shire, Mr Don Cooper
- The staff of the Balranald Shire
- The Sponsors of the Conference
- The Speakers of the Conference

He informed the Conference that the Western Division was contributing a further $5000 towards the Victorian Bushfire Appeal.

MOTION 38/09

2010 CONFERENCE

That 2010 Annual Conference of the Western Division Group of the Shires Association of NSW be hosted by the Bourke Shire Council. Moved Cobar, Seconded Central Darling CARRIED

With there being no further business, President, Councillor Ray Longfellow closed the Conference at 11.57am.

6. WALGETT SHIRE YOUTH COUNCIL MEETING MINUTES

REPORTING SECTION: Corporate and Community Services

AUTHOR: George McCormick – Youth Development Officer

FILE NUMBER: 003/05/01/00

Summary:

The Walgett Shire Youth Council meeting was held in Collarenebri on 4th March 2009.

Discussion (including issues and background)

The minutes of the Walgett Shire Youth Council meeting on the March 4th are attached.

Relevant Reference Documents:

Management plan 2007 / 2010

Stakeholders:

Walgett Shire Council
Young people of Walgett Shire
Communities of Walgett Shire

Financial Implications:

Nil

Recommendations:

1. That Council notes the minutes of the Walgett Shire Youth Council meeting.

Attachments:
Walgett Shire Youth Council minutes

Minutes for

Walgett Shire Youth Council Meeting

Wednesday 4th March 2009

Collarenebri Town Hall

George McCormick opened meeting at 10.10am

Mark Winch - Lightning Ridge was elected as Chair for the meeting.

Mark welcomed all to the meeting and members introduced themselves.

Apologies

Marcus Weatherall	Walgett
Graham Ruttley	ACLO
Di Holz	Community Facilitator Goodooga / Lightning Ridge
Beau Riley	Police – Youth Liaison Officer

Present

Representing Collarenebri	Dylan Adams
	Russell Cunningham
Representing Walgett	Paul Ryan
Representing Lightning Ridge	Mark Winch
	Danielle Rennie
	Dan Smith

Anne Dennis	Community Facilitator Walgett / Collarenebri
George McCormick	Walgett Shire Youth Development
Leanne McEwen	Young Leaders Project Officer
Ron Halliday	School Police Liaison Officer
Melissa Tooth	Lightning Ridge School support worker

Previous minutes where read aloud by the Chair.
Passed by George McCormick
Seconded Paul Ryan

Business arising from Previous Minutes

George would like NAPCAN forms completed ASAP by parents / guardians as this is a great opportunity to showcase WSYC on NAPCAN Website.

Sub Group Reports

Walgett

- Paul Ryan – The Walgett Youth group will be distributing posters through out the community to promote the Local Youth Group. The posters will display photos of Youth Group members, inform community about the Role of the Youth group and will provide information on the Murdi Paaki Aboriginal Young Leaders Project.

- The capability funding provided to Walgett will allow the Youth Group to be involved in NAIDOC week and organise activities such as a touch football competition-.

- The Walgett Youth Group Action Plan is being drafted with all member allocated a role in actioning the plan.

Collarenebri

- The Walgett Shire Council will be seeking to purchase land across the road from the Police Station for the new Skate Park.
- Group would like information regarding school 2 work program

Lightning Ridge

- Mark Winch – The Christmas Lights Competition was a great success, and was well supported by the community. Donations where appreciated from the community.
  Many Lightning Ridge community members have committed their support for Christmas 2009.

- Mark thanked George McCormick and Di Holz for their support and assistance with the project.

- George applauded the young people's efforts in implementing the initiative and praised their community involvement, and the support of organisations, business house of Lightning Ridge.

General Business

- Anne Dennis – Community Facilitator Walgett / Lightning Ridge spoke on the New **Dept. Aboriginal Affairs (DAA) Project Officer Positions**.
  She explained that it would be a similar role to the Community Facilitator position.

- **Anti Graffiti Poster Competition** – an advertisement was handed to member as well as sent to Schools in Walgett, Collarenebri and Lightning Ridge.
  It was hoped that the Schools would encourage the Art Teachers to assist students with their entries at School.
  Entries close 30th March 2009

Winners announced Youth Week 28th March to 5th April 2009.

- Dylan Adams Collarenebri – Suggestion of **shirts for WSYC**.
  Anne Dennis advised that there could be a funding opportunity for the shirts through the Community Facilitator Budgets of Walgett / Collarenebri and Goodooga / Lightning Ridge.

  MOTION / ACTION

  - George to submit proposal for shirts to Community Facilitators Steering Committees for consideration and approval.
  - Anne to seek shirt designs for Member to view
  - Dylan Adams to complete WSYC logo and submit to George and Anne ASAP and also contact Ann regarding shirt design options
  - Dylan to obtain contact details of other members as they will need to agree on a shirt style and design

Moved Dylan Adams
Seconded Mark Winch

General Business (continued)

- Walgett Shire Youth Council Promotion in all Communities

  - The community that is hosting the meeting are to be inviting other students to attend the meeting
  - George suggested a membership card – Shops may consider offering a discount for those who hold a card and purchase healthy food.

- **Kidscan Grant** – Funding application submitted after apparent closing date. Fortunately George was successful with **NAPCAN** website exposure.

- Youth Week 2009

  - Walgett Shire Youth Centres – Communities where handed the up and coming YOUTH WEEK 2009 activities and events programs.

  Barnardo's representatives will visit all schools and facilitate "open forums" in regards to youth issues and affairs

  - Each community will hold a disco
  - Council will supply healthy food each afternoon to coincide with events to be implemented

  MOTION

  The Walgett Shire Youth Council approves and supports Programs and Activities planned for YOUTH WEEK 2009
  Moved Danielle Rennie
  Seconded Dan Smith

- Skate Parks
    - George informed the meeting that each community will have a skate Park by June 2009. Costs will be in the area of $70,000 per park with Collarenebri costing more as land is to be purchased as well. The Skate Parks are adaptable, can be rearranged and moved. Council will look to source funding and host a Skate Club to conduct shows.
    - Walgett Youth Group has proposed to have shade sails cover part of the Skate Park with funds from Capability Funding.
    - Lightning Ridge – "Police Bush Safari" contribution to fencing, tables and chairs.
    - Mark Winch mentioned an article he had read in a local newspaper regarding the Lightning Ridge Skate Park with work supposed to have commenced in January 2009.
      Mark was concerned that work had not commenced and why not?
      Anne explained that there was a hold up with the release of funds.

General Business (continued)

- Community Facilitator Position
  Anne explained the Community Facilitator positions in the Murdi Paaki region would cease at 31st March 2009.
  She invited the Individual community sub groups to prepare Project Proposals – One page Project Description for items that are required by the groups. E.g.... table and chairs. Ann asked that be submitted ASAP for consideration and approval. (WSYC shirt proposal)

Police – School Liaison Officer – Ron Halliday

- There are 40 Police Officers who are School Liaison Officers throughout NSW
- Their primary role is to work with Police Youth Liaison Officer
- Ron covers 27 Schools in the state
- Conduct Workshops on Crime - Assaults – Mobile Phones
- School Liaison Officers are there to assist if you don't feel comfortable talking with your Local police

Ron was very pleased with the new Skate Park projects. He was also impressed with the structure of the WSYC and it is the only one he has come across in the region.

Beau Riley – Police Youth liaison Officer will commence in the next few weeks.

He will be involved with Youth issues and available to attend WSYC meetings and activities.

National Parks and Wildlife Service

Anne Dennis advised of Cultural Camps conducted by NPWS.

- Keen to take Youth groups on camps at Coonabarabran, Pilliga and Narran Lakes
    - Identify and record sites
    - Mapping
    - How to use equipment

Anne is unable to co-ordinate the camps but will be able to assist with travel.
George offered to co-ordinate.
Anne has contact details for those interested.

Paul Ryan will spend 2 weeks in Baradine working with NPWS.

School to Work Program

Walgett Shire Council has School to Work participants

Walgett

Marcus - Youth Service
Paul - Finance
Kaisan - Tourism
Brett - Workshop

Lightning Ridge

Jordan - Youth Service

How does it work?

- Student works 4 x 4 hour sessions
- Appraisal is completed by Mentor / Council Staff
- If successful student is offered 4 hours per week for 12 months with payment

What's good about it?

- Offers on the job training at Council
- Opportunity for full time employment after School is completed
- Tunes young people in to what is expected in the workforce
- Experience in the workforce

Young people inquired as to what positions are available in Lightning Ridge and Collarenebri .
George responded by offering to investigate the situation with Council management
There is Youth Worker Position open at the Walgett Youth Centre

Next Meeting

Friday 27th March 2009 Lightning Ridge

Venue and time to be advised

Meeting closed at 11.55am

7. COUNCILLOR INFORMATION SEMINARS

REPORTING SECTION: General Manager

AUTHOR: Ray Kent - General Manager

FILE NUMBER: 145/02/00/00

Summary:

The Director General of the Department of Local Government has requested that a letter be tabled before Council regarding Councillor Information Seminars conducted by the Department.

Discussion (including issues and background):

The attached letter advises which of Walgett Shire's Councillors attended an Information Seminar. The letter also requests that the Department is provided "with a web link to the online copy of the relevant council minutes that record this information".

Relevant Reference Documents:

Nil

Stakeholders:

Councillors

Financial Implications:

Nil

Recommendation:

1. That the letter from the Director General of the Department of Local Government be noted.

Attachments:

letter from the Director General of the Department of Local Government received on the 18th February 2009.

dlg

Department of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541

Walgett Shire Council
REC'D
18 FEB 2009
FILE: 145/02/00/00

OUR REFERENCE A169269
YOUR REFERENCE
CONTACT Wendy Forrester
02 4428 4172

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

LETTER No: 1105.

REFER: RKK via JMG.

COPY:

Dear Mr Kent

In am writing in regard to the Department's Councillor Information Seminars held at various regional and metropolitan locations between October and December 2008.

The following councillors from your Council completed the attendance form at one of the seminars:

Clr Ian Woodcock
Clr Geoffrey Colless
Clr Robert Greenaway
Clr Jane Keir
Clr Lawrence Walford
Clr Manuel Martinez
Clr Kelly Smith
Clr Gustavus Murray

I trust this information will be of assistance in reporting to your first council meeting in 2009 on councillor attendance at the seminars, in accordance with my request outlined in Circular to Councils 08/22.

It would also be appreciated if you would provide the Department with a web link to the online copy of the relevant council minutes that record this information. Any queries in relation to this matter may be directed to Ms Wendy Forrester, Principal Policy Officer on telephone 02 4428 4172.

A further two catch-up seminars are being planned for late February in a regional location and late March in Sydney. This is to enable attendance by councillors elected at recent and upcoming by-elections, as well as those that were not able to attend a previous seminar. Details about these seminars will be provided to councils shortly.

Attached is a report providing feedback from the seminars provided by councillors who completed a feedback form. The report also provides information about the various resources that have been released as part of the Councillor Development Strategy. These resources are the *Councillor Guide*, the *Councillor Information*

T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E dlg@dlg.nsw.gov.au W www.dlg.nsw.gov.au ABN 99 567 863 195

Directory and the *Councillor Induction and Professional Development Guide*. It would be appreciated if you would make this report available to all councillors.

Yours sincerely

6/2/09

for **Garry Payne AM**
Director Genera

8. COUNCIL MEETING DATES AND VENUES 2009

REPORTING SECTION: General Manager

AUTHOR: Ray Kent - General Manager

FILE NUMBER: 013/06/01/44

Summary:

As a consequence of the relocation of the February 2009 meeting from Carinda to Walgett, it is necessary to reschedule a future meeting to Carinda. Additionally, Council has resolved to hold an additional meeting in May to consider the adoption of a Draft Budget. Council must publicly notify the new dates and venues for Council meetings.

Discussion (including issues and background):

The Mayor has recommended that the August Council meeting should be conducted at Carinda, rather than Walgett. The additional meeting in May is scheduled for 10.00 am on Tuesday 12th at Walgett. The additional meeting is necessary to enable a Draft Budget to be publicly notified for 28 days prior to its adoption at the June Council meeting.

Relevant Reference Documents:

Nil

Stakeholders:

Councillors and residents

Financial Implications:

Nil

Recommendation:

1. That Council adopt and publicly notify the following dates and venues for Council meetings for the balance of 2009 (all meetings commence at 10.00 am):

28th April at Collarenebri
12th May at Walgett
26th May at Walgett
23rd June at Walgett
28th July at Rowena
25th August at Carinda
22nd September at Walgett
27th October at Walgett
22nd November at Burren Junction
15th December at Walgett

Attachments: Nil

9. PROPOSAL TO ESTABLISH A LIONS CLUB IN WALGETT

REPORTING SECTION: General Manager

AUTHOR: Ray Kent - General Manager

FILE NUMBER: 006/05/03/44

Summary:

Lions Club International seek to explore the possibility of establishing a Lions Club in Walgett. To this end, a meeting is to be convened in the Walgett District Sporting Club on Tuesday 24th March 2009 commencing at 8.00 pm.

Discussion (including issues and background):

The Vice District Governor (201N4), Mr Ray Strong, has requested that he be able to address Council at its meeting to be held at the Lightning Ridge Bowling Club on Tuesday 24th March.

Attached is a copy of a letter, sent to various persons, which outlines the potential benefits of establishing a Club in Walgett. Mr Strong has had discussions with both the Mayor and General Manager regarding the proposal. At the evening meeting the District Governor, Mr Bob Moore, will also be present.

Relevant Reference Documents:

Nil

Stakeholders:

Walgett residents

Financial Implications:

Nil

Recommendation:

1. That the report be noted.

Attachments: Letter from Mr Ray Strong to the Local Area Police Commander dated 2nd February 2009.

LIONS CLUBS INTERNATIONAL

DISTRICT 201 N4

Bob Moore, District Governor 2008/2009

Phone: (02) 62 3333 (H); (02) 6962 2537 (W); Fax: (02) 6964 1830; Mobile: 0427 455 696

All Correspondence to: P.O. Box 582, Yenda NSW 2681

Cabinet Secretary	Vice District Governor	Cabinet Treasurer
Kerry Williams	Ray Strong	Bob Gnezdiloff
H: (02)69681977	H: (02) 6967 2787	H: (02) 6922 3396
	W: (02)69672787	
M: 0427 681 977	: (02) 6967 2787	M- 0428 694 353
	M: 0428 672 787	

LIONS AUSTRALIA

The International Association of Lions Clubs

Superintendent Mark Gallagher,
Local Area Commander
WALGETT. 2832

Dear Mark,

As a result of our telephone conversation, I now invite you and all members of your Station to an information night to be held at the Walgett District Sporting Club on Tuesday, 24th March, 2009 commencing at 8.00pm.

District Governor Bob Moore and I will be attending and will be discussing the formation of a Lions Club in Walgett, however, please take time to answer the following questions:

- **Are you interested in serving your community?**
- **Are you interested in having the opportunity to network with key people in the community?**
- **Is there a need in your community that is not being met?**
- **Are you interested in meeting people and having fun?**
- **If citizens are involved with small committees that are no achieving because of lack of numbers, then a Lions Club of 20 members can solve the problem and any others?.**

If you have answered 'Yes' to any of these questions then consider forming a Lions club to bring together community service-minded men and women in an area where there is no Lions club.

Lions participate in a vast variety of projects important to their communities and the wider community. These projects range from cleaning up local parks to providing supplies to victims of natural disasters to organising functions: There are many advantages associated with a Lions Club being established in your community;

1. **Involvement in a community organisation such as Lions would enhance community based policing in your area. Give personal contact with a wider spectrum of the population that you may not otherwise have any contact with.**

2. **Fellowship and service of like-minded peoples in your local area along with fellowship and a common sense of purpose shared with other Lions and Lions Clubs across Australia.**

3. **Local people initiating projects and building up the resources and services specific to their community gives Lions members and volunteers a wonderful sense of achievement and purpose.**

4. Public Liability Insurance coverage by Lions Clubs International for functions and events. This includes insurance protection for Lions members and volunteers.

5 Access to a wide variety of fundraising programs and sponsorship.

6 Lions Clubs in every town run many local activities. The activities may be to raise money for local people or projects but quite often these activities Provide a service other than fundraising. Usually a club would prefer to put the majority of money raised back into its local community.

7 Sound systems for Primary Schools to improve learning for the deaf and hearing impaired children in your community free of charge through Lions Hearing Dogs Foundation.

8 An opportunity to develop youth leadership through Lions initiatives such as Youth of the Year, Youth Leadership Quest, Leo's Club, Lions International Youth Exchange.

9 Support of a number of Lions Foundations such as Lions Save Sight Program, Lions Hearing Dogs, Australian Lions Foundation Community Grants, Australian Lions Drug Awareness Foundation, Spinal Cord Research Foundation, Lion's Cord Blood Appeal to name a few.

We are aware of the problems associated with everyday functioning of Clubs in small communities, let alone communities that have been affected by the continuous drought over the past 8 years.

Lions are in a position to assist interested and committed people in your community by forming a Lions Club and then providing ongoing support of your Club.

Should you know of any other person who may be interested, please extend an invitation to attend, as anyone is most welcome. Please advise of numbers from your committee by the 18th March 2009 by contacting District Governor Bob Moore, on Mobile 0427455696, Fax 69641830, email: R.A.Moore@bigpond.com or Ray Strong, ph/fax 69672787, email: rst71988@bigpond.net.au

We respectfully ask that you seriously consider your involvement in the benefits of a Lions Club in Walgett and as a member the self satisfaction it will bring through your contributions to your local community, fellowship and FUN as you interact with other Lions club members.

We look forward to meeting you in Walgett on the night of the 24th March, 2009.

Yours sincerely,

Ray Strong
Vice District Governor, 201N4
2 February, 2009

10. INDEPENDENT INQUIRY INTO A SECURE AND SUSTAINABLE URBAN WATER SUPPLY AND SEWERAGE SERVICES FOR NON-METROPOLITAN NSW

REPORTING SECTION: General Manager

AUTHOR: Ray Kent – General Manager

FILE NUMBER: 032/05/01/05

Summary:

Council considered a report on this subject at its February 2009 meeting. This report provides an update on actions since this time.

Discussion (including issues and background):

Attached are two letters which are self explanatory. The first is to the General Managers of Moree Plains, Gwydir and Narrabri Councils (which was written following a meeting in Moree attended by the Mayor, General Manager and the Director Urban Infrastructure Services) and the second to the Local Water Utility Inquiry. A further report will be placed before Council following a meeting (referred to in the attached letters) which will take place in Moree on the 1st May 2009.

Relevant Reference Documents:

Report of the Independent Inquiry into Secure and Sustainable Urban Water Supply and Sewerage Services for Non-Metropolitan NSW.

Stakeholders:

Walgett, Narrabri, Moree Plains and Gwydir Councils.

Financial Implications:

Nil

Recommendation:

1. That the report be received.

Attachments :

Letter to the General Managers of Moree Plains, Narrabri and Gwydir Council's;
Letter to the Local Water Utility Inquiry, Department of Water and Energy

Shire of Walgett

ABN 88 769 076 385

Reference: RK:JG: 032/05/01/05

Your Reference:

Contact: Mr Raymond Kent

18 March 2009

E-MAILED
18 March 2009

Mr D Aber
General Manager
Moree Plains Shire Council
21 Auburn Street
MOREE NSW 2400

council@mpsc.nsw.gov.au

Dear Mr Aber

Re: Independent Inquiry into Secure and Sustainable Urban Water Supply and Sewerage Services for Non–Metropolitan NSW

I write to confirm agreements reached at a meeting of Councillors and staff of Walgett, Moree Plains, Gwydir and Narrabri Councils held at Moree on Friday 13th March 2009.

It was agreed that the four Councils would initially seek to identify the potential for co-operative arrangements and studies in water supply and sewerage programs from which the involved Councils could benefit.

The initial task of identifying areas of potential mutual benefit would be undertaken by a Working Party of the responsible professional officers from each of the four Councils. Such Working party would be convened by Moree Plains Council.

It was further agreed that the Working Party would report back to a meeting of a Committee of the Mayors and General Managers of the four Councils. Such meeting would be convened in Moree on Friday 1st May 2009. At that meeting, apart from reviewing the findings of the Working Party, the Committee would consider options for formalizing arrangements for co-operative undertakings.

Yours Sincerely

Ray Kent
General Manager

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

Shire of Walgett

ABN 88 769 076 385

Reference: RK:JG: 032/05/01/05

Your Reference:

Contact: Mr Raymond Kent

18 March 2009

Local Water Utility Inquiry
Department of Water and Energy
GPO Box 3889
Sydney NSW 2001

E-MAILED
18 March 2009

waterinquiry@dwe.nsw.gov.au

Dear Sir/Madam

Re: Inquiry into Secure and Sustainable Urban Water Supply and Sewerage Services for Non-Metropolitan New South Wales

Council considered the Inquiry Report at its meeting held on the 24th February 2009. At the meeting it was resolved as follows:

"1. Council considers Option 1 Binding Alliance as the favoured approach in negotiating with neighbouring councils.
2. Council initiates discussions with its neighbouring councils in reaching its final decision."

Approaches to Bourke and Brewarrina Councils revealed that both Councils had formally approached an existing alliance, centered on Dubbo, with a request that they become part of that alliance.

An approach to Coonamble Council revealed that they had formalized an arrangement with Warrumbungle and Gilgandra Councils to jointly employ an officer to work on behalf of the three Councils on common long term issues related to water and sewer programs.

Council initiated a meeting with representatives of Moree Plains, Gwydir and Narrabri Councils which was held at Moree on Friday 13th March. At the meeting it was agreed that:

1. the four Councils would initially seek to identify the potential for co-operative arrangements and studies in water supply and sewerage programs from which the involved Councils could benefit.
2. the initial task of identifying areas of potential mutual benefit would be undertaken by a Working Party of the responsible professional officers from each of the four Councils.

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

3. the Working Party would report back to a meeting of a Committee of the Mayors and the General Managers of the four Councils. Such meeting to be convened in Moree on Friday 1st May 2009. At that meeting, apart from reviewing the findings of the Working Party, the Committee would consider options for formalizing arrangements for co-operative undertakings.

Council will keep the Minister for Water, The Honourable Phillip Costa MP, informed of outcomes and developments involving the four Councils.

Yours Sincerely

Raymond Kent
General Manager

11. ORGANISATION STRUCTURE

REPORTING SECTION: General Manager

AUTHOR: Ray Kent – General Manager

FILE NUMBER: 145/01/03/00

Summary:

A Council must re-determine the organisation structure within 12 months after any ordinary election of the Council. This report recommends that the existing structure, with two minor changes, be endorsed.

Discussion (including issues and background):

Section 332 (1) of the Local Government Act 1993 prescribes that:

"A council must determine: an organisation structure; those positions within the organisation structure that are senior staff positions; the resources to be allocated towards the employment of staff".

Organisational structure covers the number of positions, arrangements for exercising management responsibilities and staff reporting lines. The current organisation structure was adopted at the May 2008 Council meeting. The most significant change, at that time, was the split of responsibilities within the infrastructure and engineering areas to create a four (4), rather than three (3), Division structure.

Attached is the report on Organisational Structure which was considered at the May 2008 Council meeting. The rationale underpinning the Structure is covered in that document and its attachments. Current positions and reporting lines are described in a chart which has been circulated under separate cover. It is the view of the General Manager that the rationale for the existing management arrangements remains unchanged.

Two minor changes to Structure have been requested by the Director, Corporate and Community Services. The first involves the reduction in the number of positions reporting directly to the Manager, Community Development and Tourism. Specifically, it is recommended that the casual library officer positions at Lightning Ridge report to the Senior Library Officer at Walgett. Secondly, it is recommended that the currently vacant Visitor Information Centre Officer position at Walgett be replaced by a Community Development Officer position reporting to the Manager, Community Development and Tourism. The justification for the change is provided in the Director's Tourism Report, which is included in this Agenda.

Relevant Reference Documents:

Nil

Stakeholders:

Councillors and staff

Financial Implications:

Nil

Recommendation:

1. That the Organisation Structure be amended to change the reporting arrangements for the casual Library Officer positions at Lightning Ridge and to replace a Visitor Information Officer position at Walgett with a new position of Community Development Officer.

Attachments: Report to May 2008 Council meeting entitled "Adoption of New Organisational Structure"

WALGETT SHIRE COUNCIL AGENDA

2. ADOPTION OF NEW ORGANISATIONAL STRUCTURE

REPORTING SECTION: General Manager

AUTHOR: Ray Kent - General Manager

FILE NUMBER: 145/01/03/00

Summary:

The General Manager has reviewed the existing Organisational Structure and, following consultation with staff and the Executive Team and following review by the Consultative Committee, seeks Council's formal endorsement of a new Organisational Structure and some related matters.

Discussion (including issues and background):

The General Manager's concerns in respect of the current Organisation Structure (Division of Corporate and Community Services; Division of Planning and Regulatory Services; Division of Infrastructure and Engineering Services) were outlined to all staff in a Paper distributed in March 2008. The Paper also outlined a proposal by the General Manager to transfer certain responsibilities and positions from "Infrastructure and Engineering" to "Corporate and Community Services" and distribute the responsibility for the Engineering programs of the Council between two new Divisions. The Paper invited submissions from staff. The Paper is enclosed as Attachment One.

Following consideration of two submissions received from staff and following further review by the Executive Team, a final proposal was placed before the Consultative Committee for review at a meeting held on Wednesday 7th May 2008. The Minute to the Consultative Committee is included as Attachment Two. The Minute has as attachments Position Descriptions for the two new positions of Director, Urban Infrastructure Services and Director, Rural Infrastructure and Support Services. Also attached are two charts. The first chart describes the proposed four (4) Division structure along with the program responsibilities for each Division and the external bodies for which each Division will be responsible. The second chart indicates the Divisions in which all currently employed staff will be located.

It is proposed that the two new Director's positions be classified at Grade 24 on Council's Salary Scale. This is the same classification that applies to the current positions of Director, Corporate and Community Services and Director, Infrastructure and Engineering Services.

The Consultative Committee has resolved that it has no objection to the proposed structure.

The current Director, Infrastructure and Engineering Services, Mr Ian Taylor has agreed to be laterally transferred into the position of Director, Rural Infrastructure and Support Services on the same terms and conditions of employment as he currently enjoys.

It is proposed that the services of Strategic Consulting Solutions be used in the recruitment process for the newly created position of Director, Urban Infrastructure Services. This is recommended as Council still has a $5,000 credit with that Consultant following on from the initial recruitment exercise for the current position of Director, Infrastructure and Engineering Services. The paperwork for that exercise will only require minor modification and Council will handle all advertising directly. The Consultant will: provide information to those inquiring about the position;

WALGETT SHIRE COUNCIL AGENDA

check references; prospect for candidates; organise and participate in interviews and handle any negotiations with preferred candidates.

To provide time for current Directors to plan for the organisational changes and staff transfers, it is proposed that the new structure will not take effect until Monday 16th June 2008.

Relevant Reference Documents:

Nil

Stakeholders:

Executive Team, Administrator and Staff

Financial Implications:

The costs of the two new Directors positions are more than covered by the budgetted costs for the existing establishment positions of: Director, Infrastructure and Engineering Services; Projects Engineer (vacant and formerly occupied by Mr Taylor) and Engineer Works (vacant and previously occupied by Mr Barry Maher). Recruitment costs are covered by: the fee credit with Strategic Consulting Services; existing recruitment provisions and accumulated salary savings associated with vacancies in the infrastructure/engineering area.

Recommendations:

That:

1. **The new four (4) Division (Planning and Regulatory Services; Corporate and Community Services; Urban Infrastructure Services and Rural Infrastructure and Support Services) Organisational Structure, as described in the attached Chart, be endorsed**

2. **The new Structure takes effect from Monday 16th June 2008**

3. **Salary applicable to the positions of Directors' "Corporate and Community", "Urban Infrastructure" and "Rural Infrastructure and Support Services" be that of Grade 24 in Council's Salary System**

4. **The current Director, Infrastructure and Engineering Services, Mr Ian Taylor, be laterally transferred into the new position of Director, Rural Infrastructure and Support Services on the same terms and conditions of employment as he currently enjoys**

5. **Strategic Consulting Solutions Pty Ltd be engaged to assist in the recruitment for Director, Urban Infrastructure Services position**

Attachments:

1. Discussion Paper "Restructure of Walgett Shire Council's Administration" March 2008;
2. Minute to Walgett Shire Council Consultative Committee "Restructure of Council's Administration" 29th April 2008
3. Position Description for Director, Rural Infrastructure and Support Services
4. Position Description for Director, Urban Infrastructure Services

WALGETT SHIRE COUNCIL AGENDA

ATTACHMENT ONE

RESTRUCTURE OF WALGETT SHIRE COUNCIL'S ADMINISTRATION

DRAFT FOR STAFF REVIEW AND COMMENT
March 2008

Introduction
I consider that a number of changes are required to management arrangements if the Administration is to effectively support the elected Council and efficiently deliver services and facilities to the community in a timely manner, given the demands that will be placed on the Administration in the near future.

My issues/concerns with current arrangements are as follows:

1. over time, a raft of responsibilities have attached to the "Infrastructure and Engineering" Division for no apparent, logical reason. This has led to an imbalance in terms of workload distribution across the organisation.

   Examples of responsibilities and work tasks which have not resided in the "Engineering" area in previous organizations I have managed include:
   - land and property sales and acquisition
   - leasing and licensing of commercial property
   - management of tenants and tenancies
   - bookings for Council facilities
   - procurement of services for community facilities
   - Reserve Trust matters
   - preparation of Plans of Management for Community land
   - certain regulatory reporting functions related to waste management
   - certain insurance matters
   - caretaking and cleansing of Administrative Centre and related buildings
   - management of relationships with community organizations providing community facilities

   At a minimum, the transfer of these responsibilities to other Divisions would also involve the transfer of three staff out of the Division ie an Assets Officer, the Skilled Worker (K Shepherd) and Part Time Cleaner (J Fernando).

2. one Director's position is responsible for the delivery of "Infrastructure and Engineering" services in the organization. This means that one person is expected to be totally informed across a significant breadth of operations when exercising the Director's roles as both a member of the Executive Team and the Administration's representative in respect of this portfolio before Council. This is an extremely big ask for anyone. Consequences of this overload can include: delays in provision of information and advice; lack of time for attending to other Directorial responsibilities such as keeping staff informed of what is happening in the organization, having a prescence in the field, strategic planning, community relations. This situation will only worsen once we have an elected Council in place.

WALGETT SHIRE COUNCIL AGENDA

3. the "Infrastructure and Engineering" services function is organized in a very hierarchical fashion with only three team leaders reporting to the Director. In my view the "Management Team" structure/arrangements (Director/s plus Team Leaders) in respect of "Infrastructure and Engineering" services needs to be much flatter - perhaps twice the current number of Directors and Team Leaders. "Flattening" will allow for greater responsibility to be devolved to senior staff and will also, hopefully, lead to improved information flow both upwards and downwards within the Divisions.

4. the work load in the area is likely to increase in the near future with major projects in prospect including a new depot at Walgett, a new landfill at Lightning Ridge, medium density housing schemes and reconstruction and extension work on the Walgett levy. There is a very large roads program on the books.

Proposal
Apart from transferring responsibilities to other Divisions (as identified in 1. above) it is my intention to operate with two Divisions in the Infrastructure and Engineering Services area. Each Division would be headed by a Director and I would expect that each Division would have three or four Team Leaders reporting to each Director. This will mean that I will have an additional Director on the Executive Team and that the number of Senior Officers (ie team leaders reporting to a Director) in the Infrastructure/Engineering area will be markedly increased.

In looking at a division of responsibilities and tasks it is important to achieve a degree of equity in terms of workload, responsibility, challenge etc while it is also important that there be some operational logic to the aggregation of functions in each Division. Though there are a number of options and permutations, I would offer the following division as a starting point for review and discussion. Note that the Group names are nothing more than suggestions which are intended to indicate what each Division will be about:

<u>Rural Infrastructure</u>
Programs would include:
- road and bridge construction
- road and bridge maintenance
- road and traffic facilities maintenance
- emergency management

Officers whose current responsibilities would fall within this group would likely include Barry, Glen, Jeff, Donna and Trevor.

