



WALGETT SHIRE COUNCIL

MINUTES

19 DECEMBER 2006

*Stephen McLean
General Manager*

**MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL
HELD IN THE WALGETT SHIRE COUNCIL CHAMBERS
ON TUESDAY, 19 DECEMBER 2006, COMMENCING AT 10.08 am**

PRESENT

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

Administrator Vic Smith welcomed those attending the meeting and invited any member of the community to address matters listed within the Council Agenda.

OPEN FORUM PRESENTATIONS

There were no presentations held.

SHIRE OF WALGETT – MINUTES

333/06 – Confirmation of Minutes – 21 November 2006

RESOLUTION: -

It was resolved on the Motion of the Administrator that the Minutes of the Council Meeting held on 21 November 2006 be confirmed with the following amendment:-

**November 2006 Council Meeting - Resolution 308/06
Auction Sale of Land for Overdue Rates should read as follows:-**

RESOLUTION:

It was resolved on the Motion of the Administrator that:

1. The land detailed in the following document be submitted for sale at public auction on Saturday, 5 May 2007 at 10.00 am in the Council Chambers, 77 Fox Street, Walgett.
2. The proposed sale be published in the Government Gazette and in a local newspaper.
3. Each person ascertained as having an interest in the land be notified of the Council's intention to sell the land under Section 713 of the *Local Government Act 1993*.
4. The auction sale be conducted by a licensed auctioneer and should the lots be unsold at the auction that they be listed for sale by private treaty.
5. The reserve price for the lots is set at the valuation determined by a Registered Valuer.
6. Council authorises the execution of contracts and transfer documents under its Common Seal.

**WALGETT SHIRE COUNCIL
LOCAL GOVERNMENT ACT 1993 (SECTION
713)
SALE OF LAND FOR UNPAID RATES**

Ass No	Name of Owner/s or persons having an interest in the land	Description of Land	Area sq M	Arrears Owing
1257	Aymold Pty Ltd	Walgett st CUMBORAH	6361	\$ 2,723.89
		Lot 2 and 3 Sec 8 DP 758317		
125	Eugene G LAKE	97 Dewhurst st WALGETT	2023	\$ 7,579.69
		Lot 3 Sec 38 DP 759036		

SHIRE OF WALGETT – MINUTES

754	Estate of Late Brian W	Neilly st		
	WRIGHT	WALGETT	675	\$ 10,247.19
		Lot 102 DP 568884		
153	Allan P MOLLOY	6 Duff Street		
		WALGETT	1840	\$ 23,317.28
		Lot 43 DP 847451		
1015	Mr Paul W HARRIS	Earl Street		
	Ms Vanessa L MARTYN	COLLARENEBRI	2023	\$ 22,880.80
		Lot 7 Sec 18 DP 758262		
1016	Ms Carolee HARRIS	Earl Street		
	Mr Benjamin FLICK	COLLARENEBRI	2023	\$ 12,791.94
		Lot 8 Sec 18 DP 758262		
1059	Shane Lindsay MILLSTEAD	George Street		
		COLLARENEBRI	1012	\$ 24,439.67
		Lot 4 Sec 9 DP 758262		
		W L L 9208		
84	Estate of Late Christine	98 Cedar Street		
	MAYER	WALGETT	3776	\$ 9,502.14
		Lot 7 Sec 23 DP 759036		
		Lot 22 DP 587336		
		Lot 1 DP 504050		
895	Estate of Late Cyril Victor	Colin Street		
	SCOULLAR	CARINDA	1012	\$ 3,087.87
		Lot 2 DP 309612		
427	Ms Georgina Florence SANDS	49 Montkeila Street		
		WALGETT	1012	\$ 3,751.75
		Lot 27 DP 230851		

SHIRE OF WALGETT – MINUTES

Ass No	Name of Owner/s or persons having an interest in the land	Description of Land	Area sq M	Arrears Owing
787	Mr Giustino ZAPPACOSTA	Balaclava Street		
		BURREN JUNCTION	1011	\$ 1,847.40
		Lot 8A DP 434300		
884	Mr Bruce R CRAWFORD	Colin Street		
		CARINDA	2023	\$ 7,066.19
		Lot 7 Sec13 DP 758227		

Carried.

334/06 – Suspension of Standing Orders for Citizenship Ceremony

RESOLUTION: -

It was resolved on the Motion of the Administrator that Council Suspend Standing Orders at 10.10 am for presentation of Citizenship Certificates to:-

- Manuel Martinez
- Loretta Mapperson
- Bryan Johnson

Carried.

