



# **WALGETT SHIRE COUNCIL**

## **MINUTES**

**17 AUGUST 2006**

*Stephen McLean  
General Manager*

**MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL  
HELD IN THE WALGETT SHIRE COUNCIL CHAMBERS ON THURSDAY,  
20 AUGUST 2006 , COMMENCING AT 10.06 am**

**PRESENT**

Mr Vic Smith (Administrator), Mr Stephen McLean (General Manager), Mrs Emma Darcy (Acting Manager Corporate Services), Mr Alan Nelson (Manager Engineering), Mr Matthew Goodwin (Manager Regulations and Planning), Ms Natalie Dunstan (Minute Secretary)

**OPEN FORUM PRESENTATIONS**

**Mr Alan Friend**

***Reference to Report 3 – Debt Recovery***

***Reference to Report 6 – Lightning Ridge Olympic Pool Annual Subsidy***

***Reference to Report 8 – Report on Rates – 31 July 2006***

Mr Friend enquired about outstanding rates and matters relating to debt recovery. Concerns were raised regarding the way in which Council has applied rate charges across the Shire.

Mr Friend reiterated the need for Council to be more open with communication to both ratepayers and residents of Walgett Shire and if there are changes occurring with rating or any other matter of relevance that notification be provided.

***Lightning Ridge Pool Annual Subsidy***

Mr Friend commented on matters relating to the annual subsidy paid to the Lightning Ridge Pool and in particular the need for profit and loss, balance sheets and budgetary reports for the Lightning Ridge Olympic Pool Association to be provided to Council.

**Mrs Jane Clemson**

***Reference to Report 17 – Mission Road***

Mrs Clemson advised the support of both her and Mr Clemson for the closure of Mission Road, however it was noted that they were not in favour of gates being installed.

Mrs Clemson advised that should consideration be given to the naming of the road, she would have a preference for the road to be named “Wimbledon Road”.

**Mr Wally McFarland**

***Reference to Report 17 – Mission Road***

Mr McFarland supported comments made by Mrs Clemson regarding the closing of Mission Road.

Mr McFarland believed for the road to remain open to heavy traffic, it would not pay for itself to be maintained as a public road.

Mr McFarland also alerted to the signage of *Mission Road* and that it should be removed from the Lightning Ridge road and replaced at the entrance to the Mission.

**Mr Robert Greenaway**

***Reference to Report 3 – Debt Recovery***

***Reference to Report 8 – Report on Rates – 31 July 2006***

Mr Greenaway raised matters relating to rate charges and in particular how the increase amount to assessments appears to be higher than the adopted 3.6%.

Mr Greenaway advised that it had been stated that due to a Council error with rating charges, ratepayers are now paying for the error, however it would be recovered in the 2007/2008 rating year.

**Mrs Shirley Mitchell**

***Reference to Report 17 – Mission Road***

Mrs Mitchell spoke as a business proprietor and as a member of the Walgett Community Promotions Group expressing her strong objection to any suggestion, plan or consideration to creating a by-pass of any nature for Walgett township.

Mrs Mitchell believed that a by-pass would mean economic disaster for the town of Walgett.

Mrs Mitchell noted that Council must meet legal responsibilities when dealing with the Mission Road, however if there was additional funding available, then consideration could be given to directing the funds to the Carinda Road or Peel Street, Walgett.

**Mr Jack Baker**

***Reference to Report 9 – Sale of Lands for Overdue Rates***

***Reference to report 15 – Walgett Waste Depot – Connection to Power***

Mr Baker questioned how Council can write of rates and what effect it will have on the financial reports for the next year.

Mr Baker believes that Council is not following the correct procedures for writing off of rates under Section 131 of the Local Government Regulations.

***Walgett Waste Depot – Connection to Power***

Mr Baker raised concern about the wording of part two of the Walgett Waste Depot recommendation and believed that the following wording was incorrect:-

*That expenditure be paid from Expenditure – Domestic Waste Projects and capitalised 2006/2007.*

***Carinda Road***

Mr Baker advised that the Walgett Precinct Committee had noted the Manager of Engineering's comment in the Lightning Ridge Paper regarding the priority of the Carinda Road.

