

DRAFT



WALGETT SHIRE COUNCIL

MINUTES

DECEMBER 2007

*Mr Raymond Kent
General Manager*

**MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL
HELD IN COUNCIL CHAMBERS, WALGETT
ON TUESDAY, 11 DECEMBER 2007 COMMENCING AT 10.00 am**

PRESENT

Mr Vic Smith	Administrator
Mr Ray Kent	General Manager
Mr Alan Nelson	Manager Engineering
Mrs Emma Darcy	Manager Corporate Services
Miss Jodie Gates	Minute Secretary
Mr Ian Taylor	Projects Engineer

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

Mr Jack Baker – Confirmation of Minutes

Raised concern regarding the availability of Council minutes after a Council meeting. Mr Baker expressed his concern that at most other Council's the minutes of Council meetings are made available within a few days of the end of the meeting. Mr Baker expressed that our minutes are not being made available until after their adoption at the next Council meeting.

Shirley Mitchell – Welcome to the new General Manager

Mrs Shirley Mitchell wished to welcome Ray Kent as the new General Manager and look forward to working with Ray in the future.

392/07 – Acceptance of Reserve Trust Minutes

RESOLUTION:

It was resolved on the Motion of the Administrator:

1. That Council endorse the resolutions of the Reserve Trust meetings held 11 December 2007.
2. That Council takes action to implement the resolutions of the Reserve Trusts.

Carried.

393/07 – Delegation of Authority by Council

RESOLUTION:

It was resolved on the Motion of the Administrator that Council note the delegation to the Acting General Manager, Mrs Emma Darcy, of all powers and duties necessary to carry out the functions of that office under Section 335 of the Local Government Act 1993 for the period 1 December 2007 until 9 December 2007 with the exception of those functions listed under Section 377(1) of the Local Government Act 1993 as being beyond the power to delegate.

Carried.

394/07 – Delegation of Authority by Council

RESOLUTION:

It was resolved on the Motion of the Administrator that Council delegates to the General Manager, Mr Raymond Kent, all powers and duties necessary to carry out the functions of that office under Section 335 of the Local Government Act 1993 with the exception of those functions listed under Section 377(1) of the Local Government Act 1993 as being beyond the power to delegate.

Carried.

395/07 – Family Day Care Office

RESOLUTION:

It was resolved on the Motion of the Administrator:

1. That Council note the current status with the Walgett Shire Family Day Care Scheme.
2. That the scheme be reviewed in March 2008

Carried.

396/07 – Request for financial support from Lightning Ridge Central School

RESOLUTION:

It was resolved on the Motion of the Administrator that Council resolve to make a donation equal to the value of the Development Application fees up to a maximum of \$560, for the covered outdoor learning area at Lightning Ridge Central School under Section 356 of the *Local Government Act 1993*, and that funds are provided from Council's Contingency account.

Carried.

397/07 – Walgett Shire Council Staff Subsidy Policy

RESOLUTION:

It was resolved on the Motion of the Administrator:

1. That Council resolve to remove Policy D Human Resources 1D.3 – Conditions of Employment as stated below effective from 11 December 2007:

ELECTRICITY

“That Council reimburse the connection fee and 20% of costs of household electricity to employees who have filled positions which require advertisements in the Sydney Morning Herald or Australian Local Government Job Directory.”

The subsidy is to apply to designated positions within Council's staffing structures from time to time, subject to the incumbent attaining the maximum salary level pertaining to the position as identified by Council's salary system.”

NOTE: The designated positions referred to in the above are as follows:

Finance Manager, Assistant Finance Manager, EDP Manager, Community Development Officer, Environmental Health/Building Officer, Projects Officer (Engineering).