335/06 – Resume Standing Orders

RESOLUTION: -

It was resolved on the Motion of the Administrator that Council Resume Standing Orders at 10.15 am.

Carried.

336/06 – Private Use of Motor Vehicles

RESOLUTION: -

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

1. Permit the private use of Council provided operational vehicles for its Technical Officers on the basis of:
 - Full private use, including use on annual leave.
 - Vehicle to be available to council during employee's normal work hours.
 - Private use of up to 10,000km per year.
 - All fuel to be purchased on fuel card.
 - Fuel purchased outside 400km radius of Walgett to be reimbursed to council.
 - Spouse/Nominated driver to be permitted to drive vehicle.
 - Payroll deduction of \$60 per fortnight, after tax. (\$1560 per annum)
 - 12 month's notice in writing of council's intention to revoke private use.
 - An employee may terminate the agreement on the provision of two weeks notice in writing.
 - The private use operator shall be responsible of cleaning, (out of hours) and reporting of defects and service intervals.
2. That a reviewed Motor Vehicle Policy be put to Council for its February meeting.

Carried.

337/06 – Lightning Ridge Olympic Pool Association Inc Subsidy Agreement

RESOLUTION: -

It was resolved on the Motion of the Administrator that the General Manager and Administrator be authorised to sign and affix the Council Seal to the subsidy agreement made between Walgett Shire Council and the Lightning Ridge Olympic Pool Association Incorporated dated 5 December 2006.

Carried.

338/06 – Management Report – 30 November 2006

RESOLUTION: -

It was resolved on the Motion of the Administrator that Council note the Management Report for the period ending 30 November 2006.

Carried.

339/06 – “Bugger the Drought” Evening

RESOLUTION: -

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

1. Council waive the Bond of \$1,000.00 for use of Walgett Showground by Bugger the Drought Committee on 20 January 2007.
2. Council waive the Bond of \$250.00 for use of Travelling Microphone by Bugger the Drought Committee on 20 January 2007.
3. The hire fees totalling \$235.00 for use of Walgett Showground (\$50.00), Cool Room(\$35.00), Microphone (\$10.00), Lights(\$15.00), Electricity(\$25.00) and Temporary Licence Fee (\$100.00) be donated to Bugger the Drought Committee through Section 356 Donation and applied against all fees associated with the use of Walgett Showground on 20 January 2007.

Carried.

**340/06 – Lightning Ridge Olympic Pool Association Incorporated
Agreement for Subsidy**

RESOLUTION: -

It was resolved on the Motion of the Administrator that Council make a one-off additional payment to the Lightning Ridge Olympic Pool Association Inc in the amount of \$17,571.53 in recognition of the liability incurred by the change of land management of the Lightning Ridge Public Baths Reserve.

Carried.

341/06 – Debt Recovery Progress Report

RESOLUTION: -

It was resolved on the Motion of the Administrator that Council recognise the strategies in place and being utilised to reduce outstanding rates arrears.

Carried.

**342/06 – Community Assistance Scheme Donation
Royal Flying Doctors, Lightning Ridge Sub Branch**

RESOLUTION: -

It was resolved on the Motion of the Administrator that Council allocate an amount of \$100.00 to the Royal Flying Doctor Service, Lightning Ridge Branch to assist with costs associated for the rental of the grounds for the Trash and Treasure Markets in Lightning Ridge.

Carried.

343/06 – Report on Rates and Charges – 30 November 2006

RESOLUTION: -

It was resolved on the Motion of the Administrator that the Report on Rates as at 30 November 2006 be received.

Carried.

344/06 – Voluntary Rebates – Rates and Charges

RESOLUTION: -

It was resolved on the Motion of the Administrator that:

1. Council applies funds for voluntary rebates to community organisations through the operating Budget as follows:

• Anglican Church Carinda (Ass 3109)	\$ 309.65
• Anglican Church Collarenebri (Ass 3132)	\$1,006.65
• Anglican Church Walgett (Ass 3091)	\$1,221.75
• Australian Indigenous Ministries (Ass 3072)	\$ 950.65
• Catholic Church Walgett (Ass 3088)	\$1,221.75
• Catholic Church L/Ridge (Ass 3155)	\$1,156.75
• Catholic Church Collarenebri (Ass 3123)	\$1,006.65
• Catholic Church Rowena (Ass 3175)	\$ 349.65
• Cumborah Community Inc (Ass 1218)	\$ 140.00
• CWA Collarenebri (Ass 1159)	\$1,637.75
• CWA Burren Junction (Ass 777)	\$ 191.73
• CWA Walgett (Ass 726)	\$ 180.00

Total \$9,372.98

2. Consideration be given for voluntary rebates to community organisations be included in the 2007/2008 Management Plan based on Council's budgetary constraints.

