

**DRAFT**



**WALGETT SHIRE COUNCIL**

**MINUTES**

***16 MARCH 2006***

*Alan Nelson  
Acting General Manager*

**MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL  
HELD IN COLLARENEBRI HALL, COLLARENEBRI THURSDAY 16 MARCH 2006  
COMMENCING AT 10.05AM.**

**PRESENT**

Mr Hugh Percy (Administrator), Mr Stephen McLean (General Manager), Mr Matthew Goodwin ( Manager Developmental Services) Mr Alan Nelson (Manager Engineering), Mrs Kerry Warden (Minute Secretary).

**OPEN FORUM PRESENTATIONS**

The Administrator made a special concession to change the “standing order” of proceedings and allow two (2) speakers the opportunity to speak re changing of the boundaries within the Walgett Shire.

**Adrian Newton – County of Finch Action Group – Division of the Walgett Shire**

- Against dividing Walgett Shire into three (3) sections – leave as stands
- Lightning Ridge versus Walgett syndrome – this has always been an issue and hence the community as a whole needs to pull together as one
- Walgett Shire Council remain as is for a period of two (2) years and maybe if there are still issues – this may be need to be revised
- The issue of reducing the Councillor numbers from seven (9) from (7) – this may depend if there is still a Shire
- Approach community bodies within the Shire to “pull together” as a whole and move forward in regards to “old” disputes

**Alan Friend – Division of the Walgett Shire**

- Splitting the voting within the Shire does not necessarily represent all the people of Lightning Ridge, Walgett and the rural communities
- In the March 1974 election proved not to be a democratic vote as the majority of Councillors came from Lightning Ridge with the rural community representing 2.27 million. This situation does not allow representation from the entire Shire
- There should have been public meetings in regards to this issue prior to the Council Meeting

**Jude Costello**

**Reference to Report 15 – Five Year Road Plan – Regional Road 457  
Mungindi/Collarenebri Road Improvements**

Requesting that the Mungindi/Collarenebri Road be considered in the Five Year Road Plan

**Jack Baker**

**Reference to Report 12 – Removal of Athol Pine Trees – Gray Park, Walgett**

**Jack Baker**

Reference to Report 25 – Walgett Precinct Committee Minutes – 7 March 2006  
Report 59 – Draft Local Environmental Plan Classification of Land

**Jack Baker**

Reference to Report 25 – Walgett Precinct Committee Minutes – 7 March 2006  
Report 58 Local Preference to Tendering

**Jack Baker**

Reference to Report 27 – Lightning Ridge Landfill – Future Waste Management

**Colin McKenzie – Vice President – Walgett Swimming Club**

Reference to Minute 07/06 – Walgett Memorial Pool – Friday Night Activities

Questioned the one off payment of \$3027.00 to the Pool Manger for late cancellation of Club times on 23 December 2005, 30 December 2005 and 6 January 2006 as the Club did not use these nights and nor were they booked.

The Administrator closed the Meeting at 10.32a.m. and reconvened at 10.34a.m.

**Margaret Bow**

Reference to Report 9 – Walgett Shire Tourism Summary – Kamilaroi Highway Rest Area and other Rest Areas

**Margaret Bow**

Reference to Report 12 – Removal of Athol Pine Trees – Gray Park, Walgett

**Jeff Cameron – Rowena Precinct Committee**

Reference to Report 15 – Five Year Road Plan

**Shirley Mitchell**

Reference to Report 19 – Street Tree – Fox Street, near Wee Waa Street, Walgett

**Shirley Mitchell**

Reference to Report 4 – Councillor Numbers and System of Electing Mayor

**Alan Friend**

In reference to Report 4 – Councillor Numbers and System of Electing Mayor

**Robert Greenaway – President – Collarenebri Precinct Committee**

- Detailing a brief report of progress within the Collarenebri Community:
- Pavers in the Main Street with the help of CDEP still in progress-delays with hot conditions
- Creating a Caravan Park where Cricket Oval . Inspection took place this morning re condition of the clubhouse which is in need of repair work
- SHARPS bin to be place in public toilets
- Mungindi/Moree/Walgett Road sign
- Requesting seats to be erected in the main street to the hospital, so as elderly people can access the hospital more easily as distance is a problem

**47/06 – Confirmation of the Minutes – 16 February 2006**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that the Minutes of the Council Meeting held on February 16 2006 be confirmed.