C.M. 24.11.1997

TELEPHONE INCENTIVE

“That Council make the following reimbursements to those employees identified below:

- (a) Those employees appointed to positions advertised in the Australian Local Government Job Directory and/or Sydney Morning Herald be reimbursed 25% of the cost of phone calls only.*

(b) *Those employees appointed to the positions of General Manager and Chief Executives of Council's functions be reimbursed 75% of the cost of phone calls, and the Deputy Chief Executive of Technical Services be reimbursed 50% of the cost of telephone calls. Council to pay the cost of rentals and installation of telephones attached to these positions.*

(a) *That Council not reimburse the cost of overseas telephone calls, with the exception of the General Manager and Chief Executives who may be required to make such calls.*

The subsidy is to apply to designated positions within Council's staffing structures, from time to time, subject to the incumbent attaining the maximum salary level pertaining to the position as identified by Council's salary system."

NOTE: The designated positions referred to in the above are as follows:

Finance Manager, Assistant Finance Manager, EDP Manager, Community Development Officer, Environmental Health and Building Officer, Projects Officer (Engineering).

CM 24.11.1997

TELEPHONES IN RESIDENCES

"That Council contribute to the cost of telephone calls, rentals and installation where Council requires the employee to have a telephone connected for work purposes, such contribution to be made on the following basis:

a) Council to pay all installation and rental costs

b) Council to deduct an amount equivalent to twenty (20) local calls per week with the balance of the calls to be charged to the employee."

CM 24.11.1997

2. That Council resolve to allow the existing Conditions of Employment relating to Electricity, Telephone Incentive and Telephones in Residences to apply to existing staff members who commenced their employment prior to 11 December 2007.

3. Employees who commenced their employment prior to 11 December 2007 may elect to review their conditions of employment in relation to Electricity, Telephone Incentive and Telephones in Residences and apply Walgett Shire Council Staff Subsidy Policy as adopted 11 December 2007 as agreed upon by the General Manager and the relevant employee.

4. That Council adopt Walgett Shire Council Staff Subsidy Policy as attached.

SHIRE OF WALGETT – MINUTES

5. That Council resolve to review Walgett Shire Council Staff Subsidy Policy in December 2008.

Carried.

398/07 – Rowena Preschool Incorporated

RESOLUTION:

It was resolved on the Motion of the Administrator that Council approve a change of project for the purchase of an aqua cooler to Rowena Preschool Incorporated's application for financial assistance under Walgett Shire Council Community Assistance Scheme and under Section 356 of the *Local Government Act 1993*.

Carried.

399/07 – Request for Financial Assistance – Lightning Ridge Christmas Street Light Competition

RESOLUTION:

It was resolved on the Motion of the Administrator that Council pay \$150.00 from Members & Civic-Section 356 Donation to Week's Newsagency of Lightning Ridge to assist with the costs associated with their annual Christmas street light competition.

Carried.

400/07 – Request for Financial Assistance – Walgett Community College

RESOLUTION:

It was resolved on the Motion of the Administrator that Council pay \$500 from Members & Civic - Section 356 Donation to Walgett Community College to assist with the costs associated with their bush tucker/vegetable garden.

Carried.

401/07 – Report on Rates and Charges – 30 November 2007

RESOLUTION:

It was resolved on the Motion of the Administrator that the Report on Rates as at 30 November 2007 be received.

Carried.

402/07 – Investment Report as at 30 November 2007

RESOLUTION:

It was resolved on the Motion of the Administrator that the Investment Report as at 30 November 2007 be received.

Carried.

403/07 – Monthly Management Report as at 30 November 2007

RESOLUTION:

It was resolved on the Motion of the Administrator that Council note the Management Report for the period ending 30 November 2007.

Carried.

404/07 – Clean Up Australia Day Project

RESOLUTION:

It was resolved on the Motion of the Administrator:

1. That Council receive and note the 2008 Clean up Australia project brief.
2. That Council allocate funding of \$1,100.00 from Manager Corporate Services Contingency Account for the purchase of seedlings for Clean up Australia Day 2008.
3. That Council consider a further allocation for Clean up Australia Day projects when determining the budget for 2008/2009.

Carried.