Carried.

**345/06 – Sale of Land for Unpaid Rates – Lot 1, DP 263351
Nobby Road Lightning Ridge**

RESOLUTION: -

It was resolved on the Motion of the Administrator that:

1. The parcel of land Lot 1 DP 263351 Nobby Road Lightning Ridge be accepted for sale by public auction on Saturday, 5 May 2007 at 10.00 am in the Council Chambers, 77 Fox Street, Walgett.
2. The proposed sale be published in the Government Gazette and in a local newspaper.
3. Each person ascertained as having an interest in the land be notified of the Council's intention to sell the land under Section 713 of the *Local Government Act 1993*.
4. The auction sale be conducted by a licensed auctioneer and should the lots be unsold at the auction that they be listed for sale by private treaty.
5. The reserve price for the lots is set at the valuation determined by a Registered Valuer.
6. Council authorises the execution of contracts and transfer documents under its Common Seal.

Carried.

346/06 – Youth Off the Streets

RESOLUTION: -

It was resolved on the Motion of the Administrator that:

1. Council agree in principle with Youth Off the Streets Expression of Interest.
2. Youth off the Streets be advised of the Council Of Australia Governments Trial and the manner in which Council works within this trial.

Carried.

347/06 – 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.

Carried.

348/06 – Comprehensive Local Approvals Policy

RESOLUTION: -

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

1. Note the Department of Planning has not consented to the exemption provisions contained in sections 2.2.1 and 2.2.2 of the draft Walgett Shire Council Local Approvals Policy endorsed by Council on 20 April 2006.
2. Amend the draft Walgett Shire Council Local Approvals Policy as per the suggestions provided by the Department of Planning in its letter dated 27 November 2006.
3. Amend the draft Walgett Shire Council Local Approvals Policy by changing all references to "Crown Land" within exemption provisions contained in part 2.2 of the policy to only relate to Crown Reserves.
4. Determine that the amendments are not substantial, hence no further public consultation will be undertaken.
5. Write to the Department of Planning seeking their Director General's endorsement for the revised Local Approvals Policy exemption provisions that relate to that Department.
6. If the Director General's endorsement is received, then give public notice of the adoption of Local Approvals Policy by Walgett Shire Council. That notice will be via advertisements in the Walgett Spectator, Black Opal Advocate and Ridge News.

Carried.

349/06 – 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 November 2006.

Carried

350/06 – Development Application 2006034 – Gleeson Surveying

RESOLUTION: -

It was resolved on the Motion of the Administrator that Walgett Shire Council approve Development Application 2006034 to subdivide Lot 4 DP 752261 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 Lot 4, DP 752261, one of about 0.2500 hectares and the other about 407.52 hectares.

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

Sub 011.

A Right of Way to be created over the 407.52 ha Lot and Lot 5 DP 75226 for the benefit of the 0.25 ha lot in accordance with the documentation submitted with the Development Application.

Reason: To ensure that the created 0.25 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.

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.

351/06 – Five Year Road Plan

RESOLUTION: -

It was resolved on the Motion of the Administrator that the Report on the Five Year Road Plan be deferred to allow a further report to be presented to Council on an amendment to the Five Year Road Plan.

Carried.

352/06 – Walgett Levee

RESOLUTION: -

It was resolved on the Motion of the Administrator that Council accepts the tender from NSW Department of Commerce, in an amount of \$539,600, for the undertaking of pre-construction activities associated with the rehabilitation of the Walgett Flood Levee.

Carried.

353/06 – Burren Junction Bore Baths

RESOLUTION: -

It was resolved on the Motion of the Administrator that Council note the meeting with the Burren Junction community on 6 December 2006 to present a concept plan outlining the reconstruction of the bore baths at Burren Junction.

Carried.

354/06 – Regional Airports Funding Programme

RESOLUTION: -

It was resolved on the Motion of the Administrator that the Common Seal of Council be affixed to Deed of Variation No 1, which relates to an additional \$8,599.60 (inclusive of GST) received for security fencing at Lightning Ridge Airport.