<u>Urban (Town and Village) Infrastucture</u>
Programs would include:
- urban utilities
- urban infrastructure maintenance and cleansing
- airfields
- support services
- planning and projects

Officers whose current responsibilities would fall within this group would likely include Ian, Roy, Greg, Mel, Kaye and Wendy.

How each of the proposed new Divisions would be structured would be a matter to be determined, after consultation with staff, by the responsible Directors in conjunction with the General Manager.

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Process
I would appreciate receiving the views and suggestions of staff by close of business on Thursday 20th March. After reviewing submissions I will finalise a proposal to place before a special meeting of the Consultative Committee.

Particular matters I would appreciate receiving views on are:

- tasks and responsibilities which could be logically transferred out of the "Engineering and Infrastructure" area to other Directorates
- suggestions for logical and equitable groupings of program responsibilities under the two Director model
- suggestions for reporting arrangements to each of the newly created Director's positions
- suggestions for names for the two Divisions

Attachment: Existing Organisation Structure

WALGETT SHIRE COUNCIL AGENDA

ATTACHMENT TWO

Minute to: Walgett Shire Council Consultative Committee

Subject: Restructure of Council's Administration

From: General Manager

Date: 29th April 2008

Introduction
This report is for consideration at the May 2008 meeting of the Consultative Committee. It is my intention to put a report on this subject to the May Council Meeting to be held Tuesday 20th.

Background
In March 2008 I circulated to all staff my proposal for restructuring the Administration. The Paper is attached.

In the Paper I indicated that:

1. I had the following issues and concerns:

a) that over a period of time a raft of responsibilities had attached to the "Infrastructure and Engineering Division" for no apparent reason
b) that a significant work load imbalance had developed between Divisions
c) the "Infrastructure and Engineering Division" was organized in an unacceptably extreme hierarchical fashion
d) the current arrangements for the delivery of Infrastructure and Engineering services would struggle to cope given the significant workload in prospect

2. I intended to:

a) transfer a range of responsibilities out of "Infrastructure and Engineering" to "Corporate and Community Services"
b) split "Infrastructure and Engineering" into two Divisions – one concerned primarily with Urban Infrastructure and the other primarily concerned with Rural Infrastructure

3. I would welcome staff comment on any aspect of my proposal

Discussion
In response to the circulation of the Paper I received two submissions.

One submission concerned the reporting arrangements and organizational placement of the OH&S function. Basically the submission suggested that the function should rest within an "Engineering" Division and that the position should not have a reporting relationship within the Human Resource area. I accept the latter proposition but do not accept that it is appropriate for the OH&S function to be located within a Division where most OH&S issues arise. Rather I consider that the OH&S function: is a support service for the whole organization; should be at arms length from the operational Divisions in terms of reporting arrangements; should be supported by a Director who is

WALGETT SHIRE COUNCIL AGENDA

not responsible for the great majority of outdoor staff. I propose, therefore, that the position will remain within the "Corporate Services" Division. Appropriate reporting arrangements for the OH&S officer position will be determined by the responsible Director.

The second submission dealt with reporting arrangements for the Technical Officer responsible for Single Invitation Maintenance Contracts. The proposal contained within the submission will be considered by the Director, Rural Infrastructure and Support Services when the structure of that Division is determined.

It should be noted that once the broad arrangements for delivering services has been determined it will be up to the responsible Directors to recommend to the General Manager in respect of Divisional structures and reporting arrangements. The Consultative Committee will review all proposals.

Final Proposal
The final structure is described in the two attached charts. It has been determined in consultation with Executive Team members. Key points to note are:

1. A range of responsibilities and four positions are transferred from the "Engineering" area into "Corporate and Community Services". The positions are: Assets Officer (Property); Customer Service Officer; Cleaner; Cleaner.
2. The Infrastructure and Engineering Division is split into two Divisions being "Urban Infrastructure Services" with 34 staff and "Rural Infrastructure and Support Services" with 37 staff

It is considered that the split of responsibilities and accountabilities between the three Divisions is equitable. Salary for each of the three Director's positions will be paid at the Grade 24 level of Council's Salary System Structure.

Position Descriptions for the two new Directors' positions are attached.

Recommendation: That the proposed structure be supported.

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ATTACHMENT THREE

WALGETT SHIRE COUNCIL
Position Description of: Director, Rural Infrastructure and Support Services

Position Title:	Director, Rural Infrastructure and Support Services
Department:	Rural Infrastructure and Support Services
Reports Directly To:	General Manager
Staff Directly Controlled:	To be structured. New Division contains 37 staff.
Grade:	24
Present Incumbent:	New position.
Commencement Date:	To be determined
Location of Work Place:	Council Chambers

Objective:
To plan, lead and manage the delivery of rural infrastructure and engineering support services within Walgett Shire.

Responsibilities:
Oversee the management and operation of the Division to ensure that the following areas of responsibility are addressed at the highest possible standard consistent with resource availability:

1. Road and Bridge Construction
2. Road and Bridge Maintenance
3. Traffic Facilities
4. Emergency Services
5. Quarries and construction material storage and supply
6. Plant and Fleet Management
7. Workshop and Stores
8. New Depot Development

General Accountabilities:

1. Work with the General Manager, Directors, Council and the community to implement the Management Plan for the Shire.
2. Develop and promote a positive image of the Shire, the Council and the community.
3. Ensure appropriate documented policies, codes of practice and processes are in place.
4. Promote open government and public consultation in decision-making processes.
5. Minimise Council's exposure to risk.
6. Ensure consistent delivery of the highest level of customer service.
7. Ensure effective communication of corporate decisions, policies and directions to staff.

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WALGETT SHIRE COUNCIL
Position Description of: Director, Rural Infrastructure and Support Services

8. Development of an organization environment that values and rewards integrity, trust and innovation.
9. Maintain appropriate confidentiality in Council operations.
10. Deliver agreed outcomes, on time and in accordance with best practice principles.
11. Work within the budget constraints applicable to the position.
12. Perform other duties as directed within the scope of the position.

Essential Criteria:

1. Appropriate tertiary qualification.
2. Relevant experience at a senior management level in a relevant field.
3. Demonstrated skills in strategic and management planning.
4. Demonstrated skills in budget preparation and management.
5. A high level of computer literacy and the ability to use electronic information systems.
6. Proven excellence in communication, leadership and conflict resolution.
7. Awareness and understanding of EEO principles and OHS policy and procedures.
8. Must have a current Australian Class "C" Driver's Licence

Desirable Criteria:

1. Previous experience in NSW Local Government.
2. Relevant post graduate qualifications.

WALGETT SHIRE COUNCIL AGENDA

ATTACHMENT FOUR

WALGETT SHIRE COUNCIL
Position Description of: Director, Urban Infrastructure Services

Position Title:	Director, Urban Infrastructure Services
Department:	Urban Infrastructure Services
Reports Directly To:	General Manager
Staff Directly Controlled:	To be structured. New Division contains 33 staff.
Grade:	24
Present Incumbent:	New position.
Commencement Date:	To be determined
Location of Work Place:	Council Chambers

Objective:
To plan, lead and manage the delivery of urban infrastructure services within Walgett Shire.

Responsibilities:
Oversee the management and operation of the Division to ensure that the following areas of responsibility are addressed at the highest possible standard consistent with resource availability:

1. Water Services
2. Waste Water Services
3. Solid Waste and Recycling Services including New Landfill Development
4. Urban Stormwater Management
5. Urban Streetscape and Cleansing
6. Parks and Reserves Maintenance
7. Cemeteries Maintenance
8. Airfields
9. Infrastructure Asset Register
10. Urban Flood Mitigation including Levee Reconstruction
11. Bore Baths and Pool Maintenance

General Accountabilities:

1. Work with the General Manager, Directors, Council and the community to implement the Management Plan for the Shire.
2. Develop and promote a positive image of the Shire, the Council and the community.
3. Ensure appropriate documented policies, codes of practice and processes are in place.
4. Promote open government and public consultation in decision-making processes.
5. Minimise Council's exposure to risk.
6. Ensure consistent delivery of the highest level of customer service.

WALGETT SHIRE COUNCIL AGENDA

WALGETT SHIRE COUNCIL
Position Description of: Director, Urban Infrastructure Services

7. Ensure effective communication of corporate decisions, policies and directions to staff.
8. Development of an organization environment that values and rewards integrity, trust and innovation.
9. Maintain appropriate confidentiality in Council operations.
10. Deliver agreed outcomes, on time and in accordance with best practice principles.
11. Work within the budget constraints applicable to the position.
12. Perform other duties as directed within the scope of the position.

Essential Criteria:

1. Appropriate tertiary qualification.
2. Relevant experience at a senior management level in a relevant field.
3. Demonstrated skills in strategic and management planning.
4. Demonstrated skills in budget preparation and management.
5. A high level of computer literacy and the ability to use electronic information systems.
6. Proven excellence in communication, leadership and conflict resolution.
7. Awareness and understanding of EEO principles and OHS policy and procedures.
8. Must have a current Australian Class "C" Driver's Licence

Desirable Criteria:

1. Previous experience in NSW Local Government.
2. Relevant post graduate qualifications.

Walgett Shire Council Organisation Chart

General Manager
Executive Assistant

- Mayoral Support
- Councillor Training and Support
- Council Business - Agenda and Action
- Intergovernmental Relations
- Inter Council Relations
- Community Relations
- Corporate Leadership and Direction
- Organisational Structure and Performance Management
- Corporate and Strategic Planning
- Budget and Management Plan
- Policy and Delegations
- Delegates to external bodies

- Barwon Darling Alliance
- Castlereagh Macquarie County Council
- Shires Association C Division
- Shires Association Western Division Group
- Walgett/Collarenebri reference group
- Police Accountability Community Team
- Lightning Ridge/Goodooga Reference Group

Planning and Regulatory Services

- Development Approvals
- Building Services
- Environment and Health Compliance
- State of the Environment Report
- Onsite Wastewater Management
- Development Compliance
- Land Use and Environment Strategies
- Local Environment Plans
- Development Control Plans
- Section 149 Certificates
- Main Street Programs
- Animal Control
- GIS Management
- By Laws
- Heritage

- Camps on claims working group
- Lightning Ridge Mining Board
- Mungindi Menindee Advisory Council

Corporate & Community Services

- Human Resource Management
- OH&S
- Aboriginal Services
- Youth Services
- Childcare Services
- Financial Services
- Information Technology
- Property Services
- Leases and Licences
- Property Register
- Caravan Parks
- Libraries
- Tourism and Visitor Information
- Swimming Pool Management Arrangements
- Arts and Cultural Services
- Economic Development
- Legal Services
- Public Officer Service
- Records Management

- Outback Arts
- Lightning Ridge Tourist Association
- Northern Regional Library Board
- Outback Regional Tourism Organisation
- Walgett Community College Board
- Walgett & District Tourism Association
- Community Working Party
- Walgett Interagency Group
- Orana Area Consultative Committee
- Kamilaroi Highway Group
- Great Inland Way Committee

Urban Infrastructure Services

- Water Services
- Waste Water Services
- Solid Waste and Recycling Services including New Landfill Development
- Urban Stormwater Management
- Urban Streetscape and Cleansing
- Parks and Reserves Maintenance
- Cemeteries Maintenance
- Airfields
- Infrastructure Asset Register
- Urban Flood Mitigation including Levy Bank Reconstruction
- Bore Baths Maintenance and Management

- Australian Airports Association
- Netwaste
- Namoi Peel Catchment Customer Service Committee
- NSW Floodplains Management Authorities Group
- Namoi Local Government Group of Namoi CMA

Rural Infrastructure and Support Services

- Road and Bridge Construction
- Road and Bridge Maintenance
- Traffic Facilities
- Emergency Services
- Quarries and construction material storage and supply
- Plant and Fleet Management
- Workshop and Stores
- New Depot Development

- Weight of Loads Committee
- Local Emergency Management Committee
- Rural Fire Service
- District Emergency Management Committee
- Local Traffic Committees

12. RATES OVERVIEW

REPORTING SECTION: Corporate and Community Services

AUTHOR: Norm Hitchens - Rates Consultant
Carole Medcalf - Director Corporate and Community Services

FILE NUMBER: 180/09/01/00

Summary:

An overview of proposed rates recommendations is presented to Council for its consideration prior to the budget process beginning and taking into consideration the request from Councillor Lane.

Discussion (including issues and background):

Section 8 of the Local Government Act, 1993 promotes Council's charter as follows:

" to raise funds for local purposes by the fair imposition of rates, charges and fees.".

Traditionally, rates have been made and levied by using the valuation of land multiplied by a wholly ad valorem rate (cents in the dollar multiplied by valuation). The value of land does not necessarily reflect the ability of an owner to pay. A rate based solely on the value of rateable land often ignores the cost and value of common services and facilities from which ALL properties benefit regardless of their rateable value.

The DLG Council Rating and Revenue Raising Manual states generally that:

The use of a wholly ad valorem method of rating could be seen by owners of highly valued land as causing uneven distribution of costs because they might have to bear a higher share of the total rate burden than the owners of lower valued land.

The Local Government Act, 1993 by introducing the use of "base amounts" has allowed Councils to structure a rate with an ad valorem component and a base charge which can be used to flatten the incidence of rates across ratepayers and thus reduce the magnitude of rate variations in rates levies between properties of varying rateable value.

There is a cost per property that represents the basic administrative costs of Council from which all properties benefit regardless of their rateable value. A base amount therefore can enable Council to charge all properties subject to the rates a sufficient levy to cover the costs of common services as well as basic administrative costs.

The Act specifically provides that the Base amount must not produce more than 50% of the total rate revenue to be derived from any rate category or sub category.

The remaining 50% (or more) must be determined by the use of Ad valorem amount. The ad valorem amount of a rate is to be levied on the land value of all land that is to be rateable to the rate (section 498) and the rate in the dollar is to apply uniformly. Sections 498 (3) and 499 (4) require all parcels of land to have the same ad valorem and/or base rate as other parcels of land in the same category or sub category.

Following receipt of a revaluation applicable for the 2008/2009 rating year it appears that Lightning Ridge and Burren Junction had a greater increase in valuations than other Towns/Villages throughout the Shire. To “soften” the effects of those valuation increases a system of ad valorem and base charges was adopted.

Assuming a 3.2% rate capping increase for the rating year 2009/2010 a graph of the valuations and rates for each Town/Village has been compiled.

The accompanying graph shows clearly the percentage of valuation levels (on which rates are based) for each Town/Village and also the percentage level of rates levied for each Town/Village under the new structure.

It is apparent from that graph that Walgett makes up 19.25% of the total valuations yet contributes 35.30% of total residential rate revenue. Conversely Lightning Ridge comprises 73.80% of total valuations but contributes only 44.18% of total residential rate revenue. Collarenebri and Burren Junction also contribute significantly more than their valuation percentage.

Assuming the question on page 23 of Council Business paper for 24/02/09 requires Council to provide estimates of a “more equitable rate burden between ratepayers of the Shire’s Towns & Villages” and bearing in mind that Council is restricted under “rate pegging” it would be necessary to vary Base amounts and the ad valorem amounts in each Town to achieve this end.

Walgett already has a base amount of 49.95% - ad valorem would need to increase although Walgett currently pays 35.30% of the total rate levy.

Collarenebri has a base amount of 49.44% - ad valorem would need to increase.

Burren Junction has a base amount of 31.34% - both ad valorem and base amount could be increased.

Carinda & Cumborah also could have both ad valorem & base amounts increased.

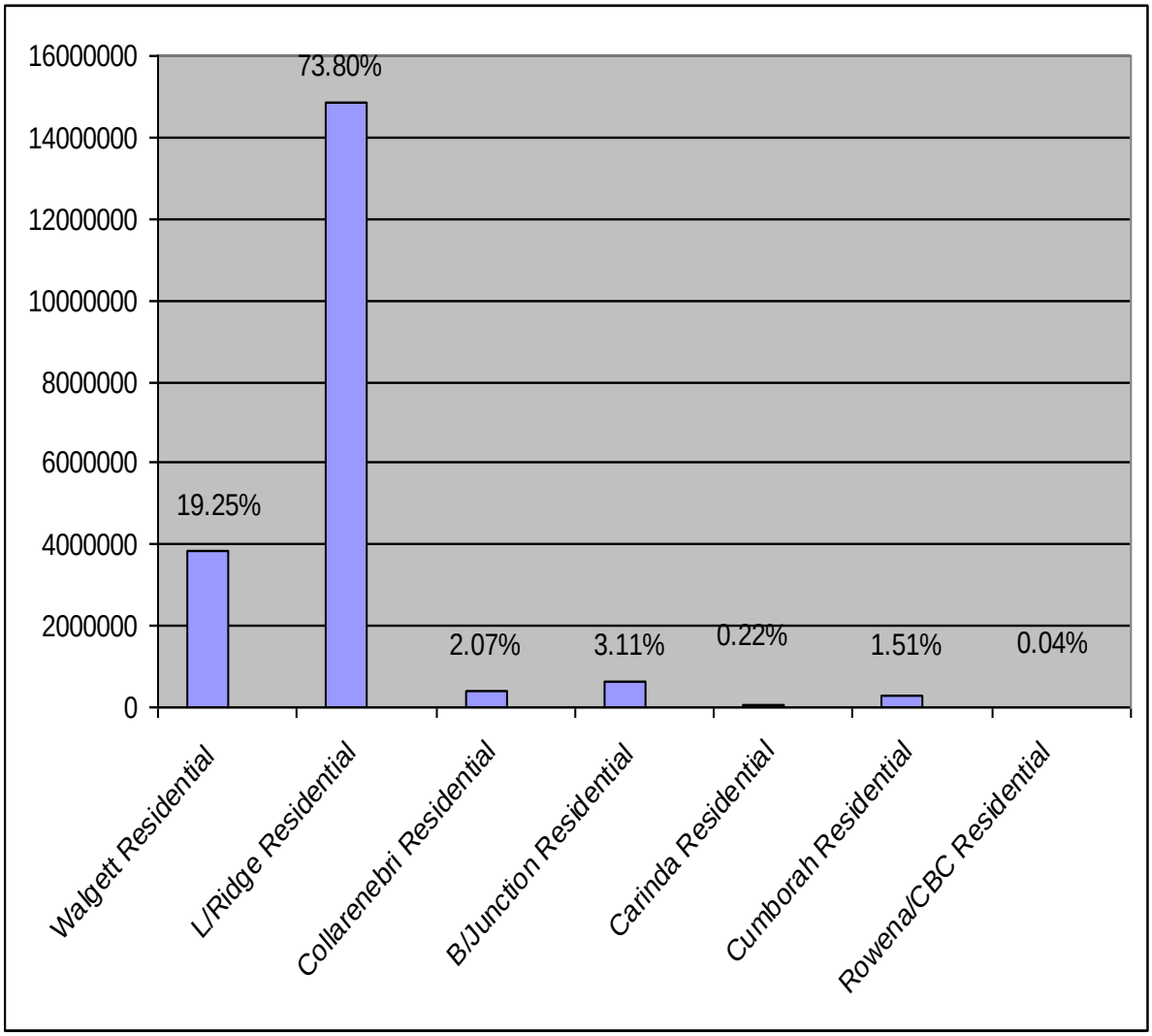
Rowena has a base amount of 49.91% - ad valorem could increase.

If Council was to implement the above variations, it would be necessary, to remain within the rate pegging limit, to reduce the amount of the ad valorem within Lightning Ridge and maybe also the base amount. This would have the effect of reducing the percentage of residential rates levied in Lightning Ridge although the percentage of valuations remains at 73.80%.

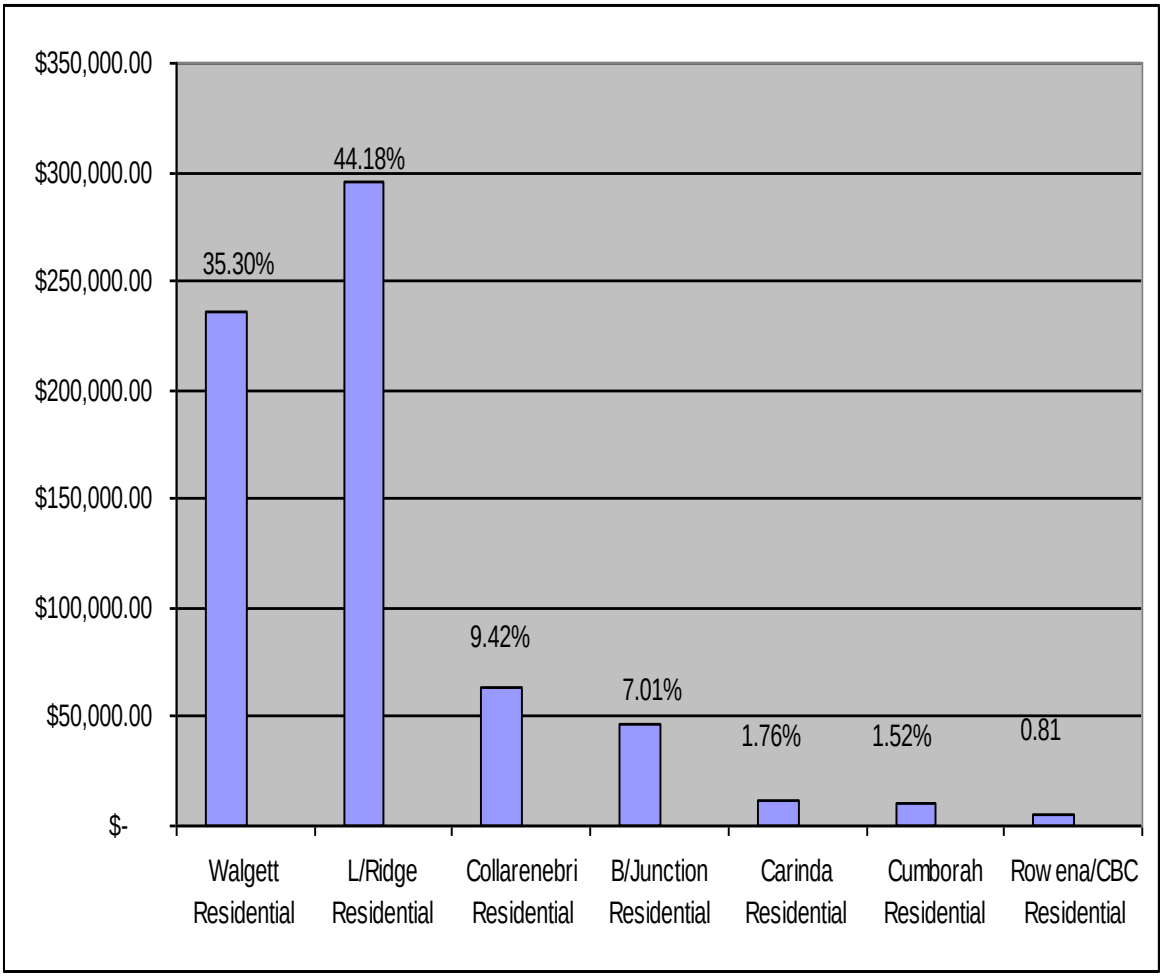
If the intent of the question in the business paper was to provide a more harmonious relationship between Towns & Villages”, a reduction in the amount of residential rates levied on Lightning Ridge residents and a corresponding increase in residential rates levied on other Towns & Villages ratepayers, may well have the opposite effect.

In order to retain the maximum increase allowed under “rate pegging” a reduction of residential rates in Lightning Ridge may be obtained without impacting significantly upon the other Towns/Villages by transferring the proposed reduction in the residential rates to a corresponding increase in other areas such as the business rate, non-urban residential rate and/or the farmland rate.

Towns/Villages as a % of Valuations		%	# of Assmts
Walgett Residential	3868140	19.25%	640
L/Ridge Residential	14827680	73.80%	604
Collarenebri Residential	415740	2.07%	203
B/Junction Residential	624350	3.11%	95
Carinda Residential	43250	0.22%	76
Cumborah Residential	304200	1.51%	56
Rowena/CBC Residential	8699	0.04%	40
	20092059	100.00%	



Towns/Villages as a % of Rate Income assuming 3.2% increase & no change to base rate %			# of Assmts
Walgett Residential	$236,176.28	35.30%	640
L/Ridge Residential	$295,543.99	44.18%	604
Collarenebri Residential	$63,049.95	9.42%	203
B/Junction Residential	$46,922.46	7.01%	95
Carinda Residential	$11,793.18	1.76%	76
Cumborah Residential	$10,166.38	1.52%	56
Rowena/CBC Residential	$5,376.41	0.81%	40
	$669,028.65	100.00%	

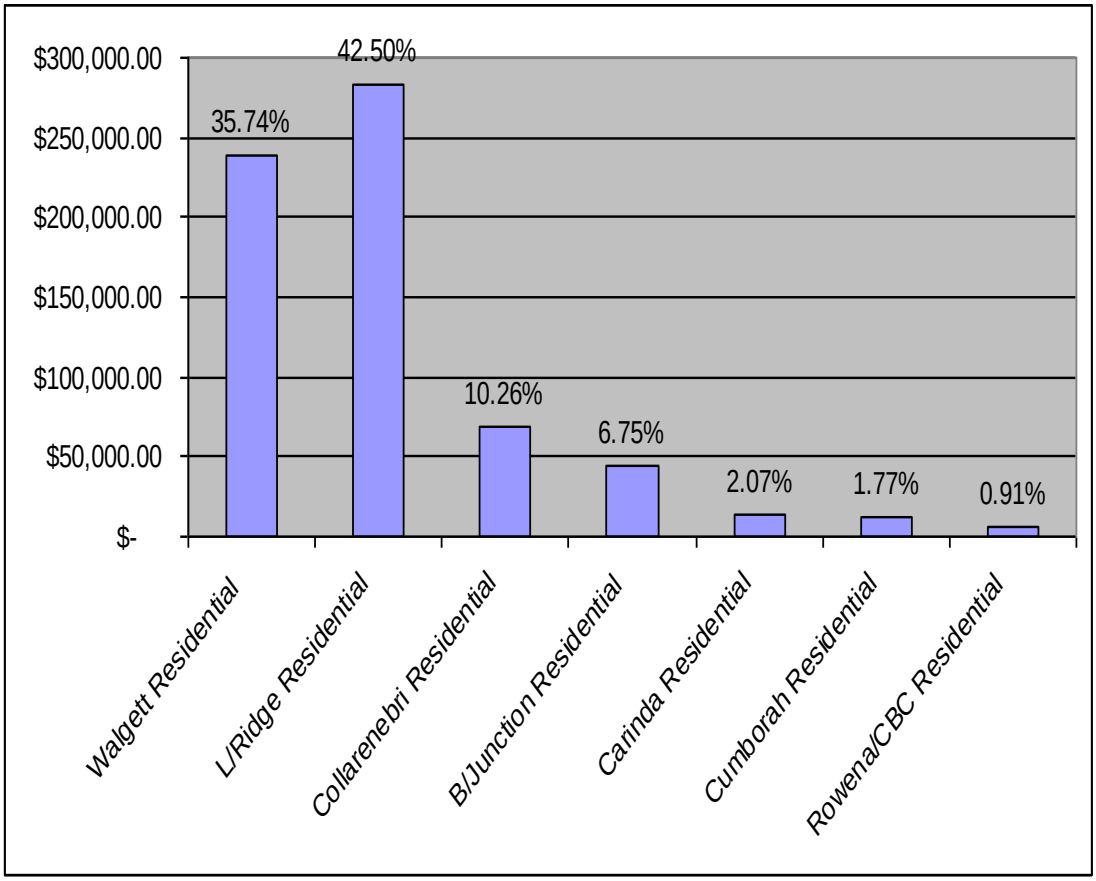


3.2% increase & no change to Base rate will have following effect:			
Property	**08/09 Rate**	**09/10 Rate**	**Variance**
43 Pitt St Walgett	432.24	436.75	4.51
36 Euroka St Walgett	560.73	578.54	17.81
63 Montkeila St Walgett	199.83	206.33	6.50
1 Fox St Walgett	338.50	349.35	10.85
4 Pandora St L/Ridge	493.00	508.76	15.76
16 Agate St L/Ridge	649.00	669.73	20.73
24 Black Prince St L/Ridge	467.00	481.94	14.94
17 Brilliant St L/Ridge	460.50	475.23	14.73
Lot 9 Church St Colly	302.59	312.28	9.69
Lot 12 Earl St Colly	332.27	342.95	10.68
Lot 7 George St Colly	302.59	312.28	9.69
Lot 10 High St Colly	218.75	225.64	6.89
Lot 13 Alma St Burren	570.00	588.24	18.24
Lot 10 Balaclava St Burren	375.00	386.99	11.99
Lot 29 Hastings St Burren	750.00	774.00	24.00
Lot 30 Houlahan St Burren	450.00	464.40	14.40
Lot 10 Colin St Carinda	155.00	159.99	4.99
Lot 7 Oliver St Carinda	125.00	128.79	3.79
Lot 1 Oliver St Carinda	215.00	222.40	7.40
Lot 7 Wilga St Carinda	185.00	191.20	6.20
Lot 1 Cumborah St Cumborah	381.96	394.19	12.23
Lot 2 Cumborah St Cumborah	148.38	153.13	4.75
Lot 8 Narrabri St Cumborah	200.63	207.06	6.43
Lot 6 Walgett St Cumborah	128.49	132.61	4.12
Lot 15 Middle St Rowena	125.00	129.00	4.00
Lot 6 Rowena St Rowena	107.00	110.42	3.42
Lot 62 Middle St Rowena	110.00	113.52	3.52
Lot 1 Rowena St Rowena	815.00	841.03	26.03

Average Rates with 3.2% increase overall& no change to Base Rates	
Walgett Residential	$ 369.03
L/Ridge Residential	$ 489.31
Collarenebri Residential	$ 310.59
B/Junction Residential	$ 493.92
Carinda Residential	$ 155.17
Cumborah Residential	$ 181.54
Rowena/CBC Residential	$ 134.41

Towns/Villages rate income with varying %age increases & no change to base rates			
	Est. 09/10 Rates	**%age**	**# of Assmts**
Walgett Residential	$ 238,464.81	35.74%	640
L/Ridge Residential	$ 283,516.04	42.50%	604
Collarenebri Residential	$ 68,426.30	10.26%	203
B/Junction Residential	$ 45,012.83	6.75%	95
Carinda Residential	$ 13,827.28	2.07%	76
Cumborah Residential	$ 11,821.37	1.77%	56
Rowena/CBC Residential	$ 6,095.35	0.91%	40
	$ 667,163.97	100.00%	

Walgett increased by 4.2%
Lightning Ridge decreased by 1%
Colly increased by 12%
Burren decreased by 1%
Carinda increased by 21%
Cumborah increased by 20%
Rowena increased by 17%