The General Manager advised that there has been no change to the priority of the Carinda Road.

**197/06 – Confirmation of Minutes – 20 July 2006**

**RESOLUTION: -**

It was resolved on the Motion of the Administrator that the Minutes of the Council Meeting held on 20 July 2006 be confirmed.

Carried.

**198/06 – Monthly Management Report to 31 July 2006**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that Council note the Monthly Management Report for the period ending 31 July 2006.

Carried.

**199/06 – Family Day Care Office**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that:-

1. Council note the shortage of registered childcare facilities available in Walgett.
2. That Council concurrently investigate the use of Council's premises located at 45 Pitt Street, Walgett as a crèche or as a family day care premises.

Carried.

**200/06 – Debt Recovery**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that:-

1. That Council adopt the review of Walgett Shire Council Procedures Statement Policy – Debtor Recovery with no changes recommended.
2. That Council engage Ingle and Associates to implement the Debt Recovery module in the Authority software program and to perform a Review of Council Rates.
3. That Council recognise strategies in place to reduce Outstanding Rates Arrears.
4. That the following properties be listed for sale by private treaty under Section 716 Local Government Act 1993.

<b>Assessment Number</b>	<b>Description of Land</b>
1187	Lot 3, DP 13603 Colless Street, Come-By-Chance
889	Lot 7, Section 17, DP 758227 Colin Street, Carinda
1188	Lot 1, DP 226811 Colless Street, Come-By-Chance
2018	Lot 20, Section 1, DP 1758849 Collarenebri Road Pokataroo
2035	Lot 62, DP 753953 Middle Street, Rowena
2033	Lot 9, Section 2, DP 758889 Middle Street, Rowena
942	Lot 10, Section 17, DP 758227 Wilga Street, Carinda
884	Lot 7, Section 13, DP 758227 Colin Street, Carinda

5. Council prepare an advertisement providing information to residents in relation to rates in terms of an explanation sheet.
6. That an explanation sheet be forwarded with the next rate notice.

Carried.

**201/06 – Walgett Shire Tourism Summary**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that Council receive and note the Tourism Development Officer's Report for July 2006.

Carried.

**202/06 – Walgett Shire Community Services Report**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that Council receive and note the Community Liaison Officer's Report for July 2006.

Carried.

**203/06 – Lightning Ridge Olympic Pool Annual Subsidy**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that:-

1. Council continue with the arrangements made as per the agreements dated 1 July 2000 between Walgett Shire Council and Lightning Ridge Olympic Pool Association Incorporated.
2. The subsidy payable to be reviewed on an annual basis, subject to the provision of Profit and Loss, Balance Sheet and Budgetary reports by the Lightning Ridge Olympic Pool Association Incorporated, and the position of Council's finance at that time.
3. A new subsidy agreement to be signed prior to the next subsidy payment being made, which will be January 2007.

Carried.

**204/06 – Smoke Alarms, Signage, Fire Safety in Administration Building -  
77 Fox Street, Walgett**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that:-

1. Council accept the quote from Firetalk Pty Ltd for \$31,200.20 (including GST) for Fire Panel Automatic Fire Detection and Alarm System.
2. The above costs for work performed by Firetalk P/L for \$31,200.20 be paid from Contingency Account.

Carried.

**205/06 – Report on Rates – 31 July 2006**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that the Report on Rates as at 31 July 2006 be received.

Carried.

**206/06 – Investment Report**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that the Investment report as at 31 July 2006 be received.

Carried.

**207/06 – Sale of Land for Overdue Rates**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that:-

1. That Council write off the balance of rates in accordance with Section 719 of the Local Government Act that the rates be taken as “fully satisfied”, being an amount of \$39,601.49.
2. That Council authorise the General Manager to advertise the unsold properties for sale and enter into negotiations for the sale by private treaty.
3. That authority be given to affix the Seal to relevant documents.

Carried.