405/07 – Playground Equipment within Walgett Shire

RESOLUTION:

It was resolved on the Motion of the Administrator:

1. That Council receive and note the report on playground equipment within Walgett Shire.
2. That Council immediately remove all playground equipment that has been identified as high risk in the 'Risk Assessment – Playground Equipment' report as attached.

Carried.

406/07 – Request for Waiver on Loan – Walgett Swimming Club

RESOLUTION:

It was resolved on the Motion of the Administrator that the request from the Walgett Swimming club to waive the balance of the interest free loan advanced on 23 January 2003 be considered in the context of the formulation of 2008/2009 Budget.

Carried.

407/07 – Walgett Shire Council Museum Advisor

RESOLUTION:

It was resolved on the Motion of the Administrator:

1. That Council receive and note the report to Walgett Shire Council and Museums and Galleries NSW dated December 2007 received from Richard Wesley.
2. That Council consider the recommendations contained in the report to Walgett Shire Council and Museums and Galleries NSW dated December 2007 received from Richard Wesley in December 2007 in the Management Plan 2008/2009 – 2012/2013.
3. That Council apply to Museum Planning Services Australia to further fund the provision of services supplied by Mr Richard Wesley.

Carried.

408/07 – Organisation Structure

RESOLUTION:

It was resolved on the Motion of the Administrator:

That Council endorse:

1. A second Assets Officer position within Walgett Shire Council's organisational structure.
2. Both Assets Officer positions and Customer Service Officer (Lands) report to the Project Engineer.

Carried.

409/07 – Vacation Care - Walgett

RESOLUTION:

It was resolved on the Motion of the Administrator that subject to the concurrence of the Department of Community Services that Council agree to operate vacation care in Walgett from July 2008.

Carried.

410/07 – Walgett Shire Community Service Report

RESOLUTION:

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

Carried.

411/07 – Policy for the discharge of Liquid Trade Waste

RESOLUTION:

It was resolved on the Motion of the Administrator:

That Walgett Shire Council resolve to:

1. Note the endorsement by the Department of Water and Energy of an operational policy titled the "Walgett Shire Council Policy for Discharge of Liquid Trade Waste to the Sewerage System".
2. Place the policy on public exhibition for a minimum of 42 days, as per the requirements of Section 160 of the Local Government Act 1993.

Carried.

412/07 – 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 2007.

Carried.

413/07 – Development Application 2007051-Walgett Shire Council

RESOLUTION:

It was resolved on the Motion of the Administrator that Development Application 2007051 is deferred for until further investigation.

Carried.

414/07 – Walgett Shire Growth Management Study and Draft Strategy

RESOLUTION:

It was resolved on the Motion of the Administrator:

That Council resolve to:

1. Adopt and endorse the Walgett Shire Growth Management Study and Draft Strategy document, with the amendments proposed by Edge Land Planning in a document titled “Analysis of Submissions” which was prepared in November 2007.
2. Forward the Walgett Shire Council Growth Management Study and Draft Strategy document to the Director General of the Department of Planning for formal endorsement.
3. Prepare a Local Environmental Plan for the whole of the Walgett Shire Local Government Area in accordance with:
 - (a) The Standard Instrument (Local Environmental Plans) Order 2006; and
 - (b) The recommendations contained in the Walgett Shire Growth Management Study and Draft Strategy document, as prepared by Edge Land Planning.
4. In accordance with Section 54 of the Environmental Planning and Assessment Act 1979, notify the Director General of the Department of Planning that Walgett Shire Council has resolved to prepare a Local.

Carried.

415/07 – Development Application 2007054 – Walgett Shire Council

RESOLUTION:

It was resolved on the Motion of the Administrator that development Application 2007054 be approved subject to the following conditions:

PRESCRIBED CONDITIONS OF DEVELOPMENT CONSENT

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

CONDITIONS IMPOSED BY COUNCIL

The following development consent conditions are imposed by Council.

SHIRE OF WALGETT – MINUTES

GENERAL

Gen 010.

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

Reason: To avoid breaching the requirements of any covenant.

Gen 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.

SUBDIVISION/CONSOLIDATION

Sub 040.