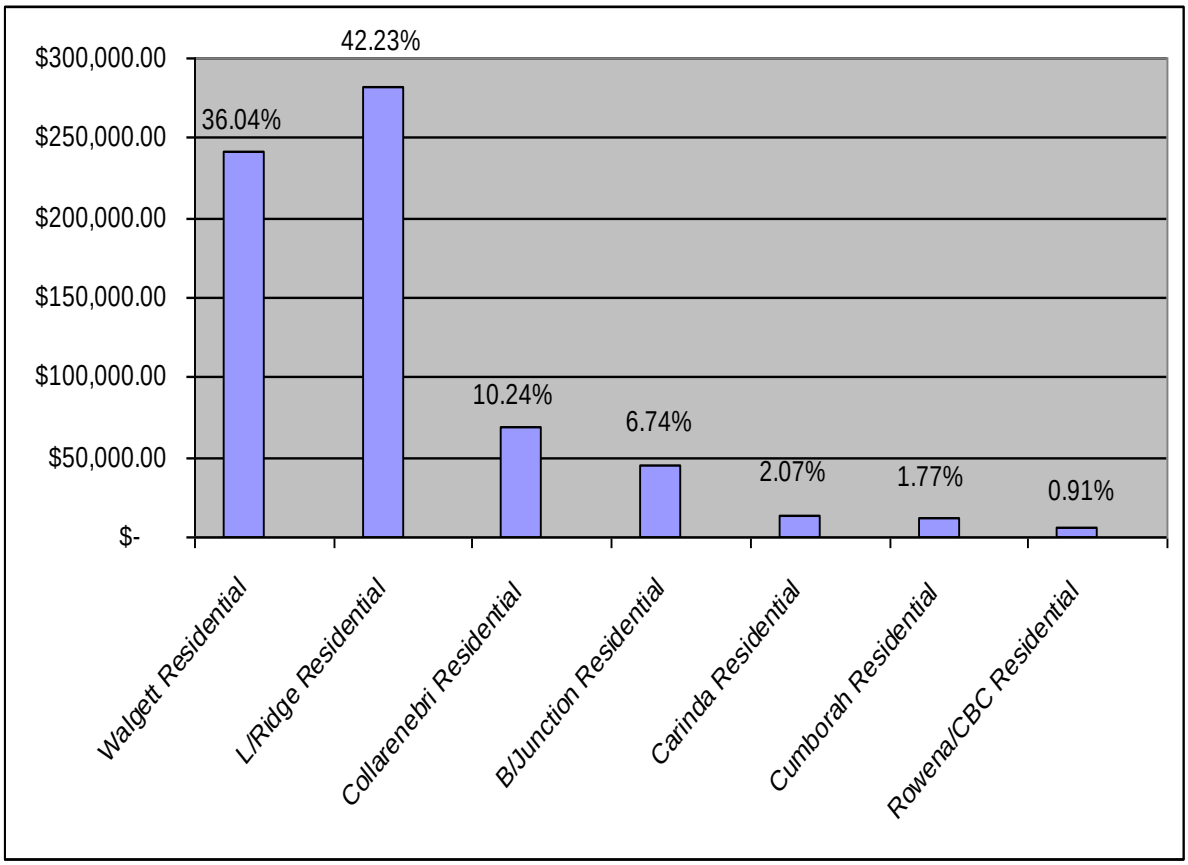


Towns/Villages rate income with varying %age increases & no change to base rates (Total increase = 3.2%)			
Property	**08/09 Rate**	**09/10 Rate**	**Variance**
43 Pitt St Walgett	432.24	440.97	8.73
36 Euroka St Walgett	560.73	584.14	23.41
63 Montkeila St Walgett	199.83	208.33	8.50
1 Fox St Walgett	338.50	352.73	14.23
4 Pandora St L/Ridge	493.00	488.06	(4.94)
16 Agate St L/Ridge	649.00	642.47	(6.53)
24 Black Prince St L/Ridge	467.00	462.32	(4.68)
17 Brilliant St L/Ridge	460.50	455.89	(4.61)
Lot 9 Church St Colly	275.14	308.12	32.98
Lot 12 Earl St Colly	332.27	372.19	39.92
Lot 7 George St Colly	302.59	338.91	36.32
Lot 10 High St Colly	218.75	244.87	26.12
Lot 13 Alma St Burren	570.00	564.30	(5.70)
Lot 10 Balaclava St Burren	1,050.00	1,039.51	(10.49)
Lot 29 Hastings St Burren	750.00	742.50	(7.50)
Lot 30 Houlahan St Burren	450.00	445.50	(4.50)
Lot 10 Colin St Carinda	155.00	187.59	32.59
Lot 7 Oliver St Carinda	125.00	151.00	26.00
Lot 1 Oliver St Carinda	305.00	370.53	65.53
Lot 7 Wilga St Carinda	185.00	224.18	39.18
Lot 1 Cumborah St Cumborah	381.96	458.37	76.41
Lot 2 Cumborah St Cumborah	148.38	178.06	29.68
Lot 8 Narrabri St Cumborah	200.63	240.77	40.14
Lot 6 Walgett St Cumborah	128.49	154.19	25.70
Lot 15 Middle St Rowena	125.00	146.25	21.25
Lot 6 Rowena St Rowena	107.00	125.19	18.19
Lot 62 Middle St Rowena	110.00	128.70	18.70
Lot 1 Rowena St Rowena	815.00	953.50	138.50

Average Rates with varying %age increases & no change to Base rates	
Walgett Residential	372.60
L/Ridge Residential	469.40
Collarenebri Residential	337.08
B/Junction Residential	473.82
Carinda Residential	181.94
Cumborah Residential	211.10
Rowena/CBC Residential	152.38

3.2% total increase with varying Base Rates & %age increases/decreases			
	Est. 09/10 Rates	%age	# of Assmts
Walgett Residential	$ 240,753.34	36.04%	640
L/Ridge Residential	$ 282,084.14	42.23%	604
Collarenebri Residential	$ 68,426.30	10.24%	203
B/Junction Residential	$ 45,012.83	6.74%	95
Carinda Residential	$ 13,827.28	2.07%	76
Cumborah Residential	$ 11,821.37	1.77%	56
Rowena/CBC Residential	$ 6,095.35	0.91%	40
	$ 668,020.60	100.00%	

Walgett Base - no change to Base - 5.2% ad valorem increase
L/Ridge - Base now 45% - -1.5% decrease
Colly Base No Change
Burren Base - now 45%
Carinda Base - now 45%
Cumborah Base - now 45%
Rowena Base - no change



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Property	**08/09 Rate**	**09/10 Rate**	**Variance**
43 Pitt St Walgett	432.24	445.21	12.97
36 Euroka St Walgett	560.73	589.75	29.02
63 Montkeila St Walgett	199.83	210.33	10.50
1 Fox St Walgett	338.50	356.12	17.62
4 Pandora St L/Ridge	493.00	482.21	(10.79)
16 Agate St L/Ridge	649.00	607.77	(41.23)
24 Black Prince St L/Ridge	467.00	461.28	(5.72)
17 Brilliant St L/Ridge	460.50	456.05	(4.45)
Lot 9 Church St Colly	275.14	308.12	32.98
Lot 12 Earl St Colly	332.27	372.19	39.92
Lot 7 George St Colly	302.59	338.91	36.32
Lot 10 High St Colly	218.75	244.87	26.12
Lot 13 Alma St Burren	570.00	546.31	(23.69)
Lot 10 Balaclava St Burren	1,050.00	926.97	(123.03)
Lot 29 Hastings St Burren	750.00	689.06	(60.94)
Lot 30 Houlahan St Burren	450.00	451.14	1.14
Lot 10 Colin St Carinda	155.00	187.37	32.37
Lot 7 Oliver St Carinda	125.00	152.21	27.21
Lot 1 Oliver St Carinda	305.00	363.21	58.21
Lot 7 Wilga St Carinda	185.00	222.54	37.54
Lot 1 Cumborah St Cumborah	381.96	436.96	55.00
Lot 2 Cumborah St Cumborah	148.38	180.91	32.53
Lot 8 Narrabri St Cumborah	200.63	238.19	37.56
Lot 6 Walgett St Cumborah	128.49	159.11	30.62
Lot 15 Middle St Rowena	125.00	146.25	21.25
Lot 6 Rowena St Rowena	107.00	125.19	18.19
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Walgett Residential	$ 376.18
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B/Junction Residential	$ 473.82
Carinda Residential	$ 181.94
Cumborah Residential	$ 211.10
Rowena/CBC Residential	$ 152.38

Categorisation changes

There are four categories allowed by the Local Government Act 1993: Section 515 states for land to be categorised as farmland it must be:

a. A parcel of rateable land
b. Valued as one assessment
c. The dominant use of which is for farming
d. Has a significant and substantial commercial purpose or character and
e. Is engaged in for the purpose of profit on a continuous or repetitive basis

Section 516(1) of the Act states that land is to be categorised as residential if it is a parcel of rateable land valued as one assessment and:

Its dominant use is for residential accommodation or in the case of vacant land it is zoned or otherwise designated for use under an environment planning instrument for residential purposes or it is rural residential land.

Section 517(1) of the Act states that land is to categorised as mining if it is:

a. A parcel of rateable land
b. Valued as one assessment
c. The dominant use of which is for a coal mine or metalliferous mine.

Section 518 of the Act states that land is to be categorised as business if it cannot be categorised as farmland, residential or mining.

Section 188 of the Mining Act states "…..a mineral claim may not be granted on land on which is situated a dwelling house ……" nor for " …….. land which is leased for residential purposes under the Western Lands Act.

It would seem therefore that mineral claims have been correctly categorised as business but perhaps should be renamed from "business – mining" to possibly "business – mineral claim".

Other proposed changes are: to change Non Urban Residential and Non Urban Business to Residential – General and Business – General. Council can then make the rate Residential – General to apply to all residential land within the Shire except those lands subcategorised as Residential – Walgett, Residential Lightning Ridge etc.

Similarly Council could make the rate Business – General to apply to all business land within the Shire excepting those lands subcategorised as Business – Walgett, Business – Lightning Ridge etc. This serves the purpose of streamlining those lands which fall outside the 'usual categories into one category and brings it into line with the DLG Council Rating and Revenue Raising Manual which states:

"If the council's intention is to apply one or more sub categories of residential ordinary rates it must initially make a residential ordinary rate that applies to all land categorised as residential throughout its area excepting that land which will be subject to the sub categorised residential areas".(Section 528).

One other category that should be re-named is that of Mining – Business which relates to residential land outside the Town of Lightning Ridge. A suggestion may be to re-name this category as Residential – Preserved Opal Fields. Previously the Mining - Business category had raised concerns with affected ratepayers because of the confusion in useage of the land and it would be advisable to avoid continuing this confusion. The rate for each of the renamed categories would be equal as is the case now.

Relevant Reference Documents:

Local Government Act 1993
NSW Department of Local Government Rating and Revenue Raising Manual

Stakeholders:

Walgett Shire Council
Walgett Shire Ratepayers

Financial Implications:

As determined in budget process

Recommendations:

1. That Council make the following rate categorisation changes:
- **a. Business Mining to Business – Preserved Opal Fields;**
- **b. Non Urban Residential and Non Urban Business to Residential – General and Business – General;**
- **c. Mining – Business to Residential – Preserved Opal Fields.**

13. REVISED TOURISM STRATEGY

REPORTING SECTION: Corporate and Community Services

AUTHOR: Carole Medcalf - Director Corporate and Community Services

FILE NUMBER: **135/07/03/00**

Summary:

Walgett Shire Council adopted a Tourism Destination Strategy 2007-2010. A revised and updated Draft Tourism Strategy 2009-2011 has been developed which provides a clearer action plan to address some of the issues that have been identified previously by members of the Walgett Shire community.

Discussion (including issues and background):

The revision and updating was necessary as some of the components of the initial Strategy were no longer necessary or had been achieved. The updated Strategy more clearly outlines activities to be undertaken over the next 2 years by our Tourism staff in conjunction with interested community members. As the initial Strategy was developed following community consultation it appears unnecessary to put the revised Strategy, which includes most of the previous one in a different format, out to community consultation. The shorter time period means that it will only be another 18 months before the consultation process is undertaken again.

Tourism has been identified by Councillors and community members as an industry with potential growth in Walgett Shire. It is therefore important that Council develops clear, achievable objectives and works with the community to develop an improved sense of identity for the Shire. Some of that work has commenced in Lightning Ridge, which has the most developed tourism sector in the Shire and council staff have been involved, latterly, in those processes.

Part of the process needed for the Shire is a 'Branding' based on community consultation and involving Councillors and council's tourism staff. The current tourism budget has been managed so as to enable such a workshop to be undertaken this financial year. Some examples of the results of 'branding' workshops are attached to this report. Tourism NSW have an Outback NSW Tourism Plan 2004-2008 which shows what can be achieved by conducting such workshops and also demonstrates how far behind in capitalising on already acknowledged possibilities, the Shire is and a copy of that is also attached.

The Draft Tourism Strategy 2009-2011,a copy of the revised Signage Audit which was completed as part of the initial Tourism Strategy (and has been updated) and a Draft Expression of Interest for the conduct of a Branding consultation and development workshop/s are also attached.

Last year an adjustment was made to the amounts allocated in the budget to Walgett VIC and the Lightning Ridge VIC (LRTA) with an increase being made to Lightning Ridge. This was done in recognition that there are more tourists visiting Lightning Ridge than Walgett and that the industry development there was significantly advanced on that in Walgett.

Currently there are 1.5 (equivalent) F/T staff employed at Lightning Ridge with a complement of volunteers also assisting. The VIC is open 7 days per week with the exception of Christmas Day and is an accredited Level 1 Tourist Information Centre. Lightning Ridge VIC had visitor numbers in December 2008 of 20,804 compared to an average 3,040 in Walgett.

Walgett VIC has a current staff complement of 2.5 (equivalent) F/T staff and a number of casual staff to complement. There are different requirements because there are different Awards applying at the two sites. However, it is my view that there is one F/T staff position (which is currently vacant and has been for some time) that is no longer necessary.

There is a need for an additional community development position in Community Services given the amount of identified social issues that create problems in the Shire. We currently have one Youth Development Officer working F/T specifically with youth across the Shire. The Manager Community Development and Tourism has a number of managerial responsibilities as well as Community Development requirements. The social issues include (but are not limited to): drug and alcohol abuse, domestic violence, vandalism, parenting issues and a lack of facilities and recreational activities, both cultural and sporting. There is more work than can be reasonably expected of one or two people.

I suggest we transfer the VIC Officer position to Community Services at the earliest possible time. Cost implications are manageable within the existing budget. If the social matters are not managed then it stands to reason it will remain the case that there will be limited tourism opportunities opening up in Walgett. The Shire is not the only agency that has responsibilities in this area but the contribution we make can be significant.

Relevant Reference Documents:

WSC Tourism Destination Strategy 2007 -2010

Stakeholders:

WSC ratepayers, Council and staff, tourism operators and organisations.

Financial Implications:

Budgeted in this financial year

Recommendations:

1. **That Council adopts the revised Draft Tourism Strategy 2009-2011.**

2. **That Council endorses the draft Expression of Interest to be advertised with a view to conducting a Branding workshop/s to further develop a tourism strategy for the Shire.**

3. **That Council endorses the proposed change in position from Vic Officer to Community Development Officer.**

Attachments

Draft WSC Signage Audit
Draft Tourism Strategy 2009-2011
Examples of 'Branding' workshops

14. COMMUNITY DEVELOPMENT & TOURISM – DECEMBER 2008 – FEBRUARY 2009

REPORTING SECTION: Corporate & Community Services

AUTHOR: Lianne Tasker –Manager Community Development & Tourism

FILE NUMBER: 135/02/00/00

Summary:

Quarterly activity report for Community Development & Tourism as at February 2009.

Discussion (including issues and background):

Community Development

- Community Consultation Plan drafted and circulated to Executive Team. Consultations will take place Shire wide and will gather information that will inform Council Social & other plans
- Social Plan Review and Action Plan completed
- Analysis of Community Survey results and summary provided for formulation of budget
- Facilitated International Women's Day breakfast

Library

- Services expanded with two new groups scheduled to access the Library. Goonimoo Children's Service will structure the library into their fortnightly program and Walgett Health Service (aged care group) will access the library on a monthly basis
- Two new casual library staff members have been recruited for the Lightning Ridge Library and will share 15 hours per week with the existing casual library staff

Tourism

- LGSA Tourism Conference attended
- Contributed to draft of Tourism Plan

Other -

- Development Applications for Regional Infrastructure funding;
- Walgett & Lightning Ridge skate parks – DA Completed
- Collarenebri skate park – DA in progress
- Burren Junction Bore Baths upgrades
- Walgett & Collarenebri primitive camping areas – DA in progress
- Carinda playground/toilets – in progress

Training -

- Attended Cultural Awareness training
- Attended DLG Integrated Planning Training – Dubbo

Collarenebri Agency-

- Customer Feedback tool designed

Funding -

- Proceeds of Crime funding application completed – CCTV Installation Project
- Connect Ed funding application drafted – School and Youth Development partnership

Relevant Reference Documents:

Nil

Stakeholders:

Walgett Shire community members, organisations and agencies with an interest in the social outcomes of people residing, working in, and visiting the Walgett Shire.

Financial Implications:

Nil

Recommendation:

1. That Council receives and notes the Community Development Tourism Report – December 2008 – February 2009.

Attachments
LGSA Tourism Conference Summary

15. COMMUNITY SURVEY RESULTS

REPORTING SECTION: Corporate and Community Services

AUTHOR: Carole Medcalf - Director

FILE NUMBER: 003/03/03/01

Summary:

A community survey was distributed to residents in late 2008 by Walgett Shire Council staff. It was the first time such a survey has been used to provide information and feedback to Councillors and staff about Council services and the needs of the community. There were 3,335 surveys distributed and 169 returned. Although the return rate was poor and therefore could not be seen to be significant a number of residents indicated that they would return the survey if another was distributed. A summary is circulated under separate cover.

Discussion (including issues and background):

Surveys are seen as a valid form of community consultation by state and federal governments and as such are encouraged amongst local government entities. Encouraging residents to view surveys as a useful way of getting their needs and priorities identified (and dealt with) will encourage more people to respond to future efforts. Most Councils conduct a community survey every two years.

There were seven significant priority action areas identified by respondents which were (in order of concern):

Crime prevention
Road Maintenance
Develop recreational areas
Youth development
Street beautification
Tourism; and
Education/Literacy improvement.

Approximately 60 identified crime prevention and 10 Education/literacy with varying numbers in between.

The most number of surveys were returned by Lightning Ridge residents - 146 - and the least amount by residents attending the Walgett Quilt Show - zero (one of the events used for distribution as well as to residents homes) although they may have returned them to the Shire Offices rather than at the Show. Walgett residents returned 92, Collarenebri 11, Grawin 9, Rowena 5, Carinda 2.

The surveys basically serve to support most of the areas identified by Councillors in the Strategic Planning process and will also lend weight to funding applications in those areas identified.

Relevant Reference Documents:

DLG Management Planning Guidelines

Stakeholders:

Walgett Shire Council
Walgett Shire residents

Financial Implications:

Consideration in budget process

Recommendations:

1. That Council note the report on the community survey

2. That Council publicise when appropriate, those projects targeted to address the seven priority areas

16. INDUSTRIAL RELATIONS PRACTICES

REPORTING SECTION: Corporate and Community Services

AUTHOR: Carole Medcalf - Director

FILE NUMBER: 004/08/01/00

Summary:

There is a complex set of industrial requirements governing employment processes in local government. A summary of the most significant among them follows.

Discussion (including issues and background):

Council's Charter (Section 8 of the *Local Government Act 1993*) requires Council to be *a responsible employer.*

Council employs the General Manager, which is considered to be a senior staff appointment. The General Manager appoints staff in accordance with an organisation structure, approved by Council and the General Manager has responsibility for the day-to–day management of council, including the capacity to direct and dismiss staff.

Sections 348 and 349 of the *Local Government Act 1993* determine how positions are to be advertised and clearly indicate that appointment is to be made on merit, [s349 (2)] *according to (a) the nature of the duties of the position, and (b) the abilities, qualifications, experience and standard of work performance of those persons relevant to those duties.*

Once employed, staff entitlements and the organisation of work is determined to a large extent by the requirements of the *Local Government (State) Award 2007* which determines Rates of Pay, Salary System requirements, Hours of Work, Leave Provisions and Grievance and Dispute procedures as well as Disciplinary Procedures. There are other matters also dealt with by the Award.

Senior staff are required to observe all those requirements in their management of staff and staff are required to abide by the requirements as well. Council also has a number of human resources policies (see Policy Manual) and procedures to assist in ensuring such requirements are met.

Council's salary system has to meet Award standards in terms of skill recognition, progression processes, skills assessment and performance objectives. Our new system is being designed with those standards in mind. Position descriptions, required for each position in Council's organisational structure, must clearly state the grade of the position, requirements for the position, selection criterion and place of the position in the organisation i.e. reports to and from the position.

Council is required to establish a consultative committee (Award Clause 27) which has as its functions:

a. award implementation
b. training
c. consultation with regard to organisation restructure
d. job redesign
e. salary systems
f. communication and education mechanisms
g. performance management systems
h. changes to variable working hours arrangements for new or vacant positions
i. local government reform.

All significant Council position changes go through consultative committee processes where the relevant union representatives discuss with management representatives, in a co-operative manner, any changes to position descriptions, re-gradings or changes in levels of responsibility.

Relevant Reference Documents:

Local Government Act 1993
Local Government (State) Award 2007
Walgett Shire Council Policy Manual

Stakeholders:

Walgett Shire Council and staff

Financial Implications:

Nil

Recommendations:

1. That Council receive the report for information.

Attachments
Nil

17. INTERNAL AUDIT COMMITTEE

REPORTING SECTION: Corporate and Community Services

AUTHOR: Carole Medcalf - Director

FILE NUMBER: 145/01/11/07

Summary:

Department of Local Government Circular 08-64 contains the Internal Audit Guidelines, detailing the requirements of councils regarding the establishment of an Internal Audit Committee. Walgett Shire Council does not currently have an Internal Audit Committee.

Discussion (including issues and background):

The purpose of an internal audit function (which can be either an appointed officer or a committee but recommended by the Department as a committee) is to provide 'independent assurance over the internal controls and risk management framework of the council" (p7 Circular 08-64).

The scope of the committee would generally 'include some or all of the following areas:

-
- *Reliability and integrity of financial and operational information*
- *Effectiveness and efficiency of operations and resource useage*
- *Safeguarding of assets*
- *Compliance with laws, regulations, policies, procedures and contracts*
- *Adequacy and effectiveness of the risk management framework."*

While larger councils do, as a matter of course, usually have such functions smaller councils, such as Walgett Shire, have been less likely to do so. The increasing amounts of public monies, greater public liability risks and increased levels of responsibility make it good practice for all councils as well as a requirement from the Department.

It makes good sense however, for this to be a shared function, and as such we have commenced discussions with Warrumbungle Council about the possibility of doing that with other councils in the region. Currently it appears that all councils in the OROC area are keen to establish a shared committee which would function to the benefit of all OROC Councils.

Relevant Reference Documents:

Circular 08-64
Circular 09-03

Stakeholders:

Walgett Shire Council
Other OROC member councils

Financial Implications:

Shared financial costs still to be determined.

Recommendation:

1. That Walgett Shire Council supports the sharing of the establishment of an Internal Audit Committee with other member councils of the OROC region.

Attachments

Circular 08-64
Circular 09-03

dlg | circular to councils

Circular No. 08-64
Date 14 October 2008
Doc ID. A138195

Contact Paul Terrett
02 4428 4198
paul.terrett@dlg.nsw.gov.au

INTERNAL AUDIT GUIDELINES FOR COUNCILS AND COUNTY COUNCILS

Internal audit is widely used in corporate Australia as a key mechanism to assist in managing risk and improving efficiency and effectiveness. At a Federal and State Government level, there are clear requirements for internal audit and risk management in most jurisdictions.

There is also growing acceptance of the importance of internal audit and risk management in local government. It is pleasing to see that a number of councils in New South Wales are showing leadership in fully embracing this concept. However, the Promoting Better Practice Program has highlighted that while progress is being made, there is still opportunity for improvement. Effective internal audit and risk management processes should become part of the 'business as usual' operations of councils.

The Internal Audit Guidelines propose oversight of council systems and processes through an audit committee. The combination of an effective audit committee and internal audit function provide a formal means by which councillors can obtain assurance that risk management and internal controls are working effectively.

I encourage all councils and county councils to use this guide to develop internal audit and risk management in local government on a collaborative basis.

The Guidelines are attached to this circular and are also available on the Department's website. The Guidelines have been designed to assist councils and county councils develop and implement internal audit and risk management frameworks that will in turn build community confidence in their managerial performance.

Garry Payne AM
Director General

dlg | circular to councils

Circular No. 09-03
Date 4 February 2009
Doc ID. A170858

Contact Tempe Lees
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INTERNAL AUDIT COMMITTEES

Purpose

The purpose of this circular is to highlight essential components of an effective internal audit function and act as a reminder to councils of some of the key recommendations contained in the Department's *Internal Audit Guidelines*.

Background

In 2008 pursuant to section 23A of the *Local Government Act 1993*, the Department released *Internal Audit Guidelines* for local government in NSW via Circular number 08-64. Copies of these Guidelines can be found on the 'Publications' page of the Department's website at www.dlg.nsw.gov.au.

The Guidelines advise all councils to develop an internal audit committee to act as an independent and objective oversight of council systems and processes.

To ensure that councils receive the maximum benefit from the implementation of an internal audit framework, it is important the Guidelines are properly put into practice. The Department is monitoring their implementation in the sector and actively promoting their adoption by councils.

Internal Audit Committee Membership

In the course of monitoring the implementation of the Internal Audit Guidelines, it has come to the Department's attention that some councils are establishing internal audit committees where members of staff are voting members of the committee. In particular, the Department is aware of instances where the council's general manager is a member of the committee and is responsible for preparation of the agenda and materials presented to the committee for consideration.

The Department's *Internal Audit Guidelines* make it clear that it is not good practice for a general manager or staff members of a council to be members of a council's internal audit committee or be entitled to vote at such meetings. This exclusion is to ensure that the key traits of an internal audit committee of independence and objectivity are preserved. The Guidelines emphasise the importance of the committee being composed of members external to the council and its operations.

Suggested committee membership is set out in section 4.3 of the Guidelines and in Appendix 2 – Sample Audit Committee Charter.

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

In line with good practice, the Guidelines recommend that the chair of the internal audit committee is a person who is independent of and external to the council.

Independent members of the internal audit committee should have relevant personal qualities, skills and experience and where possible include at least one member with a strong financial and/or audit background. In selecting and appointing independent members for the committee, care should be taken to ensure that the selection is undertaken in a transparent and unbiased manner. This could include calling for expressions of interest from interested persons. The selection process could be undertaken by way of the formation of a small committee of councillors, supported by the internal auditor, which makes a recommendation to council for approval of the appointment.

Administrative Support for Internal Audit Committees

The role of the internal auditor should be defined in a comprehensive internal audit charter. The Guidelines provide details of the recommended content for an internal audit charter. A sample charter is contained in Appendix 3 to the Guidelines.

To ensure that the internal auditor is able to be most effective, it is essential that their independence is maintained and that they are free from interference in determining the scope of internal auditing, performing work and communicating results.

It is recommended that wherever possible the internal auditor should report directly to the audit committee and administratively to the general manager. The preparation of internal audit committee papers should be the responsibility of the internal auditor in consultation with the chair of the internal audit committee.

Conclusion

Internal audit is an essential component of good governance for all councils. The combination of an effective audit committee and internal audit function provides a formal means by which councillors and members of the public can obtain assurance that the council has in place a robust system of controls, processes, and procedures to manage the risks to its operations.

All councils are encouraged to properly implement the Department's Internal Audit Guidelines. Those councils that have an existing internal audit function should review the framework they have in place to ensure that it complies with the Department's Guidelines.

Garry Payne AM
Director General

18. INSPECTION SCHEDULE MARCH – APRIL 2009

REPORTING SECTION: Corporate and Community Services

AUTHOR: David Callander OHS Coordinator/ Risk Officer

FILE NUMBER: 295/07/00/00

Summary:

This report outlines the proposed inspection schedule of Council's Occupational Health & Safety Coordinator / Risk Officer for the months of March - April, 2009.

Discussion (including issues and background):

In line with Council's commitment of compliance with the Occupational Health and Safety Act 2000, and Council's requirement as per Department of Local Government circular number 06/75, Valuation of Assets at Fair Value, the following is a list of proposed inspections to be carried out throughout March - April at Council owned facilities.

The inspections report and recommendations will be used to assist in the process of valuations.

24th March
Carinda Showgrounds
Carinda Parks
Carinda Hall
Carinda Pool

1st April
Lightning Ridge library
Lightning Ridge Tourism Centre
Lightning Ridge parks & Playgrounds

8th April
Walgett, Gray Park
Walgett, Apex Park
Walgett, Pearson Park
Walgett, Rotary Park

15th April
Burren Junction, Pool
Burren Junction, Bore Baths
Burren junction, Parks
Burren Junction, Oval / showground
Burren junction Hall

The Occupational Health and Safety Coordinator / Risk Officer commenced inspections in early March with the following having been completed.

Gem Gardens, Lightning Ridge
Spider Brown Oval, Lightning Ridge
Bore Baths, Lightning Ridge

Relevant Reference Documents:

Occupational Health and Safety Act 2000
Department Local Government circular 06/75

Stakeholders:

Walgett Shire Council
Citizens Walgett Shire

Financial Implications:

Costs will be relevant to any recommendations that arise as a result of the proposed inspections.

Recommendation:

1. That Council receive and note the report and inspection schedule.

19. REPORT ON WALGETT MOBILE PCYC – MARCH 2009

REPORTING SECTION: Corporate and Community Services

AUTHOR: George McCormick – Youth Development Officer

FILE NUMBER: 003/05/01/00

Summary:

The PCYC program is experiencing a lack of support from organisations in Walgett and a lack of PCYC staff willing to be deployed to Walgett. Attendance numbers have decreased due to a lack of structure with programming of events for our young people.

Senior police have indicated that PCYC will withdraw their service from Walgett at June 2009 although Council has not yet received any official decision from PCYC.

Discussion (including issues and background):

The inception of the PCYC Mobile program in Walgett in mid 2006 is attributed in part to the rapid drop in youth related crime in Walgett. The program supported by the Castlereagh Local Area Command and the Walgett Shire Council at that time.

Police officers from other areas around the State were deployed for two days where the Mobile Van, fully equipped with x box's and video screens would visit schools and the local youth centres in an attempt to break the barriers often identified in Youth – Police relationships. The van cost in excess of $200,000.

In July 2007 Walgett Shire Council agreed to support the employment of a manager in a full time position with a view to utilise the mobile van and outreach to other communities experiences issues relating to Youth.

Council commits $40,000 per annum to assist with the salary for the manager of the PCYC Program; council also offers venues and staff at nearly every deployment.

It was also intended that this would lighten the work load of other services who were supporting the program and that the manager would develop and implement structured programs for the young people of our Shire. It would be fair to say that the intentions of out- reaching the service to other communities have not happened.

The community of Lightning Ridge who are experiencing an up turn in youth related crime have had the PCYC Van visit twice in two years, Collarenebri has had visits from the Van on average of four times a year.When the van has been in Walgett there seems to be a lack of communication and the young people are not aware of its movements, nor are staff from Council who support the program.

To date there is still a void in the structure and programming of the PCYC Van.
Points to note:

- The PCYC van sits in a council shed for twelve days of the fortnight; this is seen by many to be a major under utilization of a resource proven to be a productive tool in

combating anti- social matters and works as an engagement tool for police to form relationships with our young people.

- The PCYC staff who were regular visitors with the program have dropped out of the program.

- Volunteers are minimal, although there are reportedly forty odd (40) volunteers on the books it is not uncommon to see only the Police being deployed and Council Youth Development staff at deployments.

- Young people are still attracted to the Van and the activities on offer it just needs to be structured and promoted to the wider communities throughout the Walgett Shire.

- Other communities throughout Walgett are regularly questioning as to why the Van does not visit their communities more often when these communities are also in Walgett Shire, suffering the same youth issues and needs and are entitled to an even distribution of the service.

Relevant Reference Documents:

Walgett Shire Council's Management plan 2008 / 2009 – 2012 / 2013

Stakeholders:

Walgett Shire Council
Young people of Walgett Shire
Communities of Walgett Shire
PCYC

Financial Implications:

Nil

Recommendations:

1. Walgett Shire Council seek a review of the services and partnership be considered in period March – April 2009.

2. That in the event of a negative review or the withdrawal of the PCYC service in Walgett Shire, the allocation of $40,000 is considered for reallocation to Youth Development Officer.