**208/06 – Section 356 – Donations and Requests for Financial Assistance**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that:-

1. Council note that applications under Council’s Community Assistance Scheme closed on Monday, 31 July 2006.
2. A report will be provided to the September 2006 Council Meeting advising applications received under Council’s Community Assistance Scheme and for the Administrator’s determination.

Carried.

**209/06 – Development Application 2006020 – Walgett Shire Council**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that Development Application 2006020 be approved subject to the following conditions of consent:

**PRESCRIBED CONDITIONS OF DEVELOPMENT CONSENT**

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

**SPECIAL CONDITIONS SET BY COUNCIL**

**GENERAL**

**Gen 010.**

It is possible that a covenant may affect the land, which is subject to this consent. The granting of this consent does not necessarily override any covenant. You should seek legal advice regarding the effect of any covenants that may affect the land.

*Reason: To avoid breaching the requirements of any covenant.*

**SUBDIVISION**

**Sub 010.**

That two lots are created by the subdivision of Reserves D630054 and D71244, one lot being about 3.487 hectares and the other lot being about 38.19 hectares.

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

**Sub 020.**

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

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

**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.*

Carried.



**210/06 – Development Application 2006022 – Walgett Shire Council**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that Development Application 2006022 be approved subject to the following conditions of consent:

**PRESCRIBED CONDITIONS OF DEVELOPMENT CONSENT**

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

**SPECIAL CONDITIONS SET BY COUNCIL**

**GENERAL**

**Gen 010.**

It is possible that a covenant may affect the land, which is subject to this consent. The granting of this consent does not necessarily override any covenant. You should seek legal advice regarding the effect of any covenants that may affect the land.

*Reason: To avoid breaching the requirements of any covenant.*

**SUBDIVISION**

**Sub 010.**

That two lots are created by the subdivision of Section 3 DP 758227, Hare Street, Carinda, one of about 1274m<sup>2</sup> and one of about 8842m<sup>2</sup>.

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

**Sub 020.**

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

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

**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.*

Carried.

**211/06 – Development Application 2006023 – Namoi Cotton Co-Op Ltd**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that Walgett Shire Council accept the Development Application 2006023 be approved subject to the following conditions of consent:

**PRESCRIBED CONDITIONS OF DEVELOPMENT CONSENT**

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

**SPECIAL CONDITIONS SET BY COUNCIL**

**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.*

**Sub 010.**

That two lots are created by the subdivision of subdivision of Lot 612 in DP 746861. The created lots are to be about 163.2 hectares and about 1.82 hectares.

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

**Sub 011.**

That a Right of Way is created over the 163.2 hectare lot for the benefit of the 1.82 hectare lot in accordance with the documentation submitted with the Development Application.

*REASON: To ensure that the created 1.82 hectare allotment has ongoing legal access to a main road.*

**Sub 020.**

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

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

Carried.

**212/06 – Development and Complying Development Certificate Applications**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that Walgett Shire Council resolve to note the Development and Complying Development Certificate applications dealt with under delegated authority by the Manager Planning and Regulation and General Manager during July 2006.

Carried.

**213/06 – Walgett Waste Depot – Connection of Power**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that:-

1. Council accept the quote from Country Energy to undertake the provision of three phase power (25 kVA at 34.9 amp) to Walgett Waste Depot site (Lot 106 DP750291) for the sum of \$35,626.00 (including GST).
2. Expenditure be paid from Expenditure - Domestic Waste Projects and capitalised 2006/07.

Carried.

**214/06 – Wolseley House - Security**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that the quote from Macquarie Valley Blinds and Awnings of Dubbo, in an amount of \$17,800, be accepted for the supply and installation of roller shutters and security screens to external glassed areas of Wolseley House.

Carried.

**215/06 – Mission Road**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that:-

1. Council note the refusal of the RTA and the Minister for Roads to accept any responsibility for costs which would be associated with the formal opening of Mission Road.
2. A further report be submitted to Council before any action is taken to formally close that section of Mission Road which has legal status as a public road.

Carried.