Carried.

355/06 – Naming of Park – Lightning Ridge

RESOLUTION: -

It was resolved on the Motion of the Administrator that Council submits the name 'Len Cram Park' to the Geographical Names Board of New South Wales as a name for the unnamed park (Lot 4531, DP 767720) located in Opal Street, Lightning Ridge between Cardinal Road and Black Prince Drive.

Carried.

356/06 – Rainwater Tank Rebate

RESOLUTION: -

It was resolved on the Motion of the Administrator that a more detailed report, relating to the feasibility and estimated cost of introducing a rainwater tank rebate scheme into Walgett Shire, be prepared for consideration in conjunction with the estimates of income and expenditure for 2007/08.

Carried.

357/06 – Bridge Naming

RESOLUTION: -

It was resolved on the Motion of the Administrator that:

1. In view of the lack of support from the Roads and Traffic Authority, Council abandon efforts to rename the bridge over the Barwon River, located west of Walgett on the Kamilaroi Highway.
2. Council pursue the naming of the Rest Area, recently constructed downstream of the Dangar Bridge, in honour of the late Eric (Monty) Morgan.
3. Council's decision, relative to the Rest Area, be conveyed to the family of the late Eric (Monty) Morgan, for their concurrence.
4. Subject to notification of the Geographical Names Board of New South Wales agreement to the naming of the Rest Area, Council arranges for an official naming ceremony for the Rest Area.

Carried.

358/06 – Engineering Internship

RESOLUTION: -

It was resolved on the Motion of the Administrator that Council note that efforts to recruit a senior engineering intern for the six month period from January 2007 have been unsuccessful.

Carried.

359/06 – Carinda Waste Management – Waste Transfer Station

RESOLUTION: -

It was resolved on the Motion of the Administrator that Council proceed with the design and construction of a suitable Waste Transfer Station on the site of the existing Carinda Landfill (Lot 2, DP 751556).

Carried.

360/06 – Local Area Traffic Committee Meeting Minutes

RESOLUTION: -

It was resolved on the Motion of the Administrator that the Local Area Traffic Committee Meeting Minutes of 14 December 2006 be received and noted.

Carried.

361/06 – Mungindi Menindee Advisory Council Meeting – 8 November 2006

RESOLUTION: -

It was resolved on the Motion of the Administrator that the report for the Mungindi Menindee Advisory Council Meeting held on 8 November 2006 be received and noted.

Carried.

362/06 – Committee of the Whole – Suspension of Standing Orders

RESOLUTION: -

It was resolved on the Motion of the Administrator that Council suspend Standing Orders at 10.30 am to deal with the Agenda of the Closed Meeting.

Carried.

363/06 – Resume Standing Orders

RESOLUTION: -

It was resolved on the Motion of the Administrator that Council resume Standing Orders at 10.34 am.

Carried.

The following resolutions were brought forward from the Committee of the Whole Agenda

364/06 – Tender – Supply and Delivery of Bitumen Emulsion

RESOLUTION: -

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

1. Pioneer Road Services Pty Ltd be awarded Tender T10607OROC, as the single source supplier to participating OROC member Councils for the period 1 January 2007 until 31 December 2008.
2. Provision be made for a 12 month extension to 31 December 2009, subject to satisfactory supplier performance over the two year supply period.

Carried.

365/06 – Lightning Ridge Home and Community Care Facility

RESOLUTION: -

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

1. Accept the tender from Paintrite Building Services in the amount of \$970,101.00 including GST and authorise that Council's seal be affixed to the contract documents.
2. Allocate an additional \$287,000 for the HACC Centre – Lightning Ridge from unrestricted cash reserves and allocate the funds to an internally restricted cash reserve.

Carried.

366/06 – Expressions of Interest – Legal Services Panel

RESOLUTION: -

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

1. That Council accept the following legal firms on Walgett Shire Council Legal Services Panel for a period of three years:
 - a) Marsdens Law Group, Campbelltown.
 - b) Booth Brown Samuels & Olney, Dubbo.
 - c) Rhodes Kildea, Moree.
2. That Council uses the firms named as part of its "Legal Services Panel" as its preferred suppliers of legal services for three years in accordance with the respective expressions of interest provided by those firms.

Carried.

The meeting closed at 10.35 am

Confirmed by Council at its meeting on Tuesday, 20 February 2007.

Administrator

General Manager