20. INVESTMENT REPORT AS AT 28 FEBRUARY 2009

REPORTING SECTION: Corporate and Community Services

AUTHOR: Shane Roberts – Finance Officer

FILE NUMBER: 180/02/01/00

Summary:

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

Discussion (including issues and background):

The Investment summary as at 28 February 2009 as follows

Recommendation:

1. That the investment report as at 28 February 2009 be received.

INVESTMENTS - CONSOLIDATED

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

Investment Institution	Type of Investment	Term (days)	Rate %	Ref	Reset Date	Maturity Date		
Term Deposits								
Newcastle Permanent Building Society	Term Deposit	175	7.63	524/09		03-Mar-09	$	500,000.00
National Australia Bank	Term Deposit	168	8.00	525/09		16-Mar-09	$	500,000.00
Westpac	Term Deposit	168	7.50	526/09		16-Mar-09	$	500,000.00
Suncorp Metway	Term Deposit	182	7.38	527/09		24-Mar-09	$	500,000.00
Bank of Queensland	Term Deposit	182	7.64	528/09		31-Mar-09	$	500,000.00
Local Government Financial Services	Term Deposit	182	6.52	531/09		08-Apr-09	$	500,000.00
Suncorp Metway	Term Deposit	182	5.68	532/09		14-Apr-09	$	500,000.00
Savings & Loans Credit Union	Term Deposit	91	6.00	536/09		03-Mar-09	$	500,000.00
Westpac	Term Deposit	121	5.60	537/09		08-Apr-09	$	500,000.00
IMB Ltd Financial Services	Term Deposit	91	5.70	540/09		17-Mar-09	$	500,000.00
Australian Central Credit Union	Term Deposit	91	5.20	541/09		07-Apr-09	$	500,000.00
Police & Nurses Credit Society	Term Deposit	88	5.35	542/09		21-Apr-09	$	500,000.00
Bank of Western Australia	Term Deposit	91	4.35	543/09		21-Apr-09	$	300,000.00
Local Government Financial Services	Term Deposit	91	4.50	544/09		21-Apr-09	$	500,000.00
Suncorp Metway	Term Deposit	91	4.60	545/09		28-Apr-09	$	500,000.00
Newcastle Permanent Building Society	Term Deposit	91	4.60	546/09		28-Apr-09	$	500,000.00
Bank of Western Australia	Term Deposit	91	4.25	547/09		28-Apr-09	$	500,000.00
Bank of Western Australia	Term Deposit	120	3.75	548/09		03-Jun-09	$	300,000.00
National Australia Bank	Term Deposit	182	4.00	549/09		04-Aug-09	$	300,000.00
Savings & Loans Credit Union	Term Deposit	63	4.50	550/09		14-Apr-09	$	250,000.00
Citibank	Term Deposit	154	4.68	551/09		21-Jul-09	$	500,000.00
National Australia Bank	Term Deposit	91	4.20	552/09		26-May-09	$	500,000.00
Callable Range Accrual Notes (CRAN)								
Commonwealth Bank of Australia bond	Term Deposit	90	7.50	538/09	16-Mar-09	16-Dec-10	$	500,000.00
Royal Bank Canada bond	Term Deposit	90	7.70	539/09	16-Mar-09	16-Mar-11	$	500,000.00
Floating Rates Collaterized Debt Obligations (CDO)								
Zircon Finance Limited	Floating Rate CDO	92			23-Mar-09	20-Sep-14	$	175,275.00
Managed Aces SP	Floating Rate CDO	94			25-Mar-09	20-Jun-15	$	64,670.00
Helium Capital	Floating Rate CDO	92			24-Mar-09	23-Jun-14	$	105,800.00
Magnolia Finance	Floating Rate CDO	92			23-Mar-09	20-Mar-12	$	36,500.00
							$	**11,532,245.00**

21. DRAFT YOUTH STRATEGY 2009 – 2014 – A FIVE YEAR PLAN

REPORTING SECTION: Corporate and Community Services

AUTHOR: George McCormick – Youth Development Officer

FILE NUMBER: 100/03/01/00

Summary:

Walgett Shire Youth Development Officer in consultation with community, youth, organisations, agencies and youth focus groups have developed a draft Five (5) Year Plan – Youth Strategy.

Discussion (including issues and background):

As this is the first Youth Strategy Walgett Shire have developed this document contains background information considered to be essential to the reader. The Strategy is circulated under separate cover.

Relevant Reference Documents:

Management plan 2007 / 2010 – 2012 / 2013

Stakeholders:

Walgett Shire Council
Young people of Walgett Shire
Communities of Walgett Shire
Service providers of Walgett Shire

Financial Implications:

Nil

Recommendations:

1. **That Council resolve to receive the Walgett Shire Youth Strategy (Draft) 2009 - 2014**

2. **That Council resolves to publicly exhibit the draft Youth Strategy for Twenty eight (28) days for consultation and comment**

22. DA 2008030 – MECHANICS WORKSHOP & SHADE SAILS

REPORTING SECTION: Planning and Regulatory Services

AUTHOR: Janet Babic, Town Planner

FILE NUMBER DA 2008030

Summary:

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

Discussion (including issues and background):

Mr Cree has lodged Development Application 2008030 to carry out commercial mechanical repairs in a shed and construct shade sails for an off street parking area and garden (as shown in Figures 2 & 3 below). The site is Lot 16 Section 21 in DP 758612, Pandora Street, Lightning Ridge, as shown in Figure 1 below

One objection to the proposal was received from an adjoining neighbour whose main concerns appear to be:

* Commercial use is out of character with the residential nature of the area.
* Noise from the mechanical operations.
* Possible de-valuation of their property and those in the vicinity of the site

It is relevant to note that at a meeting held on 2 September 2008, a Development Application (DA2008016) was considered by Walgett Shire Council, which resolved to:

* approve a shed (which has now been built).
* refuse a proposal to use the shed for commercial mechanical repairs.

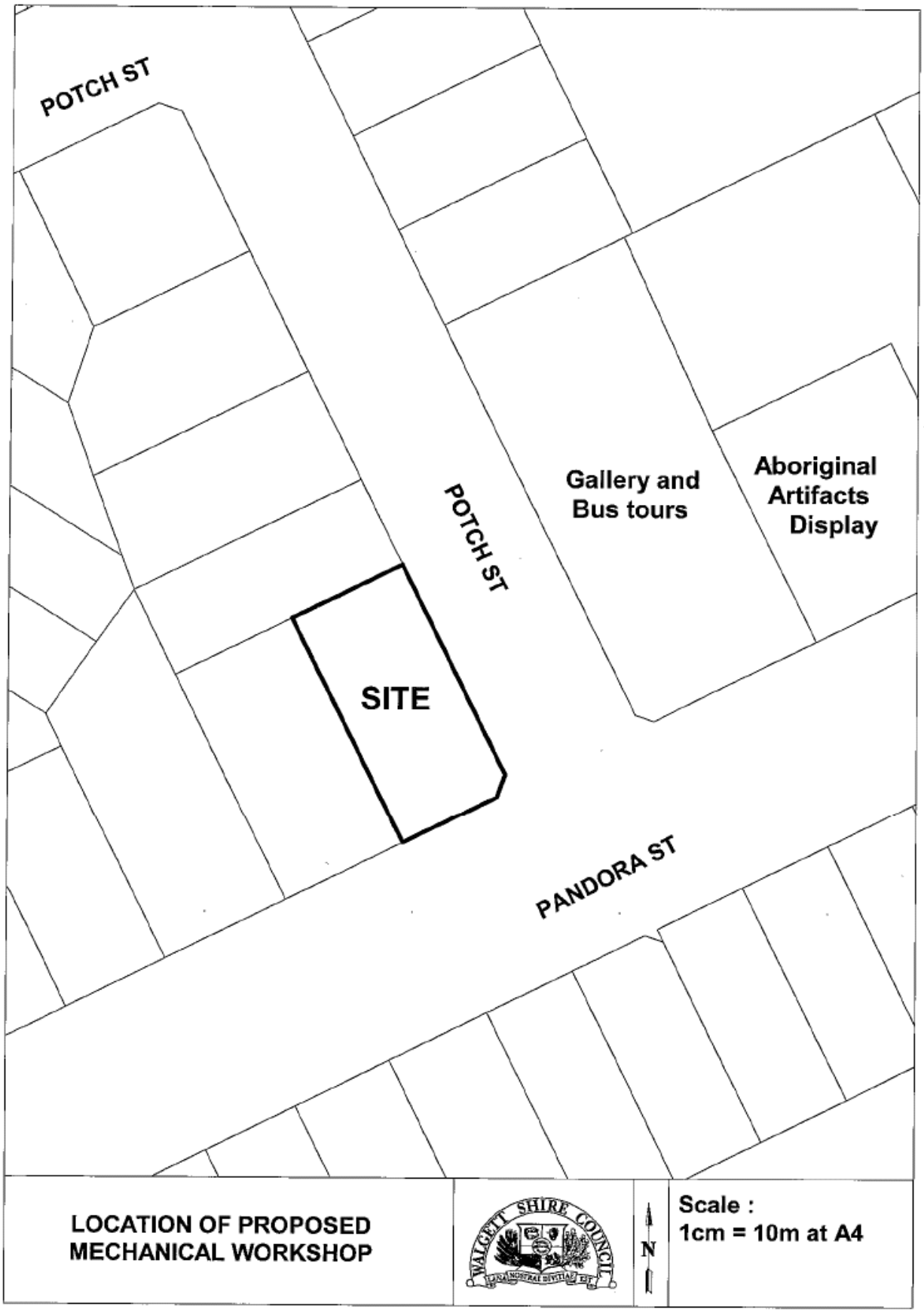

FIGURE 1 - LOCATION PLAN

(Page 3 of 3

Poles to be 1.2 meters in ground.
" " " 100m x 100m x 6m thick
" " " in ground at 5° angle.

These specs where given to me by Len the building inspector.

Colour to be green. (shade cloth.)
Shade cloth to be 90°.

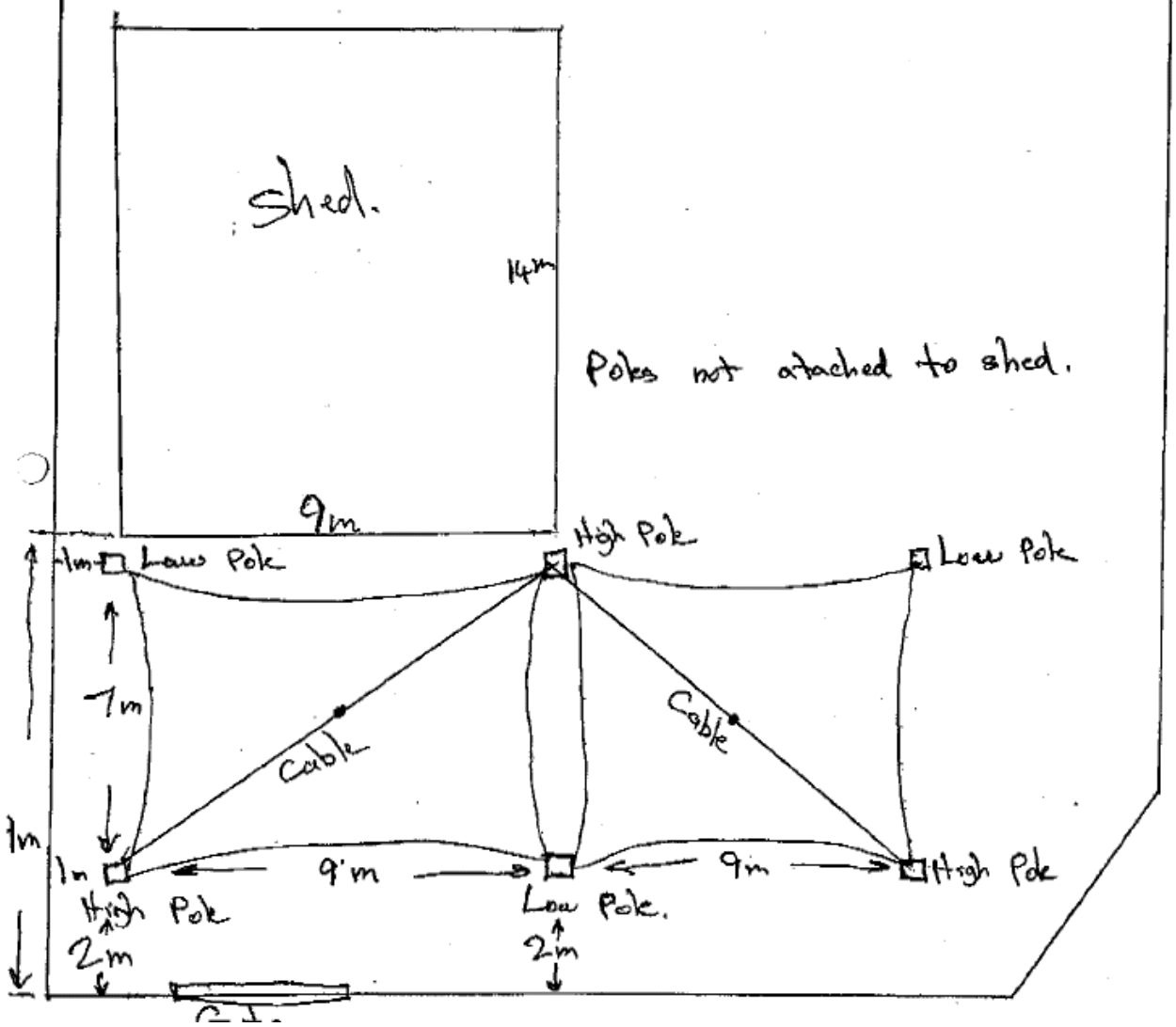

FIGURE 2 - SITE PLAN (INCLUDING PROPOSED SAILS SHADING)

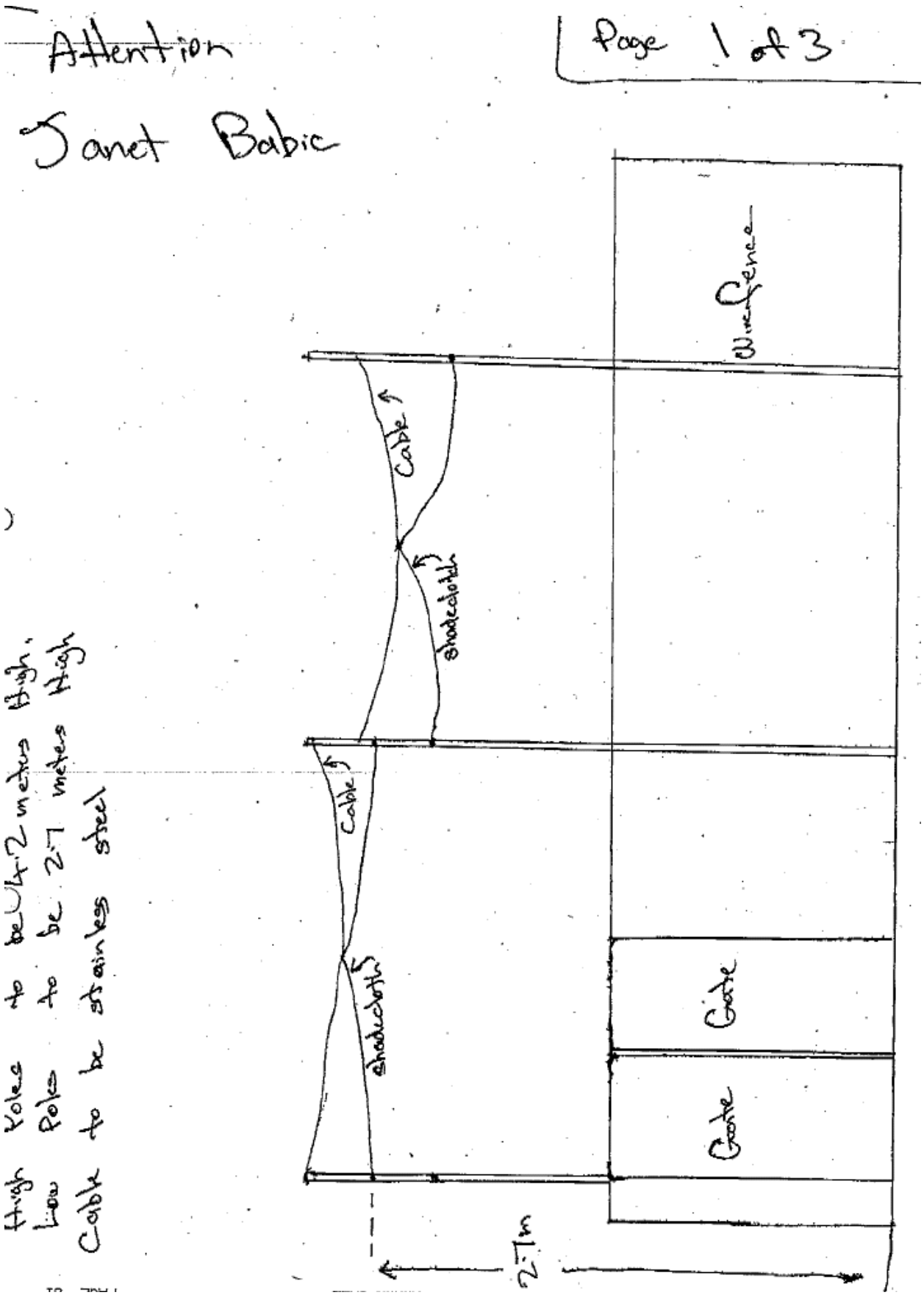

FIGURE 3 - SHADE SAILS FRONT ELEVATION VIEW

STATUTORY MATTERS FOR CONSIDERATION:
79C (1)(a)(i) Provisions of any environmental planning instrument.
Under the Interim Development Order No. 1 – Shire of Walgett 1968 (IDO) the land is located within "2. Village or Township" zone where the predominant land-use is residential. The proposal is permissible with development consent

79C (1)(a)(ii) Provisions of any draft environmental planning instrument that is or has been placed on public exhibition.
Not applicable. There are no relevant draft environmental planning instruments on public display.

79C (1)(a)(iii) Any development control plan.
Not applicable. There are no current Development Control Plans in Walgett Shire. However the effectively obsolete Walgett Shire Council Off Street Parking Code, was used as a guide to determine the appropriate number of parking spaces for the mechanical workshop operations (i.e. 1 parking space per 90 square metres of floor space is required, the proposed floor space will be 126 square metres requiring 2 off street parking spaces).

79C(1)(a)(iiia) Any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F
Not applicable. No planning agreement has been proposed.

79C(1)(a)(iv) The regulations.
Section 92 and 92A of the Environmental Planning and Assessment Regulation 2000 prescribe additional matters for consideration (see comments below).

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

Natural and built environments:
Residential buildings and land uses dominate the vicinity of the site. On the opposite corner of Potch St and Pandora Street there is a pottery gallery/studio and bus tours business.

A commercial mechanical workshop would be out of character with the dominant use in the vicinity.

Social and economic impacts:
The proposed commercial mechanical workshop would be located in a predominantly residential area and would be out of character with the dominant land use. The large size of the shed in which it is proposed to conduct commercial operations, and their nature, could result in significant noise impacts. Additional traffic could also be expected in the area.

Positive economic impacts would arise from the proposed mechanical business by generating income and employment for the owner. It would also provide a vehicle maintenance service for the local community.

An objector has argued that the business may devalue their property (See attachment no. 1).
It is also quite possible that it could contribute to an increase in value, especially if the development is implemented in such a way that it makes positive impacts on the area.

79C (1)(c) Suitability of the site for the development.
Land use in the vicinity is predominantly residential, but there are also two commercial uses nearby that are tourism related.

The 1970 Model Provisions contain a definition for "home industry" which involves a building with a floor space less than 300 square feet (27.87 square metres). Home industry style commercial uses warrant consideration if they are unlikely to have significant impacts on the amenity of an area. This proposal involves a shed with an area of 126 square metres (1,356 square feet), which is more than four times larger than the scale defined for a home industry. From a planning perspective commercial development with a significant footprint should be restricted to areas where industrial or commercial land uses are dominant.

Ultimately, approving a land use which involves a large commercial mechanical workshop within an area that is predominantly residential in character is regarded as inappropriate. The shade sales are not likely to significantly interfere with the amenity of the area.

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.
One objection was submitted from an adjoining owner whose main concerns are about possible noise from the commercial mechanical workshop and possible de-valuation of their property, and other properties in the vicinity of the development.

The following matters must also be considered by Council in accordance with the respective clauses of the Environmental Planning and Assessment Regulation 2000 when making a decision on any Development Application.
92(1)(a) Coastal areas - Not Applicable.
92(1)(b) Demolition - Not applicable, no demolition work is proposed.
93 Fire safety and other considerations - Fire schedule attached to conditions of consent.
94 Consent authority may require buildings to be upgraded - Not applicable.
94A Fire safety and other considerations applying to temporary structures - Not applicable.
95 Deferred commencement consent - Not applicable.
97A Fulfilment of BASIX commitments - Not applicable.

CONCLUSION
The proposed workshop is permissible with development consent in the 2. Village or Township zone.

To assess the merits of the application I have considered a range of issues including:
* Matters raised in the objection
* Existing land use patterns in the locality
* The scale and nature of the development within the meaning of a “Home Industry”
* Potential positive and negative impacts that could reasonably be expected to arise from the proposal and
* The potential for mitigation measures that can be used to reduce potential adverse impacts (i.e. limited working hours).
* Walgett Shire Council's previous decision regarding the use of a shed on this site for commercial mechanical repairs.

In the above context I formed the opinion that it would be unreasonable to refuse approval for the shade structure component of the application. I am also of the opinion that the commercial mechanical workshop component of the application should be refused on the grounds that the development:
* Would be out of character with the dominant residential land use in the vicinity.
* Is too large for the context of the site and hence could have adverse impacts on the amenity of the area.

* Would be more appropriate in an area that is predominantly commercial or industrial in character.

Relevant Reference Documents:

DA 2008030 file
Interim Development Order No 1 - Shire of Walgett, 1968
Model Provisions 1979

Stakeholders:

Applicant, objector, public.

Financial Implications:

Nil

Recommendations:

That Walgett Shire Council resolve:

1. To refuse the commercial mechanical workshop component of the Development Application 2008030 in the name of Lawrie Cree on Lot 16 section 21 in DP 758612 because the development:

(a) Would be out of character with the dominant residential land use in the vicinity.
(b) Is too large for the context of the site and hence could have adverse impacts on the amenity of the area.
(c) Would be more appropriate in an area that is predominantly commercial or industrial in character.

2. To approve the shade structure component of the Development Application 2008030 in the name of Lawrie Cree on Lot 16 Section 21 in DP 758612 subject to the conditions of development consent as set out below.

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,

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.

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 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 070.
All footings and/or slabs shall be constructed as per engineer's details.

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

LAND

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

- After excavation for, and prior to the placement of, any footings, and
- After the building work has been completed and prior to any occupation certificate being issued in relation to the building.

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

END

ATTACHMENT No 1

STRETCH CONCRETING

STRETCH ROSS LIC. NO. R59142
ABN NO. 15282155492

17 JOALAH ROAD,
KINCUMBER NSW 2251
E-MAIL: struth56@dodo.com.au

HOME: 02 43690558
FAX: 02 43698725
MOBILE: 0428 690558

6th January 2009.

General Manager,
Walgett Shire Council,
P.O. Box 31,
WALGETT. N.S.W. 2832

Dear Sir,

RE: D.A. APPLICATION 2008/030 – LOT 16 SECTION 21 DP 758612 PANDORA STREET, LIGHTNING RIDGE

CHANGE OF USE FROM SHED TO MECHANICAL WORKSHOP

We would like to strongly object to this application for the establishment of a commercial mechanical workshop at 33 Pandora St, Lightning Ridge. We previously objected to the initial application and would like Council to refer to our previous correspondence dated the 8th August 2008.

Our property which adjoins Lot 16, at present is rented and we feel that this type of development will have a detrimental effect on our ability to source and retain tenants. Who would willingly live next to a noisy workshop? The current tenants have a small child who is not at school during the day and any conditions of consent will not limit the daytime noise. Although there is no evidence that the establishment of this business will devalue our property and affect our resale value along with all the other properties in the area, it is a reasonable assumption. Any loss of value to our property or loss of rental income as a result of Councils decision may result in action being taken to recover such losses. This is why Councils create industrial areas so as to avoid such conflicts.

"The issue of land use conflict can arise when there is no separation between incompatible uses, let alone the misunderstanding, which may exist about the purpose and character of a district." Extracted from Walgett Shire Growth Management Study and Strategy.

The predominant landuse in the area is residential, whether they are old and/or relatively poorly maintained (as stated in the Council officers report) has no bearing on the fact that this commercial mechanical workshop will have a detrimental effect on the lives of the residents of these homes. Any deviation from the current predominate land use will increase the likelihood of further development applications for commercial uses, creating a dangerous precedent.

6/01/2009

- In the previous consent for the construction of the shed, Env 040 states that:
  "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."

  It is also stated in Council reports that social impacts may rise, but they are likely to be of comparatively minor in nature, this is the Council officers opinion, but what is minor in nature to them could have an entirely different meaning to the residence who live in that area and are to be subjected to the noise of the this commercially operated mechanical workshop. There are areas in Lightning Ridge that provide for this type of business operation in a non-residential setting. Many of the workshops in the industrial estate are vacant and or under utilized.

-- 2 --

As stated our property is currently rented, but this might not always be the case as we could decide to return to Lightning Ridge at anytime and do not wish to have to contend with the impact this type of commercial business will have on our quite enjoyment of our property.

We would also like to draw to your attention to the fact that the letter of notification for this application was dated 23 December, allowing 14 days to reply, which is today the 6th January. However it was not received until yesterday the 5th January. Consideration has to be given when the owners of the adjoining property live out of the area and also allowances for delayed mail deliveries.

We ask that the Council seriously consider this application and all its ramifications for the residents in the vicinity and refuse this application.

We would also like to be notified as to when a decision on this matter is to be made and request that we be allowed to speak on the matter. We will need advance warning as we will have to travel a distance of 675 kilometers to attend the Council meeting.

Yours faithfully,
Ruth & Stretch Ross

R. Ross S Ross

cc: Matthew Goodwin, Janet Babic

23. 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 February 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 Walgett Shire Council resolve to:

1. Note the Development and Complying Development Certificate applications dealt with under delegated authority by the Director Planning and Regulatory Services and General Manager during February 2009.

AUTHORITY

Determined Applications

civica

03/13/2009 Parameters: Date Range:Y
Start Date:1/02/2009
End Date:28/02/2009
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	*Total Elapsed Calendar Days: 79* *Calendar Stop Days: 0* *Adjusted Calendar Days: 79*				
020/2008/00000028/001		10 14 Vaughan PL WALGETT LOT: 67 DP: 825345	Class 1a -Single Dwelling/Dual Occupancy NSW POLICE FORCE	Approved by Council	25/02/2009	09/12/2008

Officer: Ms J R Babic
Number of Applications: 1

Average Elapsed Calendar Days: 79.00
Average Calendar Stop Days: 0.00
Average Adjusted Calendar Days: 79.00

Total Elapsed Calendar Days: 79.00
Total Calendar Stop Days: 0.00
Total Adjusted Calendar Days: 79.00

Document	Applicant Name / Address	Development Type / Property Address / Title	Owner	Determination	Determined	Received
Document Type: 24						
	Stop the Clock	*Total Elapsed Calendar Days: 18* *Calendar Stop Days: 10* *Adjusted Calendar Days: 8*				
024/2009/00000001/001		10 Farmland LOT: 1468 DP: 763406 WLL: 3686	Class 1a -Single Dwelling/Dual Occupancy Salto (NSW) Pty Ltd	Approved - Staff Delegation	13/02/2009	27/01/2009

Officer: Mr L J Smyth
Number of Applications: 1

Average Elapsed Calendar Days: 8.00
Average Calendar Stop Days: 10.00
Average Adjusted Calendar Days: 8.00

Total Elapsed Calendar Days: 18.00
Total Calendar Stop Days: 10.00
Total Adjusted Calendar Days: 8.00

AUTHORITY

AUTHORITY

Determined Applications

civica

03/13/2009 Parameters:

Date Range:Y
Start Date:1/02/2009
End Date:28/02/2009
As At Date:

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

Page:2

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

Document Type: 24

Report Totals & Averages
Total Number of Applications : 2

Average Elapsed Calendar Days: 48.50
Average Calendar Stop Days: 5.00
Average Adjusted Calendar Days: 43.50

Total Elapsed Calendar Days: 97.00
Total Calendar Stop Days: 10.00
Total Adjusted Calendar Days: 87.00

AUTHORITY

24. LOCAL ORDERS POLICY

REPORTING SECTION: Planning and Regulatory Services

AUTHOR: Director Planning and Regulatory Services, Matthew Goodwin

FILE NUMBER: 275/06/00/00

Summary:

The existing Walgett Shire Council Local Orders Policy will expire soon and this report recommends that Council commence the process required to re-establish the policy.

Discussion (including issues and background):

A Local Orders Policy (LOP) is a statutory policy established under Chapter 7 of the Local Government Act 1993 (LGA) which supplements the Act and the Local Government (General) Regulation 2005. The LOP specifies the criteria which the Council must take into consideration when determining whether or not to give an order under Section 124 of the LGA.

The current LOP was adopted by Walgett Shire Council on 19 October 2006. 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).

It is proposed that Council follow the processes required to establish a LOP, as detailed below:

1. The local council must give public notice of a draft LOP after it has been prepared (LGA S.160(1)).
2. The LOP must be placed on public exhibition for not less than 28 days (LGA S.160(2)).
3. The public notice must also specify a period of not less than 42 days during which the public can make submissions to the council (LGA S.160(3)).
4. After considering all submissions received, the Council may decide to amend, adopt without amendment, or not to adopt the LOP (LGA S.161(1)).
5. If the amendments are not substantial in the Council's opinion, then it may adopt the amended LOP without further public exhibition (LGA S.161(2)).
6. If the amendments are substantial, then the LOP must be publicly exhibited once more in accordance with the LGA, as described above (LGA S.161(2)).
7. The council must give public notice of the adoption of a LOP (LGA S.166)).

A draft LOP has been prepared in accordance with the Draft Local Orders Policy Practice Note, published by the Department of Local Government in July 1996. The current LOP was amended slightly to develop the draft LOP which is attached to this report.

Relevant Reference Documents:

- Local Government Act 1993 – particularly Chapter 7.
- Local Government (General) Regulation 2005.
- Draft Local Orders Policy Practice Note, published by the Department of Local Government, July 1996.
- Council file number 275/06/00/00.

Stakeholders:

Walgett Shire Council and the public.

Financial Implications:

Nil.

Recommendations:

That Walgett Shire Council resolve to:

1. Note and endorse the draft Walgett Shire Council Local Orders Policy.

2. Notify the public of the draft Walgett Shire Council Local Orders Policy through the Lightning Ridge News and the Walgett Spectator.

3. Place the draft Walgett Shire Council Local Orders Policy on public exhibition and invite written submissions on the draft policy in accordance with the Local Government Act 1993.

WALGETT SHIRE COUNCIL

LOCAL ORDERS POLICY

For orders issued under the Local Government Act 1993.

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PART 1 - PRELIMINARY

1. What is the name of this Policy?

This policy ("the policy") is called the Walgett Shire Council Local Orders Policy 2006

2. Where does the policy apply?

It applies to the whole of the Walgett Shire Council local government area.

3. What is the purpose of this Policy?

The Policy aims:

- To make the Council's policies and requirements for orders readily accessible and understandable to the public.
- To ensure consistency and fairness in the manner in which the Council deals with issuing orders.
- To establish a system which can effectively resolve disputes and conflicts as they arise.

4. When did the Policy commence?

The Policy commenced on the date on which it was adopted by the Council.

NOTE: *This Policy was adopted by the Council on [DATE].*

Adoption of the Policy was publicly notified in [NEWSPAPERS AND DATES].

5. Have there been any amendments 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

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 the next general election, unless the Council revokes it sooner.

NOTE: Automatic revocation of the Policy is provided for by Section 165 of the Act.

Section 163 of the Act requires that the Policy is void if it is inconsistent with the Act or the regulations. Section 164 of the Act requires that the policy cannot impose a more onerous criterion than does the Act or regulations in relation to a specified aspect of an activity.

PART 2 – CRITERIA COUNCIL MUST CONSIDER

There are various statutory criteria that Council must consider when giving an order, as imposed by the Local Government Act 1993, as well as standards derived from the Local Government (General) Regulation 2005. This policy also adopts additional criteria for consideration.

Details of the various types of orders are provided under the respective headings below, including:

a) To do what? – what types of action can be required to be taken.

b) In what circumstances? – restrictions on the particular circumstances in which an Order may be given.

c) To whom? – who must the order be issued to.

Order No. 5 (a), (b), (c), (d) (e) and (f) – Various matters

To do what?