That three lots are created by the subdivision of Lot 3433, DP 765722 and Lot 2607, DP 764635, one of about 13.67 hectares, one of about 409.3 hectares and the other about 58.31 hectares.

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

Sub 041.

Provision is to be made for legal access to Lot 65 DP 46643 as part of the subdivision process.

Reason: The plan submitted with the Development Application shows Lot 65 as being isolated from the cemetery access road. However the associated documentation states that the intent is to provide access to that lot.

Sub 120.

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

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

Sub 130.

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

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

APPROVED PLANS

Pln 010.

The development shall be implemented in accordance with:

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

except as amended by the conditions of this development consent.

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

FLOOD

Flo 010

The applicant/owner is advised that the site is subject to inundation by floodwater to an unknown depth and velocity. You are advised to obtain your own expert advice as to the likely effects of such inundation.

Reason: To ensure the owner is advised of the impacts of flooding on the site and any precautions required to be taken.

Carried.

416/07 – Remote Aerodrome Safety Programme

RESOLUTION:

It was resolved on the Motion of the Administrator that representations be made to the Hon Reba Meagher MP, NSW Minister for Health, seeking the financial support of the NSW Government for an application from Council, under the 2008/09 Remote Aerodrome Safety Programme, to upgrade perimeter fencing at Lightning Ridge Aerodrome.

Carried.

417/07 – Apprentice Training

RESOLUTION:

It was resolved on the Motion of the Administrator that Council approve of arrangements, whereby a privately employed apprentice mechanic travels to block release training with Council's apprentice and shares accommodation on the understanding that there is no cost to Council stemming from this arrangement.

Carried.

418/07 – Solid Waste Services – Asset Management Plan

RESOLUTION:

It was resolved on the Motion of the Administrator that Council endorse the programme contained in this report to deliver a draft Asset management Plan for solid waste services in Walgett Shire by May 2008.

Carried.

419/07 – Property Sale – Lot 954 Pandora Street, Lightning Ridge

RESOLUTION:

It was resolved on the Motion of the Administrator that Council notes the sale of Lot 954 Pandora Street, Lightning Ridge.

Carried.

420/07 – Walgett Bore Baths

RESOLUTION:

It was resolved on the Motion of the Administrator:

1. That Council resolved to call for quotations for the supply and installation of a perimeter fence and the repair of the plumbing defects at Walgett bore baths.
2. That the General Manager be authorised to proceed with approval of works not exceeding \$40,000 to be funded from Council land sales.

Carried.

421/07 – Cartage of Water – Grawin Opal Fields

RESOLUTION:

It is resolved on the Motion of the Administrator that Council note new subsidy arrangements, which will remain in force until 30 June 2008, to cart water to the Grawin Opal Fields in times when local rainfall falls into the below average or worse category by the Bureau of Meteorology.

Carried.

422/07 – REPAIR Programme – 2008/09

RESOLUTION:

It was resolved on the Motion of the Administrator that Council note the initial assessment of REPAIR Programme proposals submitted to the Roads and Traffic Authority for 2008/09.

Carried.

423/07 – Walgett Swimming Pool – Admittance during School Hours

RESOLUTION:

It is resolved on the Motion of the Administrator:

1. That a condition of entry to both Walgett and Collarenebri Swimming Pools be “School age children shall not be admitted during school hours (9am-3pm schooldays) except under adult supervision”.
2. Those local schools be notified of this amendment.

Carried.

424/07 – Arthur Street Flats

RESOLUTION:

It was resolved on the Motion of the Administrator that Council note the sale of 12 Arthur Street, Walgett for a sale price of \$85,000.

Carried.

425/07 – Community Water Grants – Round Three

RESOLUTION:

It was resolved on the Motion of the Administrator that Council note that a Community Water Grant has been made available to assist with the installation of water meters in the village of Rowena, and not Carinda as previously reported.