**216/06 – Purchase of Grader**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that:-

1. Council note the intention to submit a late report relating to the calling of tenders for the supply and delivery to Walgett of one motor grader.
2. The report for the Motor Grader Tender will be dealt with in Committee of Whole.

Carried.

**217/06 – Funding Submissions**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that Council note the submission of grant applications for the period 1 July 2005 to 30 June 2006.

Carried.

**218/06 – Lightning Ridge Pre-School**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that Council provide assistance to the Lightning Ridge Pre-School Centre Incorporated, by funding 50% of the cost of replacing kitchen cupboards at the centre, at a total cost not exceeding \$5,200, subject to the Lightning Ridge Pre-School funding the other 50% of the cost and that this expense be provided for at the next review of the 2006/07 Management Plan.

Carried.

**219/06 – Walgett Aerodrome – Hangar Charges**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that:-

1. Council waive hangar charges which would normally be applied to the Rural and Remote Medical Services Ltd for their use of the aircraft hangar facility at Walgett Aerodrome.
2. Further applications to waive charges will be dealt with on their merits.
3. The waiving of hangar charges for the Rural and Remote Medical Services Ltd is not be seen as a precedent for future applications.

Carried.

**220/06 – Walgett Aerodrome - Payphone**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that Council note the decision of Telstra to allow the payphone at the Walgett Aerodrome to remain in place for at least a further twelve (12) month period.

Carried.

**221/06 – Burren Junction Bore Baths**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that Council note the current position with respect to the Burren Junction Bore Baths project.

Carried.

**222/06 – Lightning Ridge Water Supply**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that:-

1. Council note that increased efforts are being taken towards the elimination of contaminants from the Lightning Ridge water supply.
2. Council approach the State Government seeking subsidy for the introduction of a disinfectant into the Lightning Ridge Water Supply.

Carried.

**223/06 – Lightning Ridge Waste Disposal – Selection of Preferred Option for Waste Disposal for the Town of Lightning Ridge**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that:-

1. Council carry out detailed environmental investigations on the sites of “Option 1” being part Lot 76 DP 838673 and “Option 2” being part Lot 2 of DP 849709, subject to the approval for such investigations on the site of “Option 2” being granted by NSW Department of Natural Resources; and
2. The Manager Engineering reports the findings of the environmental investigations to Council.

Carried.

**224/06 – Walgett Shire Council Consultative Committee Minutes – 5 July 2006**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that:-

1. The Walgett Shire Council Consultative Committee Minutes of 5 July 2006 be received.
2. The Recommendations from the Walgett Shire Council Consultative Committee Minutes of 5 July 2006 be adopted.

Carried.

**225/06 – Lightning Ridge Advisory (Precinct) Committee Minutes – 26 June 2006**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that the Lightning Ridge Advisory (Precinct) Committee Minutes of 26 June 2006 be received and noted.

Carried.

**226/06 – Burren Junction Precinct Committee Minutes – 28 July 2006**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that the Burren Junction Precinct Committee Minutes of 28 July 2006 be received and noted.

Carried.

**227/06 – Walgett Precinct Committee Report – Meeting held 18 July 2006**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that the Walgett Precinct Committee report of 18 July 2006 be received and noted.

Carried

**228/06 – Walgett Precinct Committee Report – Meeting held 8 August 2006**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that the Walgett Precinct Committee Report of 8 August 2006 be received and noted.

Carried.

**SHIRE OF WALGETT – MINUTES**

**229/06 – Carinda Precinct Committee Report**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that the Carinda Precinct Committee Report of 24 July 2006 be received and noted.

Carried.

**Note:-**

*Acting Manager Corporate Services, Emma Darcy departed the meeting at 10.40 am*

**230/06 – Tender for Motor Grader**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that Council accept the tender from CJD Equipment Pty Ltd, in a net amount of \$244,200 (inclusive of GST) for the supply and delivery to Walgett of one Volvo G940 Motor Grader, including the trade in of Council's Caterpillar 12G grader, Reg No SOY954.

Carried.

The meeting closed at 10.53 am

Confirmed by Council at its meeting on Thursday, 21 September 2006.

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Administrator

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General Manager