To take such action as is necessary to bring into compliance with relevant standards, or requirements set or made or under this Act:

a) A camping ground, caravan park or manufactured home estate.

b) A moveable dwelling or manufactured home.

c) A building or a temporary structure used as a place of public entertainment.

d) A place of shared accommodation.

e) A hairdressers shop or beauty salon.

f) A mortuary.

In what circumstances?

Failure to comply with relevant standards or requirements set or made by or under this Act or under the Local Government Act 1919.

To whom?

Owner, occupier or manager.

Criteria

When determining whether a Notice of Proposed Order, or Order, is to be given the following criteria are to be taken into consideration, where relevant:

a) The provisions of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. See Clause 82 of the Local Government (General) Regulation 2005.

b) Clause 11 - "Adoption of Building Code of Australia" AND Schedule 1, Part 1 – "Management and Use of Places of Public Entertainment", in the Local Government (General) Regulation 2005.

c) Schedule 2, Part 1-"Standards for Place of Shared Accommodation" in the Local Government (General) Regulation 2005. See Clause 83 of the regulation.

d) Schedule 2, Part 2-"Standards for Hairdresser Shops" in the Local Government (General) Regulation 2005. See Clause 84 of the regulation.

e) Schedule 2, Part 3 "Standards for Beauty Salons" in the Local Government (General) Regulation 2005. See Clause 85 of the regulation.

f) Schedule 2, Part 4 "Standards for Mortuaries" in the Local Government (General) Regulation 2005. See Clause 86 of the regulation.

Order No. 5 (h) – Water and sewerage supply systems

To do what?

To take such action as is necessary to bring into compliance with relevant standards, or requirements set or made or under this Act:

a) a water meter, water supply or sewerage system on premises.

In what circumstances?

Failure to comply with relevant standards or requirements set or made by or under this Act or under the Local Government Act 1919. Also see Clause 88 of the Local Government (General) Regulation 2005.

To whom?

Owner, occupier or manager or, in the case of a water meter, water supply or sewerage system in respect of which a defect occurs in work due to faulty workmanship of, or defective material supplied by, a licensed contractor (being the holder of a licence in force under the Home Building Act 1989 authorising the holder to contract to do the work) within 12 months after the work is carried out or the material is supplied, the licensed contractor.

Criteria

When determining whether a Notice of Proposed Order, or Order, is to be given the following criteria are to be taken into consideration, where relevant:

a) Whether the circumstances have arisen within 12 months of work being undertaken on the affected part of a water supply or sewerage system by a licensed contractor.

b) Whether an order has been made, or is being considered, by the Consumer, Trader and Tenancy Tribunal under the Home Building Act 1989 against a licensed contractor.

c) Whether the circumstances are unrelated to the work of a licensed contractor.

Order No. 7 – Fence land

To Do What?

To fence land.

In What Circumstances?

Public health, safety or convenience renders it necessary or expedient to do so and there is no adequate fence between the land and public place.

To Whom?

Owner or occupier of land.

Criteria

When determining whether a Notice of Proposed Order or Order is to be given the following criteria are to be taken into consideration:

a) Whether the condition, location or use of the land poses a threat to the health, safety and convenience of the public.

Order No. 8 – Identify premises

To Do What?

To identify premises with such numbers or other identification in such a manner as is specified in the Order.

In What Circumstances?

Premises have a frontage to or entrance from a road and there are no markings that can readily be seen and understood from the road.

To Whom?

Owner or occupier of land.

Criteria

When determining whether a Notice of Proposed Order or Order is to be given the following criteria are to be taken into consideration:

a) Whether there is unauthorised use of, or duplication of, numbers.

b) Whether numbers are not in accordance with the street patterns.

c) Whether there is potential for confusion in the identification of premises.

d) Whether the owner/occupier had not complied with Council's request for rectification.

Order No. 9 - Waterbody

To Do What?

To fence, empty, fill in or cover up a hole or waterhole in a manner specified in the Order.

In What Circumstances?

Hole or waterhole is or may become dangerous to life.

To Whom?

Owner or occupier of land

Criteria

When determining whether a Notice of Proposed Order or Order is to be given the following criteria are to be taken into consideration:

a) The hole or waterhole is located within an urban area and is directly accessible from a public place or another private property and/or

b) The hole or waterhole is not adequately covered or fenced to the minimum requirements of the Swimming Pools Act 1992 to prevent direct access to it from a public place or any other private property and,

c) The nature, location and depth of the hole or waterhole is considered to be dangerous to life.

Criteria Does not Include:

Any hole or water hole that falls under the definition of a swimming pool as defined in the Swimming Pools Act 1992, or one that is located outside of an urban area.

Order No. 10 - Articles

To Do What?

To remove or stack articles or matter, to cover articles or matter, to erect fences or screens or to plant trees.

In What Circumstances?

Land is in the immediate vicinity of a public place and is used for the storage of articles or matter so as to create or be likely to create unsightly conditions.

To Whom?

Owner or occupier of land

Criteria

When determining whether a Notice of Proposed Order or Order is to be given the following criteria are to be taken into consideration:

a) Definition of "article" or "matter" includes but is not limited to:-

I. Disused motor vehicles, caravans, trailers, boats or associated parts;

II. Disused machinery, equipment and appliances;

III. Old, used or second hand materials (including building materials);

IV. Sand, soil, rock, blue metal and any other material derived from any extraction or dredging process;

V. Any organic or vegetative material;

VI. Any industrial or commercial waste products;

VII. Any household rubbish or waste;

VIII. Any recycled or composted material;

IX. Furniture.

b) Definition of "Land in the immediate vicinity of a public place" is any land that immediately adjoins a public place.

c) The article(s) or matter must be visible from the public place.

Order No. 11 – Environmental damage

To Do What?

To do or to refrain from doing such things as are specified in the order to prevent environmental damage, to repair environmental damage or to prevent further environmental damage.

In What Circumstances?

Work carried out on land has caused or is likely to cause environmental damage, being damage to the physical environment that is caused by:

a) drainage; or

b) drainage works; or

c) obstructing a natural watercourse other than by work constructed or used under a license granted under Part 2 of the Water Act 1912,

not being environmental damage arising from premises, works or equipment the subject of an approval or licence issued under the Protection Of the Environment Operations Act 1997 or the subject of a notice or direction issued by the regulatory authority under that Act.

To Whom?

Owner or occupier of land

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration:

Physical environmental damage must be as a result of the flow of water over any land, discharged from the following sources:

a) Drainage, being a drain or system of drains, whether artificial or natural, which are designed for the carrying of water other than sewerage and which includes a natural water course, or;

b) Drainage works, being any part of the on-site process involved in the construction of a drain or drainage system and which includes, but not limited to site excavation, materials, compiling and any associated buildings works, or;

c) Obstruction of a natural water course, being the carrying out of building works or the deposition of any material in such a position as to block or restrict the flow of water within or to redirect the flow of water away from a natural water course.

Order No.12 – Control surface water

To Do What?

To do such things as are necessary to control the flow of surface water across land.

In What Circumstances?

Other land or a building on the land or other land is being damaged or is likely to be damaged.

To Whom?

Owner or occupier of land

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration:

a) Erosion of land is occurring from the flow of surface water.

b) Physical damage to a building is or has occurred or there is sufficient evidence to suggest that it is likely to occur.

c) Surface water flows across the land boundary onto other land.

Situations where this Order may apply include, but are not limited to:

a) Water from defective guttering, down pipes or drainage (including underground drainage pipes).

b) Water from rooves not fitted with guttering.

c) Emptying or backwashing swimming pools.

d) Surface water that has been purposely redirected away from its natural direction of flow towards other land.

Criteria Does Not Include:

a) Stormwater runoff which is NOT redirected in any manner (i.e. natural surface flow) and follows existing natural land contours.

b) Surface water runoff occurring in periods of exceptional heavy rain.

c) Surface water flowing down existing hard surface areas such as driveways, tennis courts, concrete slab or paved areas.

d) Discharges from defective or blocked private stormwater easements.

e) Overflows from absorption pits where contours of land and lack of access prevent direct connection of a building's stormwater drainage system to Council's Stormwater Drainage System.

f) Runoff from any building or development work that is the subject of a Development Consent and has been constructed in accordance with that consent.

g) Any circumstance in which the flow of surface water across land is capable of being regulated by the Environmental Protection Authority constitutes a circumstance where an order No 12 cannot be made.

Order No.15 – Not conduct an activity

To Do What?

Not to conduct, or to cease conducting, an activity on premises (whether or not the activity is approved under this Act).

In What Circumstances?

The activity constitutes or is likely to constitute:

a) a life threatening hazard; or

b) a threat to public health or public safety

and is not regulated or controlled under any other Act by a public authority.

To Whom?

Any persons apparently engaged in promoting, conducting or carrying out the activity.

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration.

a) The activity being carried out is causing or is likely to cause a life threatening hazard or a threat to public health or public safety to any person whether on private or public land.

Situations where this Order may apply include, but are not limited to:

a) Use of a defective septic tank or a septic closet on premises after the date specified (in an Order No 24 served on the owner or occupier of the premises) being the date by which the premises were required to be connected with a sewerage system.

b) Construction work on a septic tank or a septic closet on premises after the date specified (in an Order No 24 served on the owner or occupier of the premises) being the date by which the premises were required to be connected with a sewerage system

Criteria Does Not Include:

a) Any activity that is covered by any other Act or Regulation.

b) Any activity that is controlled by another authority

Order No.16 – Cease use or evacuate premises

To Do What?

To cease the use of premises or to evacuate premises.

In What Circumstances?

A person to whom Order No. 15 is given has failed to comply with the Order.

To Whom?

The person to whom Order No. 15 is given.

Criteria

No additional criteria.

Order No.17 – Leave or not enter premises

To Do What?

To leave premises or not to enter premises.

In What Circumstances?

A person to whom Order No. 15 is given has failed to comply with the Order.

To Whom?

Any person

Criteria

No additional criteria.

Order No.18 - Animals

To Do What?

Not to keep birds or animals on premises, other than of such kinds, in such numbers or in such manner as specified in the order.

In What Circumstances?

Birds or animals kept on premises are:

a) in the case of any premises (whether or not in a catchment district) of an inappropriate kind or number or are kept inappropriately;

To Whom?

Occupier of premises.

Criteria

NOTE : There are no restrictions on the number of birds and animals that can be kept in the Shire in normal circumstances. Limits and standards may be applied when:

- A legitimate problem has been identified relating to the numbers and/or types of birds or animals kept upon a particular premise.
- There is a detrimental impact on the health, amenity and safety of others.
- Voluntary rectification of the problem does not occur, hence an order is required under the provisions of Section 124 of the Local Government Act 1993 to address the problems that have arisen.

Also see Part 5 of Schedule 2, "Standards for Keeping Birds and Animals", under the Local Government (General) Regulation 2005.

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration:

a) Continuing offensive noise at inappropriate times.

b) Continuing offensive odours.

c) Vermin infestation through poor cleaning.

d) Addressing nuisances, health or safety threats.

e) Actual and potential impacts on neighbours or the public.

f) The number and type of bird(s) or animal(s) being kept.

g) The conditions in which the animals are being kept.

Note: Where the keeping of birds or animals on premises is capable of being regulated by the Environment Protection Authority, Council is excluded from making Order No. 18.

Criteria Does Not include:

a) The feeding of wild or native birds and/or animals;

c) Damage caused by wild or native birds or animals;

d) The trapping of any wild or native birds or animals;

e) The control of or treatment of termites on private or public land;

Order No. 19 – Tennis court

To Do What?

To use or not to use a tennis court as specified.

In What Circumstances?

Actual or likely annoyance or threat to the safety of neighbours or users of a public place.

To Whom?

Occupier of land

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration:

a) Tennis courts are not to be used after sundown unless otherwise approved by Development Consent.

b) Tennis courts on private property shall not be used for commercial purposes without Development Consent being issued, i.e. for hire to non residents of the property.

Order No. 20 - Food

To Do What?

To do such things as are specified in the Order to put premises, vehicles or articles used for the manufacture, preparation, storage, sale, transportation or other handling or use of or in relation to food into a clean or sanitary condition.

In What Circumstances?

The premises, vehicle or article, is not in a clean or sanitary condition.

To Whom?

Owner or occupier of premises or owner or operator of vehicle or article.

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration:

a) The premises including any fixtures, fittings, utensils and equipment has not been adequately cleaned and there is accumulations of dirt, dust, grease, oil, food matter or any other matter that could contaminate or likely contaminate any food stuffs present on the premises

b) The food handling procedures and hygiene standards of operators create such unsanitary conditions that will cause contamination or is likely to cause contamination of any food stuffs present on the premises.

c) There is "non compliance with the following standards that cause the premises to be in an unclean or unsanitary condition as described above:

I. The Australia New Zealand Food Standards Code.

II. Australian Standard 1668.2 The Use of Ventilation and Air Conditioning in Buildings – Ventilation Design for Indoor Air Contaminant Control.

d) In the case of water carting vehicles (See Clause 93 of the Local Government (General) Regulation 2005):

I. Whether a vessel used on a vehicle to cart water has an aperture that is large enough to enable easy inspection of the interior or thorough cleaning of the interior.

II. Whether the cover of any such aperture is of a kind that is able to be kept thoroughly clean.

Order No. 21 – Safety and health

To Do What?

To do or refrain from doing such things as are specified in the Order to ensure that land is, or premises are, placed or kept in a safe or healthy condition.

In What Circumstances?

The land or premises are not in a safe or healthy condition.

To Whom?

Owner or occupier of land or premises.

Criteria

Land or premises would be considered not to be in a safe and or healthy condition if the safety or the health of the owner or occupier of the land or premises, or the community, is detrimentally affected. Criteria and actions that need to be considered include, but is not limited to:

a) The abatement of dampness in walls and ceilings in any property;

b) The repair of leaky roofs and renewal or repair of defective guttering and down piping [where it causes health & safety issues and not damage - See Order 12];

c) Provision of adequate wholesome water supply;

d) The renewal of broken window glass and sash cords to render windows capable of being opened top and bottom;

e) The removal of defective floor timbers and stair treads and replacement with sound material;

f) The renewal or repair of waste pipes; and sanitary fittings and flush pipe to water closet pans;

g) Clearing of choked sewerage service pipes;

h) Repair of defective septic tanks, pipes and absorption pits;

i) The removal of the following accumulations which are likely to afford harbourage for vermin or otherwise pose a threat to health and safety to any person:

I. disused and/or second hand building materials or household fixtures and fittings;

II. dilapidated and/or abandoned motor vehicle or ancillary parts and accessories or machinery;

III. dilapidated and/or abandoned boats, watercraft, trailers or caravans;

IV. disused and/or second hand containers, bottles, scrap metal, waste paper, rags, rubbish or other scrap materials; and

V. tree trunks, tree stumps, organic material, vegetation or firewood;

j) Provision of suitable facilities for toilet, kitchen sink, bathing and for washing of clothes hot and cold water provided.

k) Provision of suitable cooking facilities;

l) The control of animal enclosures in so far as their operational aspects in relation to environmental health is concerned.

m) The treatment of an untreated swimming pools or excavation where the condition of the water within is or is likely to be breeding mosquitoes.

n) The boarding up or fencing off of a dilapidated building to prevent unauthorised access where there is a safety issue from injury or fire.

o) Cleaning of garbage containers.

p) Potential for collapse of a structure, or part thereof, such as a wall, fence or other building.

q) Disconnection of an electric fence from its energiser or otherwise render it inoperable.

Criteria Does Not Include:

Defective retaining walls, buildings or structures that are dilapidated or appear defective if they:

a) are located on private property and

b) would not impact upon any adjoining public land if they were to collapse and

c) would not pose a threat to health and safety of persons on the adjoining public land in any way.

Where the condition of land or premises in respect of health or safety is capable of being regulated by the Environment Protection Authority, Council is excluded from making Order No. 21.

Order No. 22 – Waste

To Do What?

To store, treat, process, collect, remove, dispose of or destroy waste which is on land or premises in the manner specified in the order provided that it is not inconstant with the regulations made under the Protection Of the Environment Operations Act 1997

In What Circumstances?

Waste is present or generated on the land or premises and is not dealt with satisfactorily and is not regulated or controlled by, or subject to, a licence issued under the Protection Of the Environment Operations Act 1997.

To Whom?

Owner or occupier of land or premises, owner of or person responsible for the waste or for any receptacle or container in which the waste is contained.

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration:

a) Waste is being placed on the roadway for collection by Council not in the approved impervious receptacles with close-fitting lids that are provided by Council.

b) Where waste is present on land or premises and is not being properly stored, collected or removed satisfactorily from those premises.

c) Defective site absorption septic tank system.

d) Disposal of human waste on site without an approved method of waste disposal.

Order No. 24 – Connect to sewerage system

To Do What?

To connect premises with a sewerage system by a specified date.

In What Circumstances?

The premises are situated within 75 metres of a sewer of the Council.

To Whom?

Owner or occupier of premises.

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration:

a) The distance from the premises to the connection point of the sewer must be not further than 75 metres and:

I. have legal access using an easement for sewerage services over any adjoining premises to the sewer connection point, or

II. has access to the sewer located within an adjoining Council road reserve and

III. connection to the sewer can only be made via a junction point established by Council.

b) Whether the existing sewage management facility is so defective to be a threat to public health and/or is or likely to have a detrimental impact on the environment.

Order No. 25 – Human waste

To Do What?

Not to use or permit the use of a human waste storage facility on premises after a specified date.

In What Circumstances?

It is necessary for the purpose of protecting public health.

To Whom?

Owner or occupier of premises

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration.

a) The human waste storage facility is so defective or poorly designed so as to permit human waste to discharge or overflow from the storage facility onto the adjacent ground or floor area and in such a manner to be a danger to the health of the public.

Criteria Does Not Include:

Where the use of human waste storage facilities is capable of being regulated by the Environment Protection Authority, Council is excluded from making an Order No. 25.

Order No. 27 – Public place, remove object or matter

To Do What?

To remove an object or matter from a public place or prevent any object or matter being deposited there.

In What Circumstances?

The object or matter:

a) Is causing or is likely to cause an obstruction or encroachment of or/on the public place and the obstruction or encroachment is not authorised by or under any Act, or

b) Is causing or is likely to cause danger, annoyance, or inconvenience to the public.

To Whom?

Person causing obstruction or encroachment or owner or occupier of land from which the object or matter is likely to emanate.

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration:

a) Definition of Encroachment:

b) Definition of Obstruction:

c) Definition of object or matter: Any article, item or thing which is visible and tangible and includes but is not limited to:

I. Advertising sign, advertisement generally;

II. Motor vehicles or motor vehicles parts;

III. Caravans or caravan parts;

IV. Trailers/boats or trailer/boat parts;

V. Machinery, equipment and appliances;

VI. Second hand materials including building materials;

VII. Demolition materials;

VIII. Scrap materials;

IX. Sand, soil rock, blue meatal and any other material derived from any construction or dredging process;

X. Any organic or vegetative material;

XI. Any industrial or commercial waste product;

XII. Any household fixtures, rubbish or waste;

XIII. Second hand containers, bottles , scrap metal, waste paper, rags, or rubbish;

XIV. Any recycled or composted material;

Criteria Does Not Include:

This criteria does not include the placing of articles on a public place during a designated period of a Council clean up provided these articles do not breach conditions (a) and (b) above.

Order No. 28 – Public place, prevent or repair damage

To Do What?

To take whatever steps are necessary to prevent damage to a public place and repair damage to a public place.

In What Circumstances?

There is actual or likely damage:

a) By excavation or removal or material from or adjacent to the public place; or

b) By a work or structure; or

c) By surface drainage or irrigation spray.

To Whom?

a) Person responsible for the excavation or the removal of the material.

b) Owner or person entitled to the benefit of the work or structure.

c) Owner or occupier of land from which the surface drainage flows or from which spray emanates.

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration:

a) Whether the activity is associated with any approval issued by Council.

b) If the activity is related to an approval issued by Council, whether the conditions of the approval being complied with.

Order No. 29 – Public place, alter or repair work or structure

To Do What?

To alter or repair a work or structure on, over or under a public place.

In What Circumstances?

It is in the public interest to do so.

To Whom?

Owner of the work or structure.

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration.

a) To alter or repair structures on, over, or under the public way not in accordance with approvals or considered unsafe or dangerous.

b) Repairs required to private services within a public place such as, but not limited to, sewer services and roof water / storm water pipes not covered by lease agreements.

c) Driveway crossings which are not being maintained in a safe condition.

d) Shop awnings which are not being maintained in a safe or sightly condition.

e) Maintenance of underground pipes within a public place.

Order No.30 – Comply with an approval

To Do What?

To comply with an approval.

In What Circumstances?

The approval is not being complied with.

To Whom?

Person entitled to act on the approval or person acting otherwise than in compliance with the approval.

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration:

a) An approval granted by Council has not been complied with or

b) Conditions of an approval granted by Council have not been complied with.

Order under Section 125 of the Local Government Act 1993

To Do What?

To abate a public nuisance or order a person responsible for a public nuisance to abate it.

In What Circumstances?

Where a nuisance consists of interference with the enjoyment of public rights. A nuisance is "public" if it materially affects the reasonable comfort and convenience of a sufficient class of people to constitute the public or a section of the public.

To Whom?

The person(s) responsible for causing a public nuisance.

Criteria

When determining whether a Notice of Proposed Order or Order is to be given, the following criteria are to be taken into consideration:

a) The source of the nuisance need not be located on, or in, a public place.

b) The impact of the nuisance must affect the general public and not a localised group.

Example 1 - Lighting from a private premises impacting upon motor vehicle drivers on a public road.

Example 2 – Any wrongful or negligent act or omission in a public road that interferes with the full, safe and convenient use by the public of their right of passage is a public nuisance.

PART 3 – OTHER MATTERS RELATING TO ORDERS

7. What must council consider before giving an order?

Council must ensure that:

- the type and circumstances of the order and the person on whom the order will be served are described in the Table to Section 124 of the Act; or
- the activity constitutes a public nuisance under Section 125 of the Act; and
- the relevant provisions of the Act, Regulations, Local Approvals Policy and any additional criteria adopted in a Local Orders Policy have been considered (LG Act s131).

8. What must be done before an order is served?

Council must issue a notice of intention to serve the order which provides the following information (Section 132):

- the name of the person for whom the order is intended;
- the terms of the proposed order;
- how long the person will have to comply with the proposed order;
- an opportunity for the person to make representations to council to explain why a proposed order should not be given or that the terms of, or period for compliance are, unreasonable;
- how, when and to whom representations can be made (LG Act s132 (3));
- right of appeal to the Land and Environment Court and time period within which an appeal may be made (LG Act s138).

9. Who can make representations?

The person on whom the proposed order is to be served (or their barrister, solicitor or agent) can make representations (LG Act s133).

10. How should representations be made and considered?

Representations can be made in writing or orally to the council, a nominated committee or council officer. Council must hear and consider any representations made regarding proposed orders (LG Act s134). Consideration must be given to the special circumstances of any residents if order No 15A is proposed to be served.

11. What does Council do after hearing representations?

The council, nominated committee or officer can proceed with the proposed order, make modifications to the order or not give the order (LG Act s135 (1)).

If modifications are made to the order as a result of the representations a further notice of intention is **not** required (LG Act s135 (2)).

12. Are there any exemptions to these procedures?

The procedures normally observed before giving orders do not apply to orders given, and expressed to be given, in an emergency and in the case of Order No 15 when the cessation of an activity is ordered because it constitutes a life threatening hazard, a threat to public health or public safety and is not regulated under any other Act or by a public authority (LG Act s129 (2)).

13. What information should the order contain?

The order should contain:

- Reasons for the order (LG Act s136 (1)) except in urgent cases when reasons must be given the next working day (LG Act s36 (3)).
- The period in which the terms of the order are to be complied with (LG Act s137 (1)).
- Notice of the right to appeal against the order of part of the order (LG Act s138 (a)).
- The time period within which an appeal can be made (s138 (b) *including both periods where it is a "particulars of work" order*).
- Any relevant provisions of the Act, Regulations and Local Approvals Policy and Local Orders Policy not complied with (Local Government (General) Regulation 2005 cl 99(a)).
- Notice that it is an offence not to comply with an order and the maximum penalty (Local Government (General) Regulation 2005 cl. 99(b)).
- Notice that if the order is not complied with council can undertake the work and recover costs (Local Government (General) Regulation 2005 cl. 99(c)).

In addition an order may specify the standard a premises is to meet, the nature of work that would meet the specified standard and the time period (not exceeding 3 months) *within which particulars of work must be submitted* (LG Act s139).

14. How long does Council have to consider whether the proposed works meet the standards specified in an order?

Council has 28 days in which to consider the proposed works and can:

(1) accept the proposed works without modification and order the completion of the works immediately;

(2) accept the proposed works with modifications;

(3) reject the proposed works

If council is still not satisfied with the proposed works, then it must within 3 months prepare a schedule of works and order the person to carry out those works (LG Act s141 (3)). An order under section 141 forms part of the order under section 124 to which it relates.

15. Can Council recover any expenses involved in this process?

Yes, Council can recover any expenses in preparing particulars of work to be completed (LG Act s141 (5)).

16. How do orders affect heritage items?

Council must first consider the impact of the order on the heritage item and must notify the Heritage Council of it's intention to serve an order if the item is listed in the Register of the National Estate or included as an order under the Heritage Act 1977 (s142 (1) (2) (3)).

17. How is an order given and when does it take effect?

A copy of the order can be served by a council officer or posted to the person to whom the order is addressed (LG Act s144). It takes effect from the time it is served or a later time if specified in the order (LG Act s144).

18. Does Council have the power to give an order under another act?

Council is able to give orders under other Acts, provided that an authority has been given. For example council may serve an order under the Environmental Planning and Assessment Act 1979, the Companion Animals Act 1998, Protection of the Environment Operations Act 1997, the Food Act 2003. The relevant provisions of the respective acts will apply in such circumstances.

19. What happens when a person fails to comply with an order?

The person is guilty of an offence under the LG Act for failure to comply with an order (LG Act s628). The maximum penalties that apply to particular orders are as follows:

a) Orders Nos 1, 3,5 and 7 to 12 - 50 penalty units for an individual and 100 penalty units for a corporation

b) Orders Nos 15,16 and 17 - 100 penalty units for an individual and 200 penalty units for a corporation

c) Orders Nos 18 to 25 and 27 to 29 – 20 penalty units.

d) Order No 30 - The same penalty as the penalty imposed for carrying out the activity the subject of the approval otherwise than in accordance with the approval.

e) Order under Section 125 – 20 penalty units.

In June 2006 one penalty unit was equal to $110 (See Section 17 of the Crimes (Sentencing Procedure) Act 1999).

20. Is an approval necessary for work to be undertaken?

No, a person who carries out work in compliance with an order does not have to make an application for approval of the work. (LG Act s138A).

21. Must an occupier of land permit an owner to carry out work?

Yes, the occupier must within 2 days of the order being served allow the owner to do the work (LG Act s148 (1) (2)). However if the occupier does not permit the owner to do work the owner is not considered guilty of an offence for failure to comply (LG Act s149 (3)).

22. Can Council carry out the works?

Yes, if a person does not comply with the terms of an order then council can carry out the works and recover the costs (LG Act s141 (5) and s678).

23. What rights of appeal does a person have against an order or part of an order?

A person may appeal to the Land and Environment Court within 28 days of the order being served (LG Act s180 and Land and Environment Court Rules 1980 s17).

24. Does the appeal prevent the order from operating?

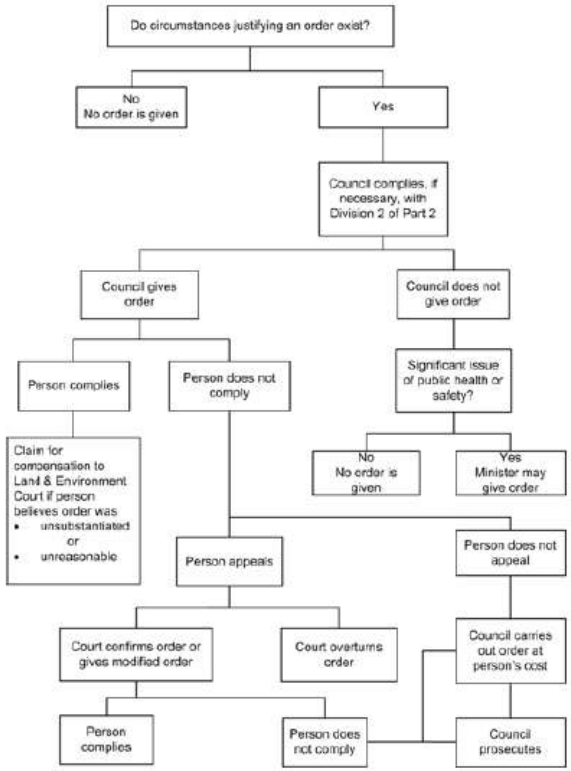
No, the order operates while the appeal is being heard in the Land and Environment Court.

25. Is a building owner entitled to any compensation from Council for expenses involved in complying with an order?

The only time a building owner is entitled to compensation is if Council orders the demolition of a building (Order No 1) or repair or make structural alterations to a building (Order No 3) that is located in a proclaimed catchment district which causes or is likely to cause the pollution of a water supply (LG Act s128).

26. Overview of legal process to issue an order

The diagram below provides an overview of the process followed when a Council is considering issuing an order, and has been copied from Part 2 of the Local Government Act 1993.



27. 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.

act means the Local Government Act 1993.

council means the council of an area, and includes an administrator.

dwelling, in Division 1 of Part 8 of Chapter 15, means a building or part of a building used as a place of dwelling.

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.

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.

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.

25. ENFORCEMENT POLICY

REPORTING SECTION: Planning and Regulatory Services

AUTHOR: Matthew Goodwin - Director Planning and Regulatory Services

FILE NUMBER: 275/06/00/00

Summary:

This report recommends that Walgett Shire Council adopt a revised enforcement policy.

Discussion (including issues and background):

In recognition of the regulatory responsibilities of all Councils, the NSW Ombudsman in June 2002 published "Enforcement Guidelines for Councils" which included a model enforcement policy.

An Enforcement Policy reflects the need for the decision making processes of Council's authorised officers to be carried out in a transparent, efficient, fair and consistent manner while having regard to all the circumstances in each case.

In 2007 Walgett Shire Council adopted an Enforcement Policy which was based on the NSW Ombudsman's guidelines. A slightly revised version of that policy has been attached to this report and it is recommended that Walgett Shire Council note and adopt the revised version of the policy.

The most significant changes from the previous version of the policy are:

- Section 7 – Application:- deletion of "regulation of parking". Council staff are not involved in the regulation of parking within the Shire.
- Section 12 – Confidentiality:- The previous version of the policy indicated that any person who has made a complaint would be consulted before any decision was made to disclose a complainant's identity. The revised version gives no commitment for such consultation. It indicates that:

  A complainant's identity may be disclosed where:
  - *the person consents in writing to the disclosure of that information; or*
  - *the principles of natural justice dictate that information be disclosed to the person who is the subject of the complaint, which may enable the complainant to be identified; or*
  - *the Council is of the opinion that disclosure of the identifying information is necessary to investigate the matter effectively*

Relevant Reference Documents:

- Walgett Shire Council Enforcement Policy, as endorsed by the General Manager on the 9th July 2007.
- Enforcement Guidelines for Councils published by the NSW Ombudsman in June 2002.

Stakeholders:

Public and Council staff.

Financial Implications:

Nil.

Recommendations:

That Walgett Shire Council resolve to:

1. Adopt the revised "Walgett Shire Council Enforcement Policy".

WALGETT SHIRE COUNCIL

ENFORCEMENT POLICY

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1 PREFACE

Walgett Shire Council is involved in a broad range of regulatory activities.

In recognition of the regulatory responsibilities of all Councils, the NSW Ombudsman in June 2002 published "Enforcement Guidelines for Councils" which included a model enforcement policy. The guidelines and model policy were used as the basis for developing the Walgett Shire Council Enforcement Policy.

The Enforcement Policy reflects the need for the decision making processes of Council's authorised officers to be carried out in a transparent, efficient, fair and consistent manner while having regard to all the circumstances in each case.

The inclusion of Appendices A and B at the rear of the policy can be interpreted as a guide to indicate the relative level of seriousness of some offences and therefore, from a consistency viewpoint, to determine whether or not the Council may issue a warning prior to some level of formal action.