Carried

426/07 – Property Sale – Lots 5, 6 7 and 8 DP 846336 – Lightning Ridge

RESOLUTION:

It was resolved on the Motion of the Administrator:

1. That Council set the reserve price for Lots 5, 6, 7 and 8 DP 846336 at the valuer General’s valuation figure plus administration costs, solicitor costs, acceptable margin not less than 15%, and agents commission.
2. Not withstanding (1) above that Council authorise the Administrator and General Manager to sign, under seal the Contract Documentation for the sale of Lots 5, 6 7 and 8 DP 846336 to Mr James Haywood or his nominee.
3. That in the event that an offer for the land is received from a party other than Mr James Haywood or him nominee than Council may accept the offer provided that: (1) it is not less than the reserve price and; (2) Council has not already entered into a valid contract for sale with Mr Haywood or his nominee.

Carried.

427/07 – Property Sale – Lot 33 DP 253488 Euroka Street - Walgett

RESOLUTION:

It was resolved on the Motion of the Administrator that Council notes the sale of Lot 33 DP 253488 located in Euroka Street, Walgett.

Carried.

427a/07 – Property Sale – Lot 16 Section 9 DP 758262 - Collarenebri

RESOLUTION:

It was resolved on the Motion of the Administrator that Council note the sale of Lot 16 Section 9 DP 758262 Albert Street, Collarenebri.

Carried.

427b/07 – Carols by Candlelight

RESOLUTION:

It was resolved on the Motion of the Administrator that Council receive this report and note the support of Collarenebri and Walgett Carols by Candlelight events.

Carried.

428/07 – Local Area Traffic Committee Meeting – 15 November 2007

RESOLUTION:

It was resolved on the Motion of the Administrator that Council receive and note the Minutes of the Local Area Traffic Control Meeting held on 15 November 2007.

Carried.

429/07 – Camps on Claims working Group Meeting

RESOLUTION:

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

Note the report provided by the Manager Planning and Regulation, Matthew Goodwin, on his attendance as Walgett Shire Council's delegate at the Camps on Claims Working Group meeting held on 28 November 2007.

Carried.

430/07 – Lightning Ridge Mining Board Meeting

RESOLUTION:

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

Note the report provided by the Manager Planning and Regulation, Matthew Goodwin, on his attendance as Walgett Shire Council's delegate at the Lightning Ridge Mining Board meeting held on 29 November 2007.

Carried.

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

431/07 – Grange Securities Investment Update December 2007

RESOLUTION:

It was resolved on the motion of the Administrator:

1. That Council rescind the resolution from the Closed Council meeting 20 November 2007

RESOLUTION:

It was resolved on the Motion of the Administrator that Council withdraw all its investments with Grange Securities Limited immediately.

Carried

2. That Council endorse the disposal of Adelaide Bank FRN and Elders Rural Bank Sub Dept, securities managed by Grange Securities for \$469,920 and \$467,300 respectively.
3. That Council continue to closely monitor the performance of securities managed by Grange Securities Limited.

Carried.

432/07 – Lots 952 and 953 DP 872184

RESOLUTION:

It was resolved on the Motion of the Administrator:

1. That lots 952 and 953 DP 872184 be sold as one parcel of land.
2. That a reserve for Lots 952 and 953 DP 872184 be established at the same reserve as Lot 954 DP 872184.
3. That the selling price for Lots 952 and 953 DP 872184 be set at \$55,000.

Carried.

433/07 – Burren Junction Land

RESOLUTION:

It was resolved on the Motion of the Administrator that the sale price for Lots 2 and 3, Section 4, DP 758199 be set at \$2,000 per each lot.

Carried.

434/07 – Offers for Land – Carinda and Come-by-Chance

RESOLUTION:

It was resolved on the Motion of the Administrator:

1. That offers of \$750 each for Lots 1 and 2 Section 1 DP 758227 is accepted.
2. That an offer of \$500 for Lot 1 DP 203150 be accepted.

Carried.

The meeting closed at 10.20am

Confirmed by Council at its meeting on Tuesday, 19 February 2008.

Administrator

General Manager