2 TITLE

This policy ("the policy") is called the Walgett Shire Council Enforcement Policy.

3 POLICY COMMENCEMENT

The Policy was adopted by Walgett Shire Council on [DATE] and commenced operation from that date.

4 PURPOSE

The purpose of this policy is to:

- Acknowledge Council's obligation under Section 8 of the Local Government Act 1993 to ensure that its regulatory powers are applied in a consistent manner and without bias, and
- Provide a proactive policy statement regarding the enforcement of compliance with legislation and/or condition/s of development consent, and
- Foster prompt, consistent and effective action by the Council in response to allegations of unlawful activity whilst ensuring that the principles of natural justice are respected.

5 POLICY OBJECTIVES

The aim of this policy is to establish clear guidelines for the exercise of discretion in dealing with proactive regulatory action by the Council and customer service requests or complaints about unlawful activity. It provides guidelines on:

(1) How to assess whether complaints of unlawful activity require investigation;

(2) Options for dealing with unlawful activity;

(3) How to decide whether enforcement action is warranted.

6 ENFORCEMENT PRINCIPLES

Walgett Shire Council is committed to: -

(1) Acting in the interest of protecting community health, safety and the environment;

(2) Acting consistently, fairly and impartially;

(3) Preventing discrimination on the basis of race, religion, sex, national origin, political association or other personal reason/s;

(4) Ensuring enforcement action is in keeping with the relative severity of the offence/s;

(5) Ensuring enforcement action is taken against the right person for the correct offence;

(6) Ensuring that any actual or potential conflict of interest situations are managed in a fair, consistent and impartial manner;

(7) Disclosing all evidence relevant to the alleged offence/s;

(8) Assisting the Court by providing all necessary information whether or not that information is in favour of the Council case;

(9) Issuing cautions to the alleged offender/s, where necessary;

(10) Making cost effective decisions concerning enforcement action having regard to the likely outcome at court;

(11) Ensuring action is instigated within the specified time limits.

7 APPLICATION

This policy applies to the investigation and enforcement of complaints about unlawful activity or failure to comply with the terms or conditions of approvals and orders.

While primarily directed at the regulation of development activity, the policy is also applicable to pollution control, animal control, unauthorised development including buildings, non-compliance with development consent conditions, food safety, public health and safety issues.

8 RESPONSIBILITY

All Council staff who deal with the proactive enforcement of relevant legislation in addition to written and verbal action requests or complaints alleging unlawful activity are responsible for implementing these policy guidelines.

All notifications of alleged unlawful activity should be appropriately recorded by the Council.

9 DEFINITIONS

"Unlawful activity" is any activity or work that has been or is being carried out:

(1) Contrary to the terms or conditions of a development consent, approval, permission or other written authorisation from the Council;

(2) Contrary to an environmental planning instrument that regulates the activities or work that can be carried out on particular land;

(3) Contrary to a legislative provision regulating a particular activity or work;

(4) Without a required development consent, approval, permission or the like;

(5) Contrary to New South Wales legislation for which the Council is the appropriate regulatory authority.

10 INVESTIGATING UNLAWFUL ACTIVITIES

All complaints and matters regarding unlawful activities will be reviewed to determine whether the matter requires enquiry or investigation. Further enquiries/investigation will not be initiated where:

(1) The matter has already been investigated and resolved, or

(2) The Council has no jurisdiction (for example, NSW WorkCover issues on building sites or amusement devices or an internal matter within strata buildings or where the Department of Environment and Climate Change is the appropriate regulatory authority etc), or

(3) The activity is determined to be lawful without an investigation.

In considering whether a complaint will warrant enquiry or investigation the Council will consider a range of factors, including:

(1) Is the matter within the jurisdiction of the Council?

(2) Is the complaint premature e.g. does it relate to some unfinished aspect of work that is still in progress?

(3) Is the activity or work permissible with or without consent?

(4) If the activity is permissible with consent, is there a consent in place?

(5) Is it possible to determine from the information available to the Council whether the activity or work is permissible without consent and/or whether all conditions of consent are being complied with?

(6) Is the complaint trivial, frivolous or vexatious?

(7) Has too much time elapsed since the events which are the subject of the complaint?

(8) Is there a more appropriate agency to investigate and deal with the matter?

(9) Is the activity having a significant detrimental effect on the environment, or does it constitute a risk to public safety?

(10) Does the complaint indicate the existence of a systemic problem e.g. if the complaint is one of a series, could there be a pattern of conduct or a more widespread problem?

(11) Is there a history of related complaints against this person or organisation?

(12) Does the complaint have special significance in terms of the priorities of the Council?

(13) Are there significant resource implications in relation to an investigation and any subsequent enforcement action?

(14) Is it in the public interest to investigate the complaint?

(15) The effective use of resources having regard to the circumstances of the case.

If a decision is made not to investigate a complaint, this decision must be recorded with the reasons for that decision and the complainant so advised.

11 RESPONDING TO COMPLAINTS

Every effort will be made to ensure that all Customer Service Requests or complaints about alleged unlawful activity are actioned within the 'service standard' time allowed for resolving the category of complaint as indicated in the Customer Service Request system.

Action will be instigated within the following time frames:

(1) Urgent and life threatening matters should be actioned as soon as possible following receipt of the complaint. Examples include unsafe building works, dangerous awnings, collapsed building/wall, serious pollution, food safety issues and public health and safety matters, etc. As a guide these matters should be dealt with on the day of the receipt of a complaint.

(2) General compliance matters will be dealt with on a priority basis having regard to the relative seriousness of the matter. These examples include works not in accordance with consent or construction without consent, illegal use, noise and food complaints.

(3) Nuisance matters should be actioned within fourteen working days; examples include domestic noise matters, minor non-compliance such as overgrown land or other matters in which there are no likely immediate health or safety implications

Note that response times may vary depending on staff and other resources. However the Council will acknowledge the complaint and keep the complainant informed in accordance with the service standards of the Council.

12 CONFIDENTIALITY

The Council will respect the privacy and confidentiality of information received. However due to its statutory obligations and other requirements, confidentiality cannot always be guaranteed. A complainant's identity may be disclosed where:

- the person consents in writing to the disclosure of that information; or
- the principles of natural justice dictate that information be disclosed to the person who is the subject of the complaint, which may enable the complainant to be identified; or

- the Council is of the opinion that disclosure of the identifying information is necessary to investigate the matter effectively.

13 OPTIONS FOR DEALING WITH CONFIRMED CASES OF UNLAWFUL ACTIVITIES

The Council will try to use the quickest and most informal option to deal with unlawful activity wherever possible unless there is little likelihood of compliance with such options.

Approaches to be considered include:

(1) Referring the complaint to an external agency for further investigation or prosecution.

(2) Taking no action on the basis of a lack of evidence or for some other appropriate reason.

(3) Counselling the subject of the investigation to educate them on the relevant Council requirements.

(4) Negotiating with the subject of the investigation and obtaining some undertakings to address the issues of concern arising from the investigation

e.g. an application for modification of development consent.

(5) Referring the parties for mediation with the Community Justice Centre or alternatively for private mediation.

(6) Issuing a letter requiring work to be done or activity to cease in lieu of more formal action.

(7) Issuing a notice of intention to serve an order or notice under relevant legislation, followed by service of an appropriate order or notice (Local Government Act (LG Act) ss. 124-128, Environmental Planning & Assessment Act (EP&A Act) s. 121B, and the Protection of the Environment Operations Act (POEO Act) Pts 4.2-4.4 and 8.6).

(8) Issuing a notice requiring work to be done under various legislation.

(9) Starting proceedings in the Land & Environment Court for an order to remedy or restrain a breach of the relevant Act or Regulation (s.673 LG Act; s.123 EP&A Act).

(10) Seeking injunctions from the Land & Environment Court or the Supreme Court.

(11) Issuing a Court Attendance Notice in the local court.

(12) Issuing a penalty infringement notice.

(13) Taking proceedings for an offence against the relevant Act or Regulation (s. 691 LG Act, s.125 EP&A Act, Chapter 5 POEO Act).

(14) Carrying out the works specified in an order under the LG Act at the cost of the person served with the order (s.678 LG Act).

All enforcement action will be monitored and a decision made in relation to non-compliance within 2 weeks of any deadline imposed.

14 TAKING ENFORCEMENT ACTION

From an operational perspective the Council has a range of enforcement options including, but not limited to, the following:

(1) Issuing a verbal warning;

(2) Issuing a written warning;

(3) Issuing a "show cause" letter;

(4) Service of a Notice of Intention to issue an Order;

(5) Service of written or oral Notices/ Orders/ Directions;

(6) Issuing of a penalty infringement notice/s;

(7) Recommendation to instigate legal action;

(8) Granting an extension of time for compliance;

(9) Revocation of an approval;

(10) Removal/ impounding of goods or items;

(11) Refusal of an application.

When deciding whether to take enforcement action, the Council will consider the circumstances of the case. These include:

(1) Has the Council created an estoppel situation? Estoppel is a legal rule which prevents a person from later denying conduct or words which have been relied, and acted, upon by another person to their detriment.

(2) Is the breach a technical breach only?

(3) When was the unlawful activity carried out and for how long?

(4) How has the unlawful activity affected the natural or built environment and the health, safety and amenity of the area?

(5) Would consent have been given if it had been sought?

(6) Can the breach be easily remedied?

(7) Does the person in breach show contrition?

(8) Are there any particular circumstances of hardship affecting the complainant or the person the subject of the complaint?

(9) Has the person the subject of the complaint received a previous warning or other non-coercive approach or has formal legal action been taken?

(10) Would an educative approach be more appropriate than a coercive approach?

(11) What are the costs and benefits of taking formal enforcement action as opposed to taking informal or no action?

(12) Is there sufficient evidence to establish a prima facie case? Is there some doubt over the evidence or offence/s?

(13) Has Council staff acted appropriately in investigating the matter and were standard procedures followed including officers having appropriate authorisation and delegation?

(14) What are the chances of success if the proposed enforcement action was challenged in court?

(15) Is there a draft planning instrument on exhibition that would make the unauthorised use legal?

(16) What action would be reasonable and proportionate in this case?

(17) Is it in the public interest including there being a reasonable prospect of success?

(18) Has the alleged offender been given an opportunity, if appropriate, to provide information as to why enforcement action should not be instituted?

(19) Has the alleged offender been advised, if appropriate, that no response to a show cause letter will result in the commencement of enforcement action?

(20) What is the likely length and net expense of the legal action.

The Council will ensure that the principles of natural justice are adhered to prior to a decision being made. The following principles will be addressed and implemented by the Council:

- Whoever is the subject of concern must know all the allegations in relation to their action;
- All parties to the complaint must have the right to be heard;
- All relevant submissions and evidence must be considered;
- Matters which are not relevant must not be taken into account;
- The person who makes the complaint must not determine the matter;
- The decision-maker must be fair and just.

15 DELEGATIONS FOR ENFORCEMENT ACTION

Council staff may be delegated to initiate various levels of enforcement action under the following Acts and associated regulations:

(1) Environmental Planning and Assessment Act 1979

(2) Local Government Act 1993

(3) Protection of the Environment Operations Act 1997

(4) Impounding Act 1993

(5) Companion Animals Act 1998

(6) Roads Act 1993

(7) Food Act 2003

(8) Public Health Act 1991

(9) Swimming Pools Act 1992

(10) Contaminated Land Management Act 1997

16 APPENDIX A - WARNINGS

As a guide the following offences may result in a prior warning being given before any enforcement action in the form of the service of an order or notice or penalty infringement notice or court action is undertaken.

- Annual Fire Safety Statement - non submission by owner
- Advertising signs without approval or unsightly
- Air pollution – smoky chimney
- Barking/roaming dog, unregistered dog
- Commercial swimming pool not properly maintained
- Development / Activity without consent or not in accordance with a condition/s of consent
    - Minor development or old unauthorised development
    - Minor breach of consent condition/s
- Erosion & sediment control matters (owner builder / no prior warning) involving no imminent risk of pollution.
- Fire hazard of a less serious nature.
- Food safety/hygiene matters of a less serious nature
- Noise pollution
    - Air conditioner*
    - Intruder alarm*
    - Musical instrument and sound equipment*
    - Power tools*
    - Motor vehicle on residential premises*
    - Use of refrigeration equipment fitted to motor vehicle*
- Non compliance with an Order/Notice/Direction- work partly done or other mitigating circumstances
- Breach of water restrictions
- Evaporative air conditioner waster water being disposed of inappropriately into street, stormwater or sewer
- Obstruction of Public Place / Road – (minor matters)
- Residential swimming pool issue not serious (eg resuscitation chart not provided)
- Revocation of an approval (eg footpath dining/ place of public entertainment).

* Mandatory warning required by legislation

Note that the above list of offences is an indication only and any offences not listed will be considered on their individual merits.

17 APPENDIX B – NO PRIOR WARNING

As a guide the following offences may result in NO prior warning being given before any enforcement action in the form of the service of an order or notice or penalty infringement notice or court action is undertaken.

- Dangerous Dog Order / Attacking Dog/ Restricted Dog
- Dangerous building/ awning
- Dangerous waterhole
- Deposit litter from vehicle.
- Development not in accordance with consent / risk to health & safety/bush fire protection/ notice of Intention issued by PCA
- Deposit litter / Dumped Rubbish
- Development without consent – unsatisfactory explanation / no explanation / repeat offender / prohibited development / risk to health & safety or environment
- Dilapidated building
- Environmental damage of a significant nature
- Erosion & sediment control matters
- Fire hazard threatening an asset.
- Food safety matters of a serious nature
- Failure to pay Clean Up / Prevention Notice fee
- Failure to comply with order / notice / cease use of premises / failure to comply with order regarding development consent / demolish remove unlawful building / threatening life / public safety / environment / amenity protection/ fence land / keeping of birds and animals/ remove object from public place/ contravene noise control notice/ noise pollution.
- Littering
- Noise abatement direction
- Noise pollution generally after prescribed mandatory warning
- Not comply with condition of development consent/approval to operate
- Nuisance Dog Order
- Obstruction of road / public place involving safety.
- Obstruction / intimidation/ assault of a Council officer
- Open burning without approval or not in accordance with an approval or cause excessive smoke.
- Pollute Waters
- Parking offences
- Pollution Incident – Failure to notify
- Remove and /or damage tree/s
- Swimming Pool fencing / gates / open
- Street Trading without consent / approval

Note that the above list of offences is an indication only and any offences not listed will be considered on their individual merits.

END.

26. WALGETT LANDFILL ENVIRONMENTAL MANAGEMENT PLAN

REPORTING SECTION: Urban Infrastructure Services

AUTHOR: Siegfredo Coralde - Director of Urban Engineering Services

FILE NUMBER: 185/02/11/00

Summary

Schedule 1 of the Protection of the Environment Operations Act 1997 sets out the solid waste (land filling) activities, including waste resource recovery schemes that require licensing. These activities are either premises-based or non-premises based and are usually carried out by mobile plant and the transportation of waste. Threshold limits under each category of waste are also included in the Schedule which identify the volume of waste being stored, processed or received over a certain timeframe.

The Walgett Landfill sits within the flood plain area. This circumstance is quite tolerated and accepted for quite a long time but when waste disposal seemingly start exceeding 5,600 tons a year in 2006, threshold limits of processing and storing waste triggered EPA to require Council to apply for a license. In early 2007, the Walgett Shire Council obtained approval to operate the landfill with applied conditions.

Discussion (including issues and background):

A registered landfill operates differently in several ways from a smaller and unregistered landfill. Aside from periodical monitoring of water tables by way of bore sampling and testing, owners of a registered landfill should submit a Landfill Environmental Management Plan (LEMP) as part of the applied conditions. Since Walgett Landfill operating license was approved in 2007, no plan was developed and submitted prompting EPA to issue stern warnings to Council. It is expected that Council will be penalised this year should it fail to provide this plan before the end of 2009 financial year.

<u>The Walgett Landfill Environmental Management Plan (WLEMP).</u> Council promised EPA that this plan will be submitted by late January 2009. On 29 January 2009, an initial copy was sent to EPA for information. No comments are received until this date and Council will wait for at least three months prior to amending this plan if it so requires.

<u>Special features of WLEMP</u>. Two main features of the plan are discussed in this plan:

1. <u>Action Plan</u>. Section 4: Action Plan (pages 2, 3, 4 & 5 of this report) details actions to implement elements of WLEMP.

LEMP Clause Reference	Description	Action	Date/Frequency	Database
3.1.1	Leachate barrier system	Develop Construction QA Program Investigate location of new cell Survey work for drainage design of new Cell. Test soils for suitability as cell liner Design cell	31/12/2009 31/12/2009 31/3/2009 30/6/2009 31/3/2010	Hydro geological report April 2007
3.1.2	Leachate collection system	Construction QA Program Design drainage pipeline and dam Develop Operational manual and staff training Testing of effluent before use as irrigation	31/3/2009	WLEMP EPA guidelines solid waste landfills
3.1.3	Surface water controls	Design flow paths Maintain flow paths through staff training and Site records. Construct and design dam	31/3/2009 Quarterly 31/12/2009	WLEMP Walgett landfill contract
3.1.4	Groundwater monitoring network	Implement existing Hydro geological report Alter network depending on results	LEMP 3 year review	Hydro geological report April 2007
3.1.5	Groundwater monitoring program	Implement license condition	quarterly	Hydro geological report April 2007
3.1.5	Groundwater assessment program	Implement notification procedures to EPA if contaminants exceed allowable limits		EPA Environmental license No.12466
3.1.6 3.17	Surface water monitoring and Leachate monitoring program	Link procedures to groundwater monitoring program	quarterly	Hydro geological Report April 2007
3.1.8	Water contamination remediation plan	Implement EPA requirements if necessary Guidelines solid waste landfills 1996	As required	Guidelines solid waste landfills 1996

LEMP Clause Reference	Description	Action	Date/Frequency	Database
3.1.10	Fire Prevention	Requirements contained in LEMP and landfill Contract to be checked as part of contract administration	quarterly	WLEMP Landfill contract EPA guidelines solid waste
3.1.14	Screening of wastes received	Signs, inspection, screen out hazardous waste, Keep records, inform EPA if necessary, Contractor to inspect waste as it is unloaded Staff to be trained	Continual 31/3/2009	WLEMP EPA guidelines solid waste landfills Walgett landfill contract Contractor staff training plan
3.1.14	Measurement of Quantities of Waste received	Surveyors report every 12 months commissioned by Council	Annual 31/12/2009	Engineering plan
3.1.14	Recording quantities, types and Sources of waste	Forms provided to contractor, monthly reports to EPA Confirmation of totals by monthly survey.	monthly	Walgett landfill contract Standard forms EPA guidelines
3.1.15	Compaction of Waste	Periodic compaction tests as part of contract Supervision	annually	Walgett landfill contract. EPA guidelines solid waste landfills
3.1.16	Recycling	Supervise existing recycling by contractor Develop new recycling enterprises through Partnering. Quantity and type to be recorded	Half yearly 30/6/2010	EPA License WLEMP Walgett landfill contract EPA guidelines
3.1.18	Filling Plan/Contours	Contractor updates filling plan section of LEMP for finished and new cells. Details of hazardous Waste burial areas plotted by registered surveyor	As required Annually	WLEMP Hydro geological report April 2007

LEMP Clause Reference	Description	Action	Date/Frequency	Database
3.1.19	Site capping and re-vegetation	30 days after completion of cell	Within 30 days of cell completion	WLEMP Walgett landfill contract EPA guidelines
3.1.21	Security of site	Fences to be checked by Council periodically	quarterly	Walgett landfill contract WLEMP
3.1.22	Litter control	Periodic inspection of contract by Council	monthly	WLEMP Walgett landfill contract EPA guidelines
3.1.23	Cleaning of vehicles	Periodic inspection by Council	monthly	WLEMP Walgett landfill contract EPA guidelines
3.1.24	Covering of waste	Daily covering 150mm thick, Intermediate Cover after 90 days 300mm thick Periodic checking by Council		WLEMP Walgett landfill contract EPA guidelines
3.1.25	Dust Controls	Periodic inspection by Council	monthly	WLEMP Walgett landfill contract EPA guidelines
3.1.26	Pest vermin and noxious Weed controls	Periodic inspection by Council. Annual weed spraying by Council. Contract, LEMP, EPA guidelines, staff Training manual	Council annual spraying program	Contractor staff training manual Walgett landfill contract
3.1.27	Odour control	Periodic inspection of contractor and odour	annually	Complaint book Walgett landfill contract. EPA guidelines

LEMP Clause Reference	Description	Action	Date/Frequency	Database
3.1.28	Noise control	Periodic inspection of noise conditions onsite, Noise testing if necessary.	Quarterly or Upon request	EPA guidelines WLEMP
3.1.29	Fire- fighting capacity	Periodic check of Contractors compliance with Contract.	Quarterly	Contractor staff training manual WLEMP EPA guidelines Walgett Landfill contract
3.1.30	Staffing and training requirements	Contractor to supply staff training plan, details of Staffing levels, staff qualifications.	31/3/2009	Staff training manual WLEMP EPA guidelines Walgett landfill contract

2. Periodic Review. The Walgett Landfill Environmental Management Plan (WLEMP) is subject for every three (3) years review. Review details are described below:

Review of Site records	Management Plan	Details	Action taken in LEMP review
Updated EPA requirements and any new legislation	Section 1- Preliminary	***1.4*** - Legislative requirements	Update Management Plan. Review EPA requirements
		1.3 - Landfill objectives	
		Community Concerns	
New techniques in recycling.	Section 2 - Landfill structure and operations review	***2.2*** - Waste type and quantity	Update Management Plan. Review existing operations and adopt new technology and industry initiatives
		2.2.1 - Residential recycling options	
		2.2.3 - Green waste recycling	
		2.2.4 -Landfill life span	
		2.2.5 -Review existing 5 year contract performance	
		2.2.6 -Review weighbridge option	
Review of monitoring and recording in line with recorded information	Section 3 - Environmental Issues and goals in land filling	Leachate	Update Management Plan Review work methods for landfill operation, monitoring and reporting. Introduce new management techniques
		groundwater	
		Surface water	
		Gas emission	
		Air quality,dust, mud, litter, noise, odour, vermin, birds, weeds etc	
		Site closure	
		Quality Assurance	
		Staffing and training	

Conclusion

Although Council seemingly satisfied its EPA obligation at this point in time, there still remains some sub-activities yet to be develop under the plan. These sub-activities are:

1. Waste Minimisation/Recovery (recycling, recovery)
2. Leachate Minimisation and Prevention
3. Litter, Pest/Vermin, Odour, Noise, Noxious Weed and Dust Control
4. Partnership Program with Contractors (next generation of waste contract)
5. Rubbish Collection
6. Hazardous Waste
7. Trade Waste (liquid)
8. Landfill asset up-grades
9. End-Closure
10. Development of new landfill site

These sub-activities will need supplemental human resources and not only to Walgett Landfill but to other active landfill operations in the future. A Long-term Financial Planning is currently being prepared for these operations.

Relevant Documents:

1. Protection of the Environment Operations Act 1997 (POEO Act)
2. Waste Avoidance and Resource Recovery Act 2001 (WARR Act)
3. Protection of the Environment Operations (Waste) Regulation 2005
4. NSW Waste Avoidance and Resource Recovery Strategy 2007

Stakeholders:

Walgett Shire Council
EPA

Financial Implications:

An increase in financial operational expenditure is expected over the years due to this activity's continual monitoring of new and added works, landfill up-grades, reporting, initiation of waste minimisation and recovery works, contractor's engagement and staff training.

Recommendations

1. That Council approves implementing this Plan effective 30 March 2009.

2. That Council approves incorporation of this Plan to Walgett Landfill Operational Contract with Yeoman Contractors.

3. That Council approves incorporation of this Plan to yet to be developed Solid Waste Management Plan.

4. That Council approves an annual increase in Walgett Landfill Operating Expenditure Bore Monitoring for 5 years as shown below:

a. 2009 – 2010 budget = $ 50,000
b. 2010 – 2011 budget = $ 52,500
c. 2011 – 2012 budget = $ 55,125
d. 2012 – 2013 budget = $ 57,882
e. 2013 – 2014 budget = $ 60,776

Attachments

Landfill Environmental Management Plan (Under Seperate Cover)

27. AIRPORT DRUG AND ALCOHOL MANAGEMENT PLAN

REPORTING SECTION: Urban Infrastructure Services

AUTHOR: Siegfredo Coralde - Director of Urban Engineering Services

FILE NUMBER: 175/05/00/00

Summary

In May 2006 the then Minister for the Department of Transport and Regional Services (DOTARS) accepted the *Review into Safety Benefits of Introducing Drug and Alcohol Testing for Safety Sensitive Personnel in the Aviation Sector* and instructed DOTARS and the Civil Aviation Safety Authority (CASA) to develop enabling legislation.

A discussion group of several government and industry representatives was established to identify, inquire, and recommend the most effective preventative arrangements in dealing with perceived drug and alcohol problems in the aviation industry. This group was made of representatives from airports, airlines, charter operators, flying training organizations, CASA and Air Services Australia (AA).

Discussion (including issues and background):

The Final Rule. Once the discussion group concluded the initial consultations, a project team was established to finally discuss implementation and scope issues. Nominations for team leaders were sought using the standard SCC process to ensure that desired project outcomes are met satisfactorily.

The project team conducted thirty four education, awareness and consultation workshops at 19 focused locations. Suggested feedback was invited on the following aspects of the proposal to finally develop into enabling legislation:

1. What personnel undertake safety-sensitive aviation activities?
2. What will the permitted limits for drugs and alcohol be, and what drugs will be tested for by CASA and Industry?
3. What types of testing will be conducted by CASA?
4. What offences will be created for personnel to whom the drug and alcohol requirements apply?
5. Which Organisations will be required to have a Drug and Alcohol Management?

CASA received good quality of comments on the above. In deciding on the final outcome on such comments and issues, priority has been given to the safety requirements for the safety of air navigation. The project team then consolidated its findings on the expansion of Civil Aviation Safety Regulations (CSAR) Part 99 Drug and Alcohol Management Plans and Testing.

The Verdict. On 17 July 2007, a Notice of Proposed Rule Making (NPRM) 0703SS was published and proposed the making of Civil Aviation Safety Regulations (CSAR) Part 99 covering Drug and Alcohol Management Plans and Testing. A month later, the Aviation Legislation Amendment (2007 Measures No. 1) Bill 2007 was passed providing a clear authority for the Drug and Alcohol Management Plans and Testing regulations.

On 23 September 2008, the Legislative Instrument CASA AOD 2008/1 – Drug and Alcohol Testing was registered listing the testable drugs for the purposes of mandatory rules under Part IV of the Civil Aviation Act 1998.

Development of Drug and Alcohol Management Plan (DAMP). About 1,600 organisations and around 67,000 of the total 120,000 personnel performing Safety Sensitive Aviation Activities (SSAA) in the industry are covered by a DAMP requirement. These organizations are required to develop and fully implement this plan by 23 March 2009. Walgett Shire Council is currently operating one fully performing and three other smaller aerodromes and is therefore required to develop this plan.

Walgett Shire Council's ADAMP Plan. CASR Part 99 Sub-part B provides materials in developing and implementing a Drug and Alcohol Management Plan (DAMP). Based on this guidance material, Council's Airport Drug and Alcohol Management Plan (Doc. No. WSCU – DAMP) was developed.

The Council's ADAMP applies to all Safety-Sensitive Aviation Activity (SSAA) employees of the Walgett Shire Council and states each category of Council's SSAA employees covered by the plan. The plan has three essential components as shown below:

Component A: Drug and Alcohol Education Program. This is a program where all Council's SSAA employees are required to attend a drug and alcohol education program. Council's SSAA positions are:

Name	WSC Position	ADAMP Position
Siegfredo Coralde	Director Urban Infrastructure Services	ADAMP Contact Officer (Primary)
Roy White	Technical Officer Urban Infrastructure Services	ADAMP Contact Officer (Secondary)
David Callander	O H & S Officer	ADAMP Contact Officer Officer (Secondary)
Garry Molloy	Team Leader Walgett	ADAMP Supervisor
Wayne Holden	Team Leader Lightning Ridge	ADAMP Supervisor
Scott Lillebridge	Caretaker Burren Junction	ADAMP Supervisor
Barry Murray	Team Leader Collarenebri	ADAMP Supervisor

Component B: Drug and Alcohol Testing Program. SSAA employees under this program may be subject to drug testing and CASA can conduct random drug and alcohol testing. Substances that will be included in testing are alcohol, opiates, cannabinoids, cocaine and amphetamines. Tests are defined as follows:

- breath testing for alcohol
- oral fluid testing for drugs
- urine testing for drugs

Component C: Drug and Alcohol Response Program. This program is designed for SSAA employees in gauging their performance to carry-out the duties with proper assessment procedures.

Component D: Referral Program. This program encourages SSAA employees to recognize problematic use of substances and to obtain the assistance they need from the Council's Employee Assistance Program (EAP) in form of counselling or other treatment methods as prescribed under the rehabilitation program.

Above programs are discussed in detail (pages 17 to 21) of the ADAMP.

Conclusion

Walgett Shire Council completed its Drug and Alcohol Management Plan and is ready for submission to the Civil Aviation Safety Authority (CASA). This Plan is not only satisfying the Aviation Legislation Amendment (2007 Measures No. 1) Bill 2007 but also Council's Drug and Alcohol Policy requirements in some form.

The general outlook of this plan is based on Council's future Quality Assurance System (ISO 14001:2004) yet to be developed in the future.

Relevant Documents:

5. Civil Aviation Safety Regulations (CSAR) Part 99
6. Annex A – CSAR Part 99 : Drug and Alcohol Management Plans and Testing and Instrument Number CASA xx/08 – Drug and Alcohol Testing by CASA
7. Annex B – Consolidated Summary of Comments/Responses Received, CASA's Response and Disposition Actions to: NPRM 0703SS – Drug and Alcohol Testing Programme for the Aviation Industry – Proposed CASR Part 99
8. Annex C – Guidance Material for CASR Part 99 Subpart B – Developing and Implementing a Drug and Alcohol Management Program (DAMP) and Guidance Material for CASR Part 99 Subpart C – Drug and Alcohol Testing for CASA
9. Drug and Alcohol Policy - Walgett Shire Council

Stakeholders:

Walgett Shire Council
Civil Aviation Safety Authority

Financial Implications:

An increase in financial operational expenditure is expected over the years due to this activity's continual monitoring, drug testing, reporting, engagement of medical expert providers and staff training (Refer to Section 6: ACTION PLAN of ADAMP).

Recommendations

1. That Council approves implementing this Plan effective 30 March 2009.

2. That Council endorse this Plan for submission to CASA.

3. That Council approves training of new ADAMP Supervisors and SSAA employees beginning April 2009.

4. That Council approves an increase in its Aerodrome Operating Expenditure as shown:

a. 2009 – 2010 budget = $10,000
b. 2010 – 2011 budget = $ 7,000
c. 2010 – 2012 budget = $11,000
d. 2011 – 2013 budget = $ 7,700

Attachments
Drug and Alcohol Management Plan (DAMP)

WALGETT SHIRE COUNCIL

AIRPORT DRUG AND ALCOHOL MANAGEMENT PLAN (ADAMP)

Airport Drug and Alcohol Management Plan

Document No. WSCU - ADAMP

Prepared for:

Walgett Shire Council

Prepared by:

Siegfredo O Coralde
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Walgett Shire Council
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February 2009

Quality Information

Walgett Shire Council is now in the process of developing its Quality Assurance System based on ISO 14001:2004 which will provide assurance to management that it is in control of organizational processes and activities having an impact to environment.

Document	:	Airport Drug and Alcohol Management Plan
Document No.	:	WSCU - ADAMP
Date	:	February 2009
Prepared by	:	Siegfredo O Coralde

Revision History

Variations if introduced requiring specific changes to this plan, or preparing a new program will be recorded as Revision to ensure quality compliance. CASA shall be notified when changes occurred and if not been directed by CASA, a three-month Notice will be provided by Walgett Shire Council to staff to that effect. Unless otherwise determined, revisions shall have the same force and effect as if included in the revised plan, from the time which three-month notice expires.

Revision/ Version	Date	Details		Authorized	
		Section	Page	Name/Position	Signature
1	28/02/09	New	New	Siegfredo Coralde Director, Urban Infrastructure Services	

DOCUMENT AND VERSION CONTROL

This is a controlled document. Copies are numbered and issued to specified Walgett Shire Council and CASR officials, or kept for reference at specified locations. This plan will be reviewed at regular intervals or as directed by CASA, in order to ensure its continued compliance with the requirements of the CASRs.

New versions, after being approved, are to replace the previous versions.

CASA in consultation with Walgett Shire Council may audit this plan to ensure that appropriate development, implementation and enforcement of programs are carried out effectively.

Copy No.	Date	Distribution	Position/Company
1	March '09	Raymond Kent	General Manager, WSC
2	March '09	Siegfredo Coralde	Director, Urban Infrastructure Services
3	March '09	Roy White	Team Leader – Urban Infrastructure Services, WSC
4	March '09	Brenda Cattle	AOD Project Manager, CASA AOD Team
5	March '09	David Callander	OH & S Officer, WSC
6	March '09	Garry Molloy	Team Leader – Walgett, WSC
7	March '09	Wayne Holden	Team Leader - Lightning Ridge , WSC
8	March '09	Barry Murray	Team Leader, Collarenebri WSC
9	March '09	Scott Lillebridge	Caretaker - Burren Junction WSC
10	March '09	Dr. Vlad Matic	Medical Doctor, Walgett Hospital
11	March '09	Chris Gould	Senior Hospital Scientist IPCMR Walgett, Sydney West Area Health Service, Walgett Hospital
12	March '09	Records Dept.	Walgett Shire Council
13	March '09	Records Dept.	Walgett Medical Service

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Preface

A Notice of Proposed Rule Making (NPRM) 07030SS – Drug and Alcohol Testing Program for the Aviation Industry (Part 99 covering Drug and Alcohol Management Plans and Testing) was published on 17 July 2007 by the Civil Aviation Safety Authority (CASA).

This notice includes a proposed regulatory framework for the introduction of Drug and Alcohol Management Plans and an Independent Random Testing Regime for personnel performing Safety Sensitive Aviation Activities.

On August 2007, the Aviation Legislation Amendment (2007 Measures No. 1) Bill 2007 was passed in the parliament providing a clear legislative authority for the Drug and Alcohol Management Plans and Testing regulations. As a result of this, Walgett Shire Council is obliged to develop, implement and maintain a plan meeting the requirements of the CASR from 23 March 2009.

This Airport Drug and Alcohol Management Plan is prepared in compliance with this amended Bill requirements.

Summary

The health, well-being and safety of personnel are of paramount importance to Walgett Shire Council. All individuals have a right to be safe at a Council workplace. Alcohol and Other Drugs (AOD), when present in persons in the workplace, have the potential to increase risk of harm in the workplace and adversely impact upon fitness for work.

Walgett Shire Council has a duty of care to minimise the risk of accident, incident and injury in the workplace arising from the consumption of alcohol or other drugs.

The Airport Drug and Alcohol Management Plan (ADAMP)

This Plan is designed to meet the objectives of delivering required level of management service per Part 99 of the Civil Aviation Safety Regulations 1998 (CASR) covering persons who perform, or are available to perform, a Safety-Sensitive Aviation Activity (SSAA) regulation in the most cost effective manner.

Important protocols are developed to outline the strategies and processes that will be used by the Walgett Shire Council in managing the risks associated with use, or recent use, of alcohol or other drugs by persons in the workplace.

Walgett Shire Council takes a multi-strategy approach that incorporates education, support, testing and performance management. This approach is based on safety outcomes and not whether a positive test result is illicit or legal. This approach also recognizes permissible therapeutic drug use under the guidance of a physician or pharmacist duly nominated and approved by Council.

All paid Council employees, contractors, sub-contractors, volunteers and other parties with working relationship involvement with Walgett Shire Council staff or under the supervision of Council staff are covered by this Plan.

Components of the Plan

The Plan applies to all SSA employees of the Walgett Shire Council and states each category of Council's SSAA employees covered by the plan. This program has three components as shown below:

Component A	Drug and alcohol education program
Component B	Drug and alcohol testing program
Component C	Drug and alcohol response program
Component D	Referral Program

Some aspect of this plan contains similar mechanisms of the Procedure WR – Drug and Alcohol Policy of the Walgett Shire Council. However, there are specific conditions where this plan applies only to Aviation requirements.

Familiarity of the Plan

This is the first plan Walgett Shire Council has ever developed specifically for the aviation sector. There are several definitions not familiar to other relative plans and therefore, these definitions should be carefully examined. The definitions are well described in Section 1.4 DEFINITIONS of this plan.

The requirement procedures of this plan override Walgett Shire Council WR – Drug and Alcohol Procedures to the extent that any difference occurs.

It is an therefore important document that all personnel should read carefully and familiarize themselves with.

Plan Review

This plan shall be reviewed every three (3) years.

Information and Record Keeping

Walgett Shire Council will ensure it records and supplies information in respect of drug and alcohol testing; drug and alcohol education; and drug and alcohol response to CASA within 21 days of 1 March and 1 September each year.

The information reported to CASA will not contain any additional detail, beyond that required by the CASRs, which might identify individuals employed by Walgett Shire Council, its contractors or subcontractors.

Council will supply information about the identity of a ADAMP employee to a CASA approved tester within one hour of such a request being made if so required.

Walgett Shire Council will keep all records pertaining to this ADAMP that are used to provide information to CASA for a period of 5 years. This information will be kept in a secure location. Within 6 months of the expiry of the 5 year record keeping period, Council will ensure such records are destroyed or deleted.

Privacy

The *Privacy Act 1988* may apply to information gathered under this plan and information held in relation to the outcomes of drug and alcohol testing, whether conducted under the Walgett Shire Council or by CASA.

The Airport Drug and Alcohol Management Plan (ADAMP) is consistent with the requirements of the *Privacy Act 1988* and Walgett Shire Council will comply with any obligations it may have under that Act in the handling of personal information collected under the program.

1 Overview

The requirement for various organizations, including Walgett Shire Council to develop and implement a program has been introduced into the CASR in order to enhance safety benefits and other outcomes for all aviation registered airports within the Shire.

In addition to meeting its statutory obligations, Council also seeks to achieve the following additional aims through this program:

"to provide a safe working environment for all employees and members of the public by implementing procedures to minimize drug and alcohol exposure leading to proliferation, and to ensure employees who are affected by drugs and alcohol do not create dangers within the workplace"

1.1 Focus

The focus of this plan is to enable Council to liaise and enforce a drug and alcohol safety intervention and accident control within the aviation industry organizations in the interests of air safety navigation.

This Plan will allow for the random testing of personnel undertaking safety-sensitive aviation activities for alcohol and specified drugs in all Council supervised airport premises.

1.2 Application

Facilities. There are four (4) known aerodromes servicing the following areas of Walgett Shire Council:

- Walgett Aerodrome
- Lightning Ridge Aerodrome
- Collerenebri Aerodrome
- Burren Junction Aerodrome

Details of the above facilities are described under Section 7: AERODROME.

Personnel. This Plan applies to all Walgett Shire Council personnel that perform, or are available to perform, an SSAA. These personnel are all referred to as "SSAA employees" even though they may not be directly employed by Council. These personnel are:

- persons employed directly by Walgett Shire Council;
- contractors engaged by Walgett Shire Council;
- subcontractors engaged by contractors of Walgett Shire Council; and
- persons employed by those contractors and subcontractors.

1.3 Relationship with other plans:

The following policies and statutory requirements also supplement this plan:

- Walgett Shire Council Drug and Alcohol Policy (Procedure WR)
- Local Government Act 1993
- Security Industry Act 1997
- Occupational Health and Safety Act 2000
- Occupational Health and Safety Regulation 2000
- Local Government (State) Award 2007
- Gov – Code of Conduct Policy

1.4 Definitions

1.4.1 Accident means an occurrence that arises out of a person performing or being available to perform an applicable SSAA if either or both of the following applies:

(a) the occurrence results in the death of, or serious harm to, a person;

(b) the occurrence results in serious damage to an aircraft or property.

1.4.2 Aerodrome Testing Area means:

(a) any surface in a certified or registered aerodrome over which an aircraft is able to be moved while in contact with the surface of the aerodrome, including any parking areas; and

(b) any part of the surface of a certified or registered aerodrome:

- that is not covered by paragraph (a); and
- that does not have a building on it; and
- any form of surface or structure which access to a surface mentioned in paragraph (a; and

(c) a building located on a certified or registered aerodrome used:

- for maintenance of an aircraft or an aeronautical product; or
- for the manufacture of aircraft or aeronautical products; or
- by an air traffic service provider to control air traffic; or
- by the holder of an AOC for flying training; and

(d) any part of an aircraft, aerobridge or other moveable structure in a certified or a registered aerodrome.

1.4.3 Appropriately Qualified Alcohol and other Drug Professional means a person who:

(a) materially works as a provider of clinical drug and alcohol treatment services; and

(b) holds a bachelor degree, or postgraduate degree, in at least one of the following fields:

- health sciences;
- medical science;
- social sciences;
- behavioural sciences.

1.4.4 **Comprehensive Assessment** means an examination of the person's physiological and psychosocial indicators carried out by a psychiatrist; or by a medical practitioner who is a Fellow of the Australasian Chapter of Addiction Medicine; or jointly by:

- a person entitled to practise as a medical practitioner under a law of a State or Territory; and
- an appropriately qualified drug and alcohol professional.

1.4.5 **ADAMP Contact i**s the person nominated to CASA by Walgett Shire Council and charged with overall responsibility for liaison with CASA about Council's drug and alcohol testing responsibilities**.**

1.4.6 **ADAMP Medical Review Officer** is a person who meets the following criteria:

- a registered medical practitioner
- has competence in the field of interpreting drug and alcohol test results
- has knowledge of substance use disorders
- has knowledge of the relevant provisions of the CASRs

1.4.7 **ADAMP Supervisor** is a supervisor of employees involved in aviation activities. This person has received training on aspects of prevention and management of problematic AOD use, under the organisational ADAMP. It is the ADAMP Supervisor to whom employees report their concerns about medications they are taking. Additionally, the ADAMP Supervisor has access to the ADAMP Medical Review Officer (MRO) for advice and clarification as required.

1.4.8 **Drug or Alcohol Intervention Program** may consist of any of the following:

- assessment
- treatment, including:
  - education
  - counselling
  - consultation with health care professionals
  - pharmacotherapy
  - residential or non residential treatment programs
- monitoring and follow up action

1.4.9 **Permitted Level** means:

- For alcohol, a concentration of less than 0.02 grams of alcohol in 210 litres of breath

- For a testable drug—a concentration of the testable drug that is specified in a legislative instrument made by CASA for the purposes of Part 99.010 of the CASR

The permitted levels in oral fluid for each testable drug:

Testable Drug	Level- ng/mL
Morphine	25
Codeine	25
6-Acetyl morphine	10
Amphetamine	25
Methylamphetamine	25
Methylenedioxymethylamphetamine	25
Methylenedioxyamphetamine	25
Δ9-tetrahydrocannabinol 10	10
Cocaine	25
Benzoylecgonine	25
Ecgonine methyl ester	25

The permitted level in urine for each testable drug:

Testable Drug	Level- ng/mL
Morphine	300
Codeine	300
6-Acetyl morphine	10
Amphetamine	300
Methylamphetamine	300
Methylenedioxymethylamphetamine	300
Δ9-tetrahydrocannabinol 10	15
Benzoylecgonine	150
Ecgonine methyl ester	150

Note: These levels ensure that the results are administratively reliable and are set at a sufficient level to detect recent alcohol or drug use by the donor.

1.4.9 Positive Result (in relation to a drug or alcohol test of a body sample the test results reveals) means the following:

(a) **for an initial drug test** - a test result above the permitted level.

(b) **for a confirmatory drug test** - a test result above the permitted level and verified by a Medical Review Officer (MRO) as a verified positive result

(c) **for an initial alcohol test** - a test result above the permitted level

(d) **for a confirmatory alcohol test** - a test result above the permitted level

1.4.11 Regular SSAA Employee means a SSAA employee who is reasonably likely to perform an applicable SSAA at least 2 or more times every 90 days.

1.4.12 Safety - Sensitive Aviation Activities are:

a. any actions taken by any person in an aerodrome testing area (including ADAMP employees present in the area) other than as a passenger/s.

b. any of the following activities, wherever they occur:

- calculation of the position of freight, baggage, passengers and fuel on aircraft
- the maintenance, certification of maintenance or manufacture of aircraft, aeronautical products, ground based navigation aids or radar
- the fuelling and maintenance of vehicles that will be used to fuel aircraft on aerodrome testing areas
- activities undertaken by an airport security guard or screening person in the course of their duties as a guard or person
- activities undertaken by a member of the operating crew of an aircraft in the course of that persons duties as a crew member
- the loading and unloading of trolleys containing baggage for loading onto aircraft or unloading from aircraft and the driving of such trolleys
- activities undertaken by an air traffic controller in the course of the controller's duties as a controller, or the supervisor of such a person
- the provision of aviation fire fighting services; and

- providing flight information and search and rescue alert services:

  - to a pilot or operator of an aircraft immediately before the flight of the aircraft,

  - to a pilot or operator of an aircraft, during the flight of the aircraft;

  - as an intermediary for communications between a pilot or operator of the aircraft and an air traffic controller

1.4.13 Serious Incident is an occurrence that is associated with the manufacture, maintenance or operation of an aircraft, aeronautical product or ground based navigational aid if either or both of the following applies:

- the occurrence gives rise to danger of death or serious harm to a person; or
- the occurrence gives rise to danger of serious damage to an aircraft or property.

1.4.14 Suspension Event means an event where this program requires an SSAA employee to cease performing or being available to perform an SSAA

1.4.15 Testable Drug Group is any of the following:

- Amphetamines
- Cannabis
- Cocaine
- Opiates

2. The Components of Drug and Alcohol Program

2.1 Component A: Drug and Alcohol Education Program

All SSAA employees and ADAMP Supervisors of Walgett Shire Council are required to attend a drug and alcohol education program. Council will ensure that these concerned have access to a drug and alcohol education program:

- For SSAA employees and ADAMP Supervisors as at 23 September 2008 prior to 23 March 2009; or
- For personnel who are to become SSAA employees and ADAMP Supervisors after 23 September 2008 at induction and prior to the employee performing or being available to perform an SSAA.

The program contains the following components:

- For SSAA employee's — awareness of:
  - Walgett Shire Council's policy on drug and alcohol use; and
  - drug and alcohol testing in the workplace; and
  - support and assistance services for people who engage in problematic use of drugs and alcohol; and
  - information about the potential risks to aviation safety from problematic use of drugs and alcohol; and
- Additionally for ADAMP Supervisors — education and training to manage people who engage in problematic use of drugs or alcohol.

Walgett Shire Council will additionally provide refresher education to all SSAA employees at intervals of no longer than 30 months.

2.2 Component B: Drug and Alcohol Testing Program

In addition to the drug and alcohol testing conducted by or on behalf of Walgett Shire Council under this program, SSAA employees (including all persons who perform duties in an aerodrome testing area) may also be subject to random drug and alcohol testing by CASA under Part 99.C of the CASR. Substances that will be included in testing are:

- Alcohol
- Opiates
- Cannabinoids
- Cocaine
- Ampehtamines

2.2.1 The Tests

Drug and alcohol testing done under this program will be conducted as follows:

- **for breath testing for alcohol** — using a device that meets either: AS 3547, *Breath alcohol testing devices for personal use*; or NMI R 126, *Pattern Approval Specifications for Evidential Breath Analysers*;
- **for oral fluid testing for drugs** — in accordance with AS 4760, *Procedures for specimen collection and the detection and quantitation of drugs in oral fluid*;
- **for urine testing for drugs** — in accordance with AS/NZS 4308, *Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine.*

Any devices used in drug or alcohol testing under this plan must be used in a way that is not inconsistent with the instructions of the manufacturer of those devices.

2.2.2 Testing Procedure.

Drug and alcohol testing of all SSAA employees under this program will be conducted in the following circumstances:

Prior to commencement in a role performing SSAA. A person will be tested for alcohol and testable drugs when they first join Walgett Shire Council. If the person will be working as a regular SSAA employee, or when the role of an existing employee is to change to that of a regular SSAA employee, unless:

"the person has been drug and alcohol tested less than 90 days before the person is required to begin performing or being available to perform an SSAA; and the test results were not positive results"

Post Accident or Serious Incident. A person will be tested for alcohol and testable drugs after an accident or serious incident involving a SSAA employee that occurs whilst they are performing, or available to perform, an SSAA, provided that suitable test conditions exist where, after an accident or serious incident, testing can be conducted:

- within 32 hours of the accident or incident for drug testing
- within 8 hours of the accident or incident for alcohol testing; and
- it is practicable to conduct a test

On Reasonable Suspicion. A person will be tested if a DAMP Supervisor has reasonable grounds to believe that a SSAA employee may be adversely affected by an alcohol or testable

drugs while performing, or available to perform, an SSAA.

On Return to SSAA Work. A person will be tested for alcohol and testable drugs if a SSAA employee is returning to work after a period during which the employee was not permitted under the CASR to perform or be available to perform an SSAA because of alcohol or testable drug use or a related incident.

2.2.3 Drug Test Results

If a confirmatory drug test conducted under this program returns a positive result, Walgett Shire Council will consult a DAMP Medical Review Officer to determine if the presence and level of a testable drug detected by the test could be the result of legitimate therapeutic treatment or some other innocuous source.

2.3 Component C: Drug and Alcohol Response Program

2.3.1 SSAA Employees Ceasing SSAA

Walgett Shire Council will not permit an SSAA employee to perform, or be available to perform, an SSAA in any of the following circumstances:

- where Council is aware that a positive result for an initial drug test has been recorded and the employee has not, in respect of that test result, recorded a test result for a confirmatory drug test that is not a positive result;

- where Council is aware that a positive result for an initial alcohol test has been recorded and the employee has not, in respect of that test result, recorded a test result for a confirmatory alcohol test that is not a positive result;

- where Council is aware that:

  - a positive result for a confirmatory drug test has been recorded for the employee; and

  - a DAMP medical review officer has not determined that the result recorded could be because of legitimate therapeutic treatment or some other innocuous source

Mandatory preconditions for return to work have not been met:

- where Council is aware that:

  - a positive result for a confirmatory drug test has been recorded for the employee; and

  - a CASA medical review officer has not determined that the result recorded could be as a result of legitimate therapeutic treatment or some other innocuous source; and

- where Council is aware that a SSAA employee who has been required to take a drug or alcohol test has:
  - refused to take the test; or
  - interfered with the integrity of the test.
- if a DAMP Supervisor suspects the employee's faculties may be impaired due to the person being under the influence of a testable drug or alcohol;

If an accident or serious incident has occurred involving the employee whilst they are performing or available to perform an SSAA and either:

- for the period that suitable test conditions exist for conducting drug or alcohol tests on the employee — a test has not been conducted; or
- if tests have been conducted under suitable test conditions — Council has not been notified of the test results.

2.3.2 Returning to Safety Sensitive Aviation Activities

Where Council has not permitted a SSAA employee to perform, or be available to perform, an SSAA as a result of a drug or alcohol testing related suspension event, Council will only permit the employee to again begin performing or being available to perform an SSAA in the following circumstances:

- the employee has undergone a comprehensive assessment for drug or alcohol use;
  - if the comprehensive assessment recommended the employee commence a drug or alcohol intervention program — the employee has begun participating in a nominated drug or alcohol intervention program;
  - the employee is considered fit to resume performing, or being available to perform, an SSAA by a DAMP Medical Review Officer; and the employee's treating clinician, if any;
- if the suspension event related to a drug test — at the time the employee was considered fit to resume performing, the employee receives a confirmatory drug test and records, for the test, a result that:
  - was not a positive result; and
  - a DAMP Medical Review Officer is satisfied indicates the absence of testable drug use.

Council will permit a SSAA employee time to attend a nominated drug or alcohol intervention program, if:

- a DAMP Medical Review Officer has advised Council that the employee should attend the program; and

- the employee is returning to work after a period during which the employee was not permitted to perform or be available to perform an SSAA because of a positive test result for testable drug use or alcohol use.

2.4 Component D – Referral Program

The aim of this program is to encourage SSAA employees to recognize problematic use of substances and to obtain the assistance they need.

Any employee who seeks assistance from their Director or from the Council's Employee Assistance Program (EAP) will be afforded all necessary assistance. The matter will be treated in the strictest confidence.

SSAA employees seeking assistance from management will be offered assistance. Assistance shall be in form counseling or other treatment methods as prescribed under the rehabilitation program.

Council recognizes that flexible leave arrangements for affected SSAA employees are required in order to complete any treatment or rehabilitation program.

Any employee who wishes to seek professional counseling assistance in relation to an alcohol or drug related problem is directed to the services listed below:

Not identified yet – subject for nomination.

Walgett Shire Council has developed business understandings with the Walgett Aboriginal Medical Service (AMS) and Walgett Hospital to provide therapeutic interventions to SSAA employees and contractors who require professional assistance to manage problematic AOD use. These organizations are accredited service providers where qualified practitioners, organizational procedures and protocols are in place. SSAA employees can be assured that confidentiality and security of information will be maintained at all times.

3.0 Responsibilities

Walgett Shire Council is legally required to, and will, comply strictly with its obligations under this management plan. Council expects that all SSAA employees will similarly comply with their obligations under this plan. SSAA employees need to be aware that failure to do so may result in:

- them committing an offence against the CASRs, for which prosecution or infringement action may be taken by the Civil Aviation Safety Authority or the Commonwealth Director of Public Prosecutions; and/or
- Council taking disciplinary action against its employees or contractual action against contractors or sub-contractors

3.1 Walgett Shire Council Responsibilities

This plan will be available for each new SSAA employee before this employee begins to perform, or becomes available to perform, an SSAA and for current SSAA employees, make this program available to each SSAA employee by the end of the working day on which the employee next performs or is available to perform an SSAA.

Council shall not permit a SSAA employee to perform or be available to perform an SSAA in the following circumstances:

- if a ADAMP Supervisor suspects the employee's faculties may be impaired due to the person being under the influence of a testable drug or of alcohol;
- if an accident or serious incident has occurred which involved the employee while he or she is performing or available to perform an SSAA and either:
  - for the period that suitable test conditions exist for conducting drug or alcohol tests on the employee - a test has not been conducted; or
  - if tests have been conducted – Council has not been notified of the test results;
- if an SSAA employee has been required to cease performing, or being available to perform, SSAA duty because of an incident related to alcohol or drugs, not permit that SSAA employee to again perform or be available to perform SSAA duty until all mandatory pre-conditions have been met; and
- provide periodic reports to the Civil Aviation Safety Authority about its administration of this DAMP or its dealings with its SSAA employees who have been subject to alcohol or drug testing by CASA.

3.2 Responsibilities of SSAA Employees

SSAA employees are encouraged to disclose to Council if they have consumed a level of alcohol, or have taken any drug, that may affect their ability to carry out an SSAA. These employees shall strictly follow the following protocol:

- must not perform, or be available to perform, an SSAA if aware that they are adversely affected by a testable drug or by alcohol, until they are no longer adversely affected;
- are subject to drug and alcohol testing under this program while performing, or being available to perform, a SSAA for Council;
- will be required to provide a body sample if they are to be tested for drugs and alcohol by Council for the purposes of conducting such tests;
- must cease performing or being available to perform SSAA if they:
  - return a positive result for a drug or alcohol test
  - fail to comply with a request by an approved tester to provide a body sample for CASA drug and alcohol testing;
  - fail to comply with a request to provide a body sample for Council drug and alcohol testing under this program;
  - interfere with a body sample they provide for drug or alcohol testing by CASA or Council;
- if required to cease performing, or being available to perform, SSAA duty because of an incident related to alcohol or drugs, must not again perform or be available to perform SSAA duty until all mandatory pre-conditions have been met.

3.3 Role of DAMP Contact Officer

Walgett Shire Council has appointed the following persons as its ADAMP contact officers, and their role is to liaise with the Civil Aviation Safety Authority in relation to Council's responsibilities in connection with this program:

Primary Contact:	Mr. Siegfredo Coralde – Director Urban Infrastructure Services
Secondary Contact:	Mr. Roy White – Technical Officer Urban Infrastructure Services
	Mr. David Callander - OH & S Officer

3.4 Role of DAMP Supervisors

Walgett Shire Council has appointed key personnel as ADAMP Supervisor(s).

ADAMP Supervisors have been trained about how to form an opinion as to whether a person may be adversely affected by a testable drug or under the influence of alcohol, and are authorized by Council to form such an opinion in appropriate cases.

Where a ADAMP Supervisor forms that opinion, they must require an SSAA employee to cease performing or being available to perform an SSAA.

Nominated ADAMP Supervisors:

Mr. Garry Molloy	Parks and Gardens, Airport
Mr. Wayne Holden	Lightning Ridge, Airport
Mr. Scott Lillebridge	Burren Junction, Airport
Mr. Barry Murray	Collanerebri, Airport

3.5 Role of the Medical Review Officer

Walgett Shire Council will appoint and consult a ADAMP Medical Review Officer as part of its responsibilities under this program and the CASRs. This officer will:

- determine if the presence and level of a testable drug detected by the test could be the result of legitimate therapeutic treatment or some other innocuous source (if a drug test conducted under the program returns a confirmatory drug test result for a SSAA employee of that is a positive result); and
- review medical information concerning a person's failure to give a body sample for drug or alcohol testing because of a claimed medical condition;
- determine, in consultation with the employee's treating clinician (if any) if the employee is fit to resume performing or being available to perform a SSAA after being required to cease performing or being available to perform SSAA for a drug or alcohol testing related incident.

Nominated Names of ADAMP Medical Review Officers:

Dr. Vlad Matic
Medical Doctor
Walgett Hospital
Walgett 2832

Mr. Chris Gould
Senior Hospital Scientist IPCMR Walgett
Sydney West Area Health Service
c/o Walgett Hospital
Walgett 2832

4.0 Disciplinary Actions

Walgett Shire Council will exercise its right to discipline SSAA employees directly involved in the management of this plan in accordance with this plan and other relevant policies. While there is no specific requirements for this section, Council shall enforce disciplinary actions on the following grounds:

- Repeated breaches of Walgett Shire Policies or this plan
- Repeated absences for AOD related issues such as treatment, counseling and negative impact on leave, ie., paid or unpaid time, annual and sick leaves.
- Consequence for non compliance with treatment
- Consequence of breaching undertakings or treatment plans

Further relative information regarding disciplinary actions and penalties are best described under Section 12: PENALTIES, p. 7 to 10, Drug and Alcohol Policy Procedures, Walgett Shire Council.

5.0 Procedural Disputes

Walgett Shire Council has existing policies for reviewing decisions in the event of grievance or dispute.

6.0 Action Plan

ADAMP Clause Reference	Description	Action	Date Frequency	Database
1.2	Asset Management Up-dates	Inspection and programming of maintenance works	annually	Building Asset Management Plan (yet to be developed) Urban Roads Management Plan (yet to be developed) Parks & Reserves Management Plan (yet to be developed)
2.1	Component A: Drug and Alcohol Program	Consultation with Stakeholders Training Refresher Course	April 2009 April – May – June '09 Every 30 months	Walgett Shire Council - Airport Drug and Alcohol Management Plan Walgett Shire Council - Drug and Alcohol Policy/Procedures
2.2	Component B: Drug and Alcohol Testing Program	Training Refresher Course Random checking, system tests	April – May – June '09 Every 30 months Anytime	Walgett Shire Council - Airport Drug and Alcohol Management Plan Walgett Shire Council - Drug and Alcohol Policy/Procedures
2.3	Component C: Drug and Alcohol Response Program	Training Refresher Course Random checking, system tests	April – May – June '09 Every 30 months Anytime	Walgett Shire Council - Airport Drug and Alcohol Management Plan Walgett Shire Council - Drug and Alcohol Policy/Procedures

ADAMP Clause Reference	Description	Action	Date Frequency	Database
2.4	Referral Program	Training Refresher Course Random checking	April – May – June '09 Every 30 months Anytime	Walgett Shire Council - Airport Drug and Alcohol Management Plan Walgett Shire Council - Drug and Alcohol Policy/Procedures
Summary	Information and Record Keeping (page 10)	Start of Data Base Info System Destruction of Documents (CASA requirement)	April '09 April '14	Walgett Shire Council - Airport Drug and Alcohol Management Plan Walgett Shire Council - Drug and Alcohol Policy/Procedures
Summary	Information and Record Keeping (page 10)	Start of Data Base Info System Destruction of Documents (CASA requirement)	April '09 April '14	Walgett Shire Council - Airport Drug and Alcohol Management Plan Walgett Shire Council - Drug and Alcohol Policy/Procedures
Summary	Plan Review Requirements	Plan Review	Every three (3) years. Next Review is April '12	Walgett Shire Council - Airport Drug and Alcohol Management Plan Walgett Shire Council - Drug and Alcohol Policy/Procedures

7.0 Airport Drug and Alcohol Application Testing Forms

Airport Drug and Alcohol Management Plan
WALGETT SHIRE COUNCIL

To: Senior Hospital Scientist ICPMR
Sydney West Area Health Service
Walgett District Hospital

URINE TESTS

Please conduct urine sample drug testing on behalf of Walgett Shire Council for the following Shire employee/s.

Name	Address
---	---
---	---
---	---

Testing to include as indicated in the following table:

Testable Drug	Level –ng/mL
Morphine	300
Codeine	300
6-Acetyl morphine	10
Amphetamine	300
Methylamphetamine	300
Methylenedioxymethylamphetamine	300
Δ9-tetrahydrocannabinol 10	15
Benzoylecgonine	150
Ecgonine methyl ester	150

Please return results to ADAMP Primary Contact Officer, Walgett Shire Council, Mr Roy White marked 'Medical in Confidence'.

Please invoice Walgett Shire Council.

ADAMP Contact Officer
Date: _____

Airport Drug and Alcohol Management Plan
WALGETT SHIRE COUNCIL

ORAL TESTS

To: Senior Hospital Scientist ICPMR
Sydney West Area Health Service
Walgett District Hospital

Please conduct oral fluid sample drug testing on behalf of Walgett Shire Council for the following Shire employee/s.

Name	Address
----------	----------
----------	----------
----------	----------

Testing to include as indicated in the following table.

Testable Drug	Level –ng/mL
Morphine	25
Codeine	25
6-Acetyl morphine	10
Amphetamine	25
Methylamphetamine	25
Methylenedioxymethylamphetamine	25
Methylenedioxyamphetamine	25
Δ9-tetrahydrocannabinol 10	10
Cocaine	25
Benzoylecgonine	25
Ecgonine methyl ester	25

Please return results to ADAMP Primary Contact Officer, Walgett Shire Council, Mr Roy White marked 'Medical in Confidence'.

Please invoice Walgett Shire Council

ADAMP Contact Officer
Date: _____

8.0 Aerodromes

8.1 Walgett Aerodrome Description

22 MARCH 2001 FAC W - 347

WALGETT
AVFAX CODE 2225
ELEV 439

NSW WAC 3356, 3357 UTC +10 YWLG
S30 02.0 E148 07.5 VAR 10 DEG E
PUBLIC
AD OPR: Walgett Shire Council, PO Box 31, Walgett 2832; Phone 02 6828 1399, FAX 6828 1606.

MOVEMENT AREA
05/23 048 53a PCN 13/F/B/580 (84 PSI)/T RWY WID 30
18/36 180 38c Unrated. Grass. 200M sealed. RWY WID 30

LIGHTING
RWY 18/36 PTBL PN
RWY 05/23 LIRL PAL 122.4, PTBL PN

AIR TRAFFIC SERVICES
FIA Brisbane Centre 127.1 Circuit Area

NAVIGATION AIDS
VOR WLG 117.6 S30 01.7 E148 07.7 Pilot monitored
NDB WLG 374 S30 01.6 E148 07.4 Range 50 Pilot monitored

CTAF
126.7

GROUND SERVICES
SHELL - Walgett Aero Club: H24, 1 HR PN, Phone 02 6828 1054, 6828 1225 or 6828 1366. BC, MC, V, No Carnet. AVGAS, ASO W100.
AWIB Phone 02 6828 1565.

PUBFAC
PT / WC / LG /TX (Phone 02 6828 1801).

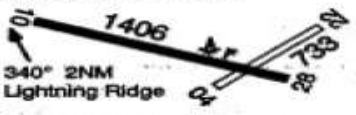
NOTICES
1 After rain deep water puddles. ACFT 5700KG & ABV confine TAX to RWY centre & turn only on RWY end turning nodes, 05/23.
2 Animal & bird hazard exists.

OBSTACLES
1 Lit mast 38FT AGL adjacent to wind sock W of RWY 05/23.
2 Lit TWR 589FT AMSL 330/0.7 FM ARP.

8.2 Walgett Aerodrome Plan

8.3 Lightning Ridge Aerodrome Description

LIGHTNING RIDGE **ELEV 540**
AVFAX CODE 2220



NSW WAC 3356 UTC +10 YLRD
S29 27.4 E147 59.1 VAR 10 DEG E
PUBLIC
AD OPR: Walgett Shire Council, PO Box 31, Walgett 2832; Phone 02 6828 1399, FAX 6828 1608

MOVEMENT AREA
04/22 039 24c Unrated. Brown gravel Loose SFC stones. RWY WID 30
10/28 101 46a Unrated. Brown gravel. Central 18(60) sealed RWY WID 30

LIGHTING
RWY 04/22 PTBL PN EMERG only
RWY 10/28 PTBL PN EMERG only. LIRL PAL 121.3
Note: Incorrect activation procedure may illuminate lights only for the last 10MIN of the cycle. Report difficulties to the AD OPR.

AIR TRAFFIC SERVICES
FIA Brisbane Centre 127.1 Circuit area

CTAF
126.7

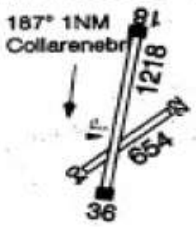
GROUND SERVICES
Lowes Petroleum Service: JO 1HR PN, 2200–0700. E AH PN During BH. Phone 02 6829 0758, FAX 6829 0060. AVGAS.

NOTICES
1 Mining claim posts 0.5NM from THR 22.
2 Bird and animal hazard eodsts.

8.4 Lightning Ridge Aerodrome Plan

8.5 Collerenebri Aerodrome Description

COLLARENEBRI **ELEV 500**
AVFAX CODE 2212



NSW WAC 3356, 3357 UTC +10 YCBR
S29 31.3 E148 34.9 VAR 10 DEG E PUBLIC
AD OPR: Walgett Shire Council, PO Box 31, Walgett 2832;
Phone 02 6828 1399. FAX 02 6828 1608.

MOVEMENT AREA
04/22 037 25c Unrated. Grassed black clay RWY WID 30
18/36 176 40c PCN 13/F/D/580(84 PSI)/U Red gravel, 300 X 150 sealed each end. RWY WID 30

LIGHTING
RWY 18/36 PTBL EMERG only. LIRL PAL 120.55

AIR TRAFFIC SERVICES
FIA Brisbane Centre 127.1 Circuit Area

CTAF
126.7

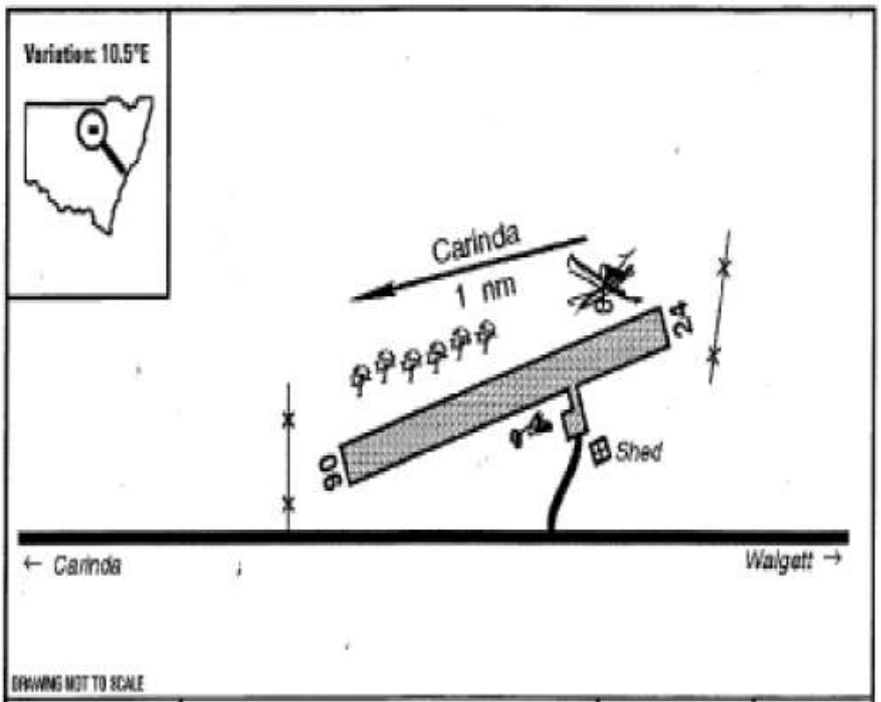
NOTICES
1 Animal and bird hazard exists.
2 Telephone facilities not AVBL.

OBSTACLES
Unlit tower 550FT AMSL BRG 116 MAG 1256M FM S end RWY 18/36.

8.6 Collerenebri Aerodrome Plan

8.7 Carinda Aerodrome Plan and Description

EMERGENCY USE ONLY **Carinda, NSW**

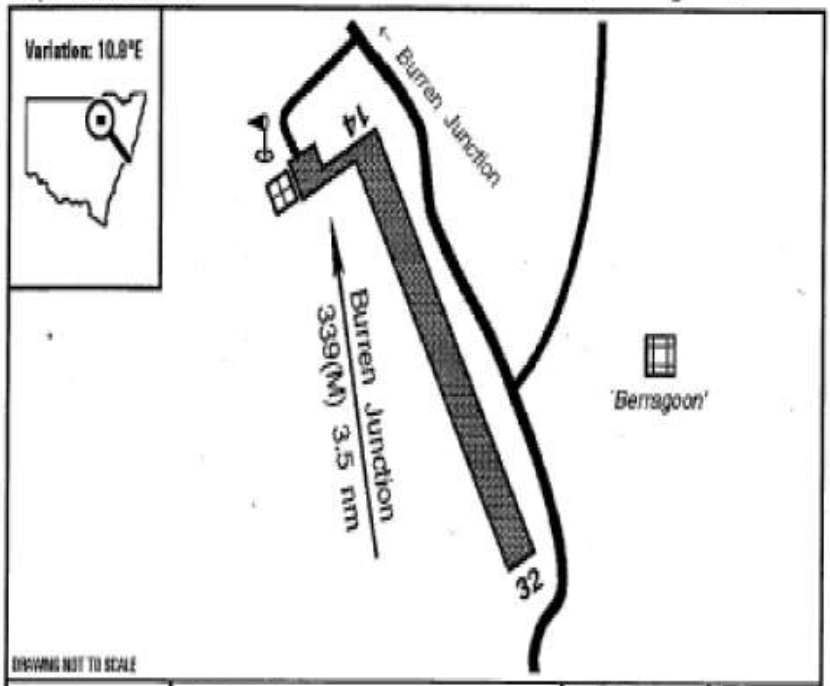


Elevation:	442 Feet AMSL	**Time Zone:**	UTC + 10
GPS Position:	30° 27.495' South 147° 42.565' East	**Area Forecast:**	22
WAC Chart:	Bourke (3356)	**ALA Code:**	YCRA
Owner/Operator:	Walgett Shire Council (02) 68281399		
Strip Directions	06-24		
Strip Lengths:	1137 M		
Strip Surface:	Unsealed - natural		
Windsock:	Yes		
Strip Markers:	Nil		
Lighting:	Nil		
Fuel:	Nil		
Special Procedures And Remarks:	Beware fences. Caution: animals and birds. Permission required prior to use. Unserviceable at press time.		

8.8 Burren Junction Aerodrome Plan and Description

Warning: It is a requirement to check airstrip condition and details with owner

Burren Junction (Berragoon), NSW



Elevation:	542 Feet AMSL	Time Zone:	UTC + 10
GPS Position:	30° 09.518' South 146° 58.451' East	Area Forecast:	22
WAC Charts:	Bourke (3356), Armidale (3357)	ALA Code:	YBRJ
Owner/Operator:	Walgett Shire (02) 68281399 (Bus), (02) 67981463 (A/h)		
Strip Directions	14-32		
Strip Lengths:	1234 M		
Strip Surface:	Unsealed - red gravel		
Windsock:	Yes		
Strip Markers:	White cones		
Lighting:	Nil		
Fuel:	Nil		
Special Procedures And Remarks:	Caution: animals and birds. Public telephone and toilets at the strip. Latest information: The caretaker, Berragoon Station (02) 67981463.		

9.0 Relevant Forms

9.1 Aerodrome Serviceability Report

Aerodrome Serviceability Inspection Checklist WALGETT Week Ending:

Note: Mark Appropiate Y = yes or N = No with a tick

Inspection Area	Item for Checking	Mon		Tue		Wed		Thu		Fri		Sat		Comments
		Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	
Movement Area	NOTAMs current for movement area?													
Matters from previous inspections addressed?														
Runway Strip Area	Undue Roughness?													
	Obstructions?													
	Grass height (less than 300mm)?													
	Boundary markers OK?													
	Debris on runway?													
	Fuel or oil spillage?													
	Markings correct?													
	Pavement deterioration?													
	Lights functioning correctly?													
	Natural runway surface OK?													
Obstacle Limitation Surface	Approach surfaces are clear?													
	Conical surfaces are clear?													
	Transitional surfaces are clear?													
Apron	Debris?													
	Fuel or oil spillage?													
	Pavement deterioration?													
	Markings correct?													
	Lights functioning correctly?													
	Aircraft correctly parked?													
	Vehicle control / conduct?													
Taxiway & Taxi Strip Area	Is there any debris?													
	Pavement deterioration?													
	Shoulder erosion?													
	Grass height - less than 300mm?													
	Markings correct?													
	Lights functioning correctly?													
	Obstructions, potholes, trenches?													
Wind Indicator	Sock in good condition?													
	Signal area marking correct?													
Perimeter Fence	Broken wires / debris?													
	Signs of unauthorised entry?													
	Regrowth around perimeter fence?													
Animal Hazard	Are the movement areas clear?													
Bird Hazard	Any hazards present?													
Terminal Building	Are the gardens tidy / well kept?													
	Is the building and surrounds clean?													
	Are all the lights working?													
	Is the airconditioner working?													
TOWER LIGHTS	[illegible]													

9.2 Aerodrome Form

Aerodrome Serviceability Inspection Checklist (continued)

Matters requiring attention:

Additional Comments:

	Date of Inspection	Time	Inspecting Officer	Signature	Weather Conditions
Monday					
Tuesday					
Wednesday					
Thursday					
Friday					
Extra Insp.					
Extra Insp.					

Checked by: _____

Position Title: _____

Date: _____

9.3 Walgett Aerodrome Hanger Register

WALGETT SHIRE COUNCIL

WALGETT AIRPORT HANGER USAGE REGISTER

DATE		INSPECTED BY	

HANGER NUMBER	USAGE YES (Y)	USAGE NO (N)	VEHICLE TYPE AND REGISTRATION
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			

DATE		INSPECTED BY	

HANGER NUMBER	USAGE YES (Y)	USAGE NO (N)	VEHICLE TYPE AND REGISTRATION
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			

DATE		INSPECTED BY	

HANGER NUMBER	USAGE YES (Y)	USAGE NO (N)	VEHICLE TYPE AND REGISTRATION
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			

DATE		INSPECTED BY	

HANGER NUMBER	USAGE YES (Y)	USAGE NO (N)	VEHICLE TYPE AND REGISTRATION
1			
2			
3			

9.4 Walgett Aerodrome Access Authority

Walgett Shire Council - Access Authority

EMPLOYEE or ORGANISATION REPRESENTITIVE	
POSITION	
Contact Number:	

ACCESS DETAILS - Building/Site Access

Site	Location	Key Issue Approval	Key Code	Date Completed
		YES		
EXIT				
Key retrieved				

I accept responsibility for the key issued to me as above.

I will not provide this key to any other person without the express permission of the Asset Officer Kaye Stone or in her absence Human Resource Officer, Bronwyn Newton.

I will inform the same upon the loss or theft of the allocated key at the earliest convenient.

Signed _____ Date _____

AUTHORISED

SUPERVISOR _____ Date _____

KEY CUSTODIAN _____ Date _____

10.0 Certifications

10.1 Master License Certificate

MASTER LICENCE CERTIFICATE

NSW Police Force

Issued under the
Security Industry Act 1997

To

Walgett Shire Council

ABN: 88769076385

77 Fox St Walgett NSW 2832

Licence Number: 409372344 Identity Number: 106973492

Date of Issue: 07/06/2008 Valid To: 25/11/2011

Class of Licence

Master security 1 to 10 employees

Close Associates

Raymond Kingsley Kent (Nominated Person)

Delegate for Commissioner of Police

SECURITY WARNING

This document contains several inbuilt security features, some of which are listed below. Please refer to the reverse for a full description of the security features. • The border around this Security Warning is printed in MICROTYPE which reads SECURITY INDUSTRY REGISTRY when viewed under magnification. • The document background has a pattern of fine wavy lines and a graduated colour change from blue to grey to blue.

28. TENDERS - TSPT20809WAL SUPPLY & DELIVERY OF PAVEMENT STABILISATION SERVICES

REPORTING SECTION: Rural Infrastructure & Support Services

AUTHOR: Ian Taylor - Director Rural Infrastructure & Support Services

FILE NUMBER: 230/00/08/09

Summary:

Tenders calling for standing offers for supply and delivery of pavement stabilisation services have been advertised in accordance with the Local Government (General) Regulation. This report recommends that Council accept all conforming tenders submitted.

Discussion (including issues and background):

Tenders were called requesting standing offers for supply and delivery of pavement stabilisation services. These were called by Hunter Councils (Regional Procurement Initiative) on behalf of Council.
Tenders were assessed in accordance with the offer documents using the following criteria:

Price
Availability
Referees
Insurances
Fleet Information

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 Hunter Councils General Conditions of Contract.

As the expenditure over a 12 month period on an individual project may exceed the tender threshold of $150,000, it is recommended that Council formally accept all conforming offers as follows:
Stabilco Pty Ltd
Downer EDI Works Pty Ltd
Stabilised Pavements of Australia Pty Ltd

The following offers have been assessed as nonconforming and therefore it is not recommended to accept these tenders:

Gilgandra Shire Council

Relevant Reference Documents:

Evaluation Report Tender TSPT20809WAL

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.

Recommendations:

1. That Council accept tenders from the following businesses for TSPT20809WAL Supply & Delivery of Pavement Stabilisation Services -

*** Stabilco Pty Ltd**
*** Downer EDI Works Pty Ltd**
*** Stabilised Pavements of Australia Pty Ltd**

29. ROADS & TRAFFIC AUTHORITY - DELEGATION TO COUNCILS

REPORTING SECTION: Rural Infrastructure & Support Services

AUTHOR: Ian Taylor - Director Rural Infrastructure & Support Services

FILE NUMBER: 780/90/10/04

Summary:

The Roads and Traffic Authority of NSW (RTA) released a new delegation to Councils on 23 February 2009 for the regulation of traffic. It replaces the existing delegation and covers various activities under the Roads Act 1993, Road Transport (Safety & Traffic Management) Act 1999, and Road Transport (Safety & Traffic Management) Regulation 1999 and has immediate effect.

Discussion (including issues and background):

The Roads and Traffic Authority of NSW (RTA) released a new delegation to Councils on 23 February 2009 for the regulation of traffic. It replaces the existing delegation and covers various activities under the Roads Act 1993, Road Transport (Safety & Traffic Management) Act 1999, and Road Transport (Safety & Traffic Management) Regulation 1999 and has immediate effect.

It should be noted that the major changes to the document are:

1) A broadening of the roads covered by the Delegation to include all Regional Roads. This means that Councils through the Local Traffic Committee process can now authorise signs on classified Regional Roads. State Roads remain the responsibility of the RTA.

2) A change to the reference source for determining which signs can be authorised by Councils under the Delegation. The Delegation now refers to the RTA's Traffic Signs Database located on its website rather than the Regulatory Signs document.

3) A new limitation that restricts Councils from authorising new permissive parking, No Stopping or No Parking signs within 1km of certain nominated train stations, with current unrestricted parking, without the approval of the RTA.

Relevant Reference Documents:

Roads and Traffic Authority Delegation to Councils Regulation of Traffic, 23 February 2009

Stakeholders:

Walgett Shire Council

Financial Implications:

Nil.

Recommendation:

1. That Council note the new Roads and Traffic Authority Delegation to Councils Regulation of Traffic dated 23 February 2009.

ROADS AND TRAFFIC AUTHORITY

DELEGATION TO COUNCILS

REGULATION OF TRAFFIC

TRANSPORT ADMINISTRATION ACT

DELEGATION - SECTION 50

WHEREAS the Roads and Traffic Authority (hereinafter called "the Authority") pursuant to Section 50 of the *Transport Administration Act 1988* and all other enabling powers delegated by instruments of delegation dated 26 October, 2001 (hereinafter called "the delegation") all its functions under the legislation listed in Schedule 3 to councils constituted under the *Local Government Act 1993*, the Authority HEREBY REVOKES the delegation and DELEGATES to the councils in Schedule 1 and Schedule 2 respectively (hereinafter called "delegates") the functions of the Authority set out in Schedule 3 (hereinafter called "the functions") hereto subject to the limitations set out in Schedule 4 hereto and authorises delegates to sub-delegate the functions to the persons in Schedule 5 (hereinafter called "sub-delegates") subject to the limitations in Schedule 4.

Dated this 23rd day of February 2009.

The SEAL of the ROADS AND	)	
TRAFFIC AUTHORITY was hereunto	)	**L. S.**
affixed in the presence of:	)	

SIGNED

Kate Plowman
Legal Counsel
Corporate Law

SCHEDULE 1
(Delegates)

The Council of the Municipality of Ashfield
Auburn Council
Bankstown City Council
The Council of the Shire of Baulkham Hills
Blacktown City Council
Blue Mountains City Council
The Council of the City of Botany Bay
Burwood Council
Camden Council
Campbelltown City Council
City of Canada Bay Council
Canterbury City Council
Fairfield City Council
Hawkesbury City Council
Holroyd City Council
The Council of the Shire of Hornsby
The Council of the Municipality of Hunters Hill
Hurstville City Council
Kogarah Municipal Council
Ku-ring-gai Council
Lane Cove Council
Leichhardt Municipal Council
Liverpool City Council
Manly Council
Marrickville Council
Mosman Municipal Council
North Sydney Council
Parramatta City Council
Penrith City Council
Pittwater Council
Randwick City Council
Rockdale City Council
Ryde City Council
South Sydney City Council
Strathfield Municipal Council
Sutherland Shire Council
The City of Sydney
Warringah Council
Waverley Council
Willoughby City Council
Woollahra Municipal Council

SCHEDULE 2
(Delegates)

A council other than those listed in Schedule 1 constituted under the *Local Government Act 1993*

SCHEDULE 3
(Functions)

The exercise of all the functions of the Authority under:

1 Division 2 of Part 8 (Regulation of traffic by roads authorities) of the *Roads Act 1993*.
2 Division 1 of Part 4 (Traffic control devices) of the *Road Transport (Safety and Traffic Management) Act 1999*.
3 Division 2 of Part 5 (Special event parking schemes) of the *Road Transport (Safety and Traffic Management) Regulation 1999*.

SCHEDULE 4
(Limitations)

1. A council and its sub-delegate must not exercise a function:

   (1) Outside the area constituted under the *Local Government Act 1993* for which council is the council, or

   (2) On a road classified as a Freeway, Controlled Access Road, Tollway, Transitway or those roads classified under the *Roads Act 1993,* which are indicated as State Roads in the Roads & Traffic Authority's *Schedule of Classified Roads and State and Regional Roads* published on its internet website (except where exercising a function in respect of portable traffic control light signals).

2. A council and its sub-delegate may only exercise a function in respect of any prescribed traffic control device (defined in clause 131 of the *Road Transport (Safety and Traffic Management) Regulation 1999* for the purposes of section 50 of the *Road Transport (Safety and Traffic Management) Act 1999*) being –

   (1) any prescribed traffic control device contained in the Roads & Traffic Authority's *Traffic Signs Database* located on its internet website and indicated as *"Delegated to Council for Authorisation – Yes"*, and

   (2) any portable traffic control lights,

   and under no circumstances, that is, despite (1) above, will a council or its sub-delegate be permitted to exercise a function in respect of any internally illuminated traffic control device.

3. A council and its sub-delegate must not exercise a function in respect of the following signs:

   - Permissive parking signs
   - No Parking signs
   - No Stopping signs

   on any public road or road or road related area (or any part thereof), which falls within a 1 km radius of any train station listed in the Roads & Traffic Authority's document published on its internet website, titled *Schedule of Nominated Train Stations,* and which has current unrestricted parking, without the approval of the Roads & Traffic Authority.

4. (1) A council listed in Schedule 1 and its sub-delegate must not exercise a function in respect of the following activities including the referral of the matter to the Local Traffic Committee until a Traffic Management Plan, which must include an assessment of the impact of the exercise of the function and proposed measures to ameliorate such impact, has been approved by the Authority:

(a) The prohibition of the passage of traffic on a public road or road or road related area to any one or more of the following classes of traffic:

- pedestrians
- vehicles
- motor vehicles

by physical means or regulatory signs (whether a prescribed traffic control device or otherwise) or both;

(b) the installation or display of the following traffic control signs on roads or road related areas:

- No Right Turn
- No Left Turn
- No Entry
- No Turns
- Left Turn Only
- Right Turn Only
- No Trucks
- No Buses
- No Pedestrians

or the installation or display of any other sign or road marking prohibiting or compelling a turning movement;

(c) changing a two-way street into a one-way street or reversing the direction of a one-way street;

(d) the construction of a median strip including a painted island which prevents a turn by a vehicle at the intersection of public roads or roads or road related areas;

(e) reduction in the number of traffic lanes on a public road or road or road related area by physical means or regulatory signs (whether a prescribed traffic control device or otherwise) or both.

(2) A Traffic Management Plan is not required if council certifies to the Authority in writing that a No Trucks or No Buses traffic control sign is to be erected solely for the purpose of protecting a road from damage by the passage of motor vehicles.

5. A council and its sub-delegate must not exercise a function in respect of portable traffic control light signals unless:

(1) the signals are used in connection with the carrying out of road work on public roads as authorised by the *Roads Act 1993*; and

(2) no fixed equipment or fixed cables are used.

6. A sub-delegate must not exercise a function in respect of Division 2 of Part 8 (Regulation of Traffic by Roads Authorities) of the *Roads Act 1993*.

7. A council or its sub-delegate must not exercise a function until they have notified the Commissioner of Police and the Authority of any decision taken to exercise a function except where:

   (1) the advice of the Local Traffic Committee is unanimous; and

   (2) the council or its sub-delegate propose to follow such advice.

8. Where a council or its sub-delegate has notified or should have notified the Commissioner of Police and the Authority of a decision to exercise a function, the council or its sub-delegate must not exercise a function for a period of fourteen (14) days from the date of notification.

9. Where an appeal has been made to the Chairperson of a Regional Traffic Committee in respect of a decision taken by a council or its sub-delegate to exercise a function, a council or its sub-delegate must not exercise the function until the Chairperson of the Regional Traffic Committee determines the appeal.

10. Where the Chairperson of the Regional Traffic Committee has determined an appeal, the council and its sub-delegate must not exercise the function in respect of which an appeal has been made, otherwise than in accordance with the determination of the Chairperson.

11. Before installing or displaying a prescribed traffic control device, a council and its sub-delegate must authorise installation or display (or interference with, alteration or removal) of the device in writing in accordance with section 51 of the *Road Transport (Safety and Traffic Management) Act 1999*.

12. A council or its sub-delegate shall keep a record of installation, display, alteration or removal of a traffic control device. Such a record must include the following:

    - Type and location of the traffic control device;
    - Time and date of completion of installation, display, alteration or removal of the traffic control device.

13. Where a council or its sub-delegate wishes to exercise a function in respect to a "Roadwork Speed Limit" traffic sign (Speed Series (R4) Sign No. R4-212 contained in the Roads & Traffic Authority's *Traffic Signs Database* located on its internet website, the following conditions apply:

    (1) When the installation period of a 'Roadwork Speed Limit' sign is to be for 6 working days or less:

a) authorisation of the use of the 'Roadwork Speed Limit' sign must be carried out by council or a sub-delegate who holds a current Traffic Control at Worksites certificate issued by the Authority; and
b) the nearest office of the Authority is to be notified in writing of Council's intention to implement a roadwork speed limit prior to works commencing; and
c) the nearest Police Station is to be notified in writing of Council's intention to implement a roadwork speed limit prior to works commencing.

(2) When the installation period of a 'Roadwork Speed Limit' sign is to be for more than 6 working days:
a) authorisation of the use of the 'Roadwork Speed Limit' sign must be carried out by council or a sub-delegate who holds a current Traffic Control at Worksites Certificate issued by the Authority, and
b) the nearest office of the Authority is to be notified in writing of Council's intention to implement a roadwork speed limit 7 days prior to works commencing; and
c) the nearest Police Station is to be notified in writing of Council's intention to implement a roadwork speed limit 7 days prior to works commencing.

(3) The need for a 'Roadwork Speed Limit' sign shall be determined in accordance with the document, "*Traffic Control at Worksites*" Version 3.1 dated April 2006 (RTA Publication No 03.290) issued by the Authority;

(4) 'Roadwork Speed Limit' signs shall be installed in accordance with the "*Traffic Control at Worksites*" document (as already referred to);

(5) Records maintained by a council and its sub-delegate in respect to a 'Roadwork Speed Limit' sign must include:

a) council's or its sub-delegate's written authorisation of the installation [The sub-delegate's Traffic Control at Worksites Certificate number must be shown.],
b) the location,
c) the installation time and date, and
d) the removal time and date.

(6) The 'Roadwork Speed Limit' sign is to be removed as soon as practicable after the road works have been completed.

14. A council and its sub-delegate must not exercise a function in respect to any of the roads within Sydney Olympic Park including the roads that are coloured mauve on the drawing marked "Sydney Olympic Park Authority, Sydney Olympic Park, Drawing Number HS-J-L-006" dated 29 May 2001 and deposited in the Office of the Sydney Olympic Park Authority (being all the roads referred to in section 41 of the *Sydney Olympic Park Authority Act 2001*).

SCHEDULE 5
(Sub-delegates)

1 A councillor.

2 The general manager.

3 An employee of the council.

30. COUNCIL GRID POLICY AND PROCEDURES

REPORTING SECTION: Director Rural Infrastructure & Support Services

AUTHOR: Ian Taylor - Director Rural Infrastructure & Support Services

FILE NUMBER: 175/04/00/00

Summary:

It was resolved at Council's February 2009 General Meeting that Council's Road Grid Policy be reviewed at the March General Meeting. This report provides Council's Policy for Gates and Grids on Public Roads and the referenced (draft) Procedure for Gates and Grids on Public Roads for information.

Discussion (including issues and background):

It was resolved at Council's February 2009 General Meeting that Council's Road Grid Policy be reviewed at the March General Meeting. This report provides Council's Policy for Gates and Grids on Public Roads and the referenced (draft) Procedure for Gates and Grids on Public Roads for information.

Council's Policy outlines the strategic objectives that Council has resolved to achieve.

Council's Procedure is the process which staff use to implement the Policy.

Relevant Reference Documents:

AFM - Gates and Grids on Public Roads Policy
AFM - Gates and Grids on Public Roads Procedure

Stakeholders:

Walgett Shire Council

Financial Implications:

Implementation of this Policy and Procedures is dependent upon sufficient funding in its annual budgets for each class of road.

Recommendations:

1. That Council confirm it Policy AFM - Gates and Grids on Public roads and note the Gates and Grids on Public Roads Procedures.

Attachments:

AFM - Gates and Grids on Public Roads Policy
AFM - Gates and Grids on Public Roads Procedure

AFM - GATES & GRIDS ON PUBLIC ROADS POLICY

Adoption Date:

Review Date:

Responsible Officer: Director Rural Infrastructure & Support Services

POLICY STATEMENT

WSC is committed to ensuring that risks to public safety on its public road network are minimized and will implement systematic measures to eliminate or mitigate this risk.

OBJECTIVES:

- To prohibit any additional gates and grids being constructed across public roads.
- To encourage the removal of existing gates and grids on public roads.
- To ensure that existing gates and grids on public roads are maintained in a safe condition.
- To ensure that, if an existing grid is replaced, it is replaced with a grid of a standard which minimizes any future liability to Council arising from the safety and maintenance requirements of such a structure.
- To ensure that all persons carrying out activities on public roads, that involve the diversion of pedestrian and/or vehicular traffic, have obtained proper authorization, acknowledge and accept any liability which may arise as a result of their activities in a public road corridor.
- To comply with all relevant legislative and regulatory requirements placed upon WSC.

Policy Implementation Procedures, Guidelines and Documents
AFM - Grids & Gates on Public Roads Procedures.
Transport Administration Act 1988
Roads Act 1993
Road Transport (Safety and Traffic Management) Act 1999

Related WSC Policies
AFM - Road Occupancies Policy

Gates & Grids on Public Roads PROCEDURES

Approval Date:

Review Date: January 2011

Responsible Officer: Director Rural Infrastructure & Support Services

Council Policy Reference

AFM – Gates & Grids on Public Roads Policy

Statutory Requirements

Local Government Act 1993
Roads Act 1993

Related Policy/Procedure

AFM – Financial Management and Control
AFM – Fraud Control

Application

This procedure provides clearly defined guidelines to all staff involved in the management of gates and grids on Regional and Local Roads.

Gates & Grids on Public Roads

1. Purpose

The Gates & Grids on Public Roads Procedures have been issued to ensure consistent decisions are made by Council Officers in implementing the Gates & Grids on Public Roads Policy.

2. Authorisation and Approval

Approvals to install, replace, or remove a grid or gate on a public road shall only be issued by a Council Officer, being the Engineer, Director, or General Manager, with responsibility for the road. If a gate or grid requires removal or repairs for the protection of public safety, this work may be authorised by the Council Officer so making that assessment and without further approval.

Where a person desires to have such works approved, they shall submit an application to Council in writing and providing sufficient details for their application to be assessed.

3. New Gates or Grids

The installation of new grids or gates shall not be approved, unless they are required to manage biosecurity risks as advised by the Livestock Health and Pest Authorities.

4. Removal

Existing Grids will be removed by Council at no cost to the fence owner, subject to budget limitations and at a time subject to the revocation of the permit for the by-pass.

Where a fence owner wishes to have a gate or grid removed, Council will contribute to the cost of materials to fence the road corridor. The fence owner must receive written approval from Council prior to commencing any works for a contribution to be payable. Contributions to the cost of fencing are subject to budget limitations and the fence owner providing a copy of a correctly rendered Tax Invoice.

Council contributions to the fencing of road corridors shall not exceed 8 kilometres of fencing per gate or grid removed.

5. Maintenance

Grid equal to or exceeding 8 metres clear width shall be maintained by Council at no cost to the fence owner.

Grids less than 8 metres clear width shall be maintained by Council or Council-approved contractors and the fence owners shall be requested to pay for the cost of maintaining the grid. Council will maintain the warning signs at no cost to the fence owner.

Any existing grid requiring replacement shall be replaced with a grid of minimum 8 metres clear width. The fence owner will be requested to pay for the supply of one 4 metre wide grid unit and shall be responsible for making good the adjoining fence. The grid shall be installed by Council or Council-approved contractors.

Council will prepare a program of replacement or removal of all grids of less than 8 metres clear width and commence implementation of this plan by June 2013.

Maintenance priorities shall be set on the basis of a risk assessment.

6. Standards

All new gates and grids shall be a minimum 8 metres clear width.

All new grids shall be of highway standard and suitable for a design live loading equivalent to “SM1600”.