**48/06 –Staff Housing Policy**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that the amendments to the Staff Housing Policy set out in this Report be adopted and that a revised Staff Housing Policy incorporating the changes at this meeting and the meeting held on 16 February 2006 be incorporated in the revised document.

Carried.

**49/06 – Title Deeds – RSL Memorial Land and Bradley’s Hardware**

**I**

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

1. That Browne Jeppesen and Sligar be advised that the Council would be prepared to pay legal costs of up to \$3,000.00 to have the matter rectified subject to the submission of a more accurate quote and provided that the Solicitors agree to expedite the work.
2. That a letter be forwarded to Mr and Mrs Bradley advising them of the action taken by the Council.

Carried.

**50/06 – Sale of Land for Unpaid Rates**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that: \_

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1. That the Council proceed with the sale of the following properties as scheduled on 1 April 2006: -

<b>Ass No</b>	<b>Name of Owner/s or persons having an interest in the land</b>	<b>Description of Land</b>	<b>Area sq M</b>
1187	Neville Athol SMITH	Colless Street COME-BY-CHANCE  Lot 3 DP 13603	4047
1188	Peter Gower LOWDNS	Colless Street COME-BY-CHANCE  Lot 1 DP 226811	398
775	Rachel May TOWNS	Alma Street BURREN JUNCTION  Lot 18 DP 15645	1277
799	Sandra Pauline HEAD	Balaclava Street BURREN JUNCTION  Lot 2 Sec 5 DP 758199	2023
827	Brian John JONES	Houlahan Street BURREN JUNCTION  Lot 24 DP 15645	1125
786	ESTATE LATE James Anthony McDONNELL	Balaclava Street BURREN JUNCTION  Lot 8B DP 434300	1011
782	David (Wayne) SMITH	Balaclava Street BURREN JUNCTION  Lot 7 Sec 7 DP 758199	2023
2035	Colin Barrie SMITH	Middle Street ROWENA NSW  Lot 62 DP 753953	3250

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Ass No	Name of Owner/s or persons having an interest in the land	Description of Land	Area sq M
2033	Craig Noel INGHAM	Middle Street ROWENA  Lot 9 Sec 2 DP 758889	1492
2018	Joseph ROGERS	Collarenebri Road POKATAROO NSW  Lot 20 Sec 1 DP 758849	1012
942	David Peter SCASCIGHINI	Wilga Street CARINDA  Lot 10 Sec 17 DP 758227	2023
884	Bruce Richard CRAWFORD	Colin Street CARINDA  Lot 7 Sec 13 DP 758227	2023
889	OliverThomas CARPENTER	Colin Street CARINDA NSW  Lot 7 Sec 17 DP 758227	2023
2176	Charles Shaw STUART	Cannda-Bogewong Road CARINDA  Lot 1 DP 927418	2049
2175	Dulcie Isabel DUNN	Cannda-Bogewong Road CARINDA  Lot 5 DP 930461	4123
1563	Danwood Pty Ltd	53 Harlequin Street LIGHTNING RIDGE  Lot 11 Sec 14 DP 758612	1011
1621	Adform Building Pty Ltd  <b>PAID</b>	15 Lappkalle Street LIGHTNING RIDGE  Lot 8 DP 837866	1201

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Ass No	Name of Owner/s or persons having an interest in the land	Description of Land	Area sq M
1442	Ante PERSA	39 Fantasia Street LIGHTNING RIDGE  Lot 29 DP 837866	1000
1776	Kevin George DICKINSON Brian Joseph DICKINSON  <b>PAID</b>	Nobby Road LIGHTNING RIDGE  Lot 23 DP 263351	3116
1985	ESTATE LATE Arpad Imre RONAI	Shincracker Street LIGHTNING RIDGE  Lot 16 DP 263351	2552

2. That the sale of the properties listed below be deferred to a date to be determined by the Council after necessary further searches and notifications have been completed.

Ass No	Name of Owner/s or persons having an interest in the land	Description of Land	Area sq M
1059	Shane Lindsay MILLSTEAD	George Street COLLARENEBRI  Lot 4 Sec 9 DP 758262 W L L 9208	1012
1016	Carolee HARRIS Benjamin James FLICK	Earl Street COLLARENEBRI  Lot 8 Sec 18 DP 758262	2023
1099	Mark Wayne McMAHON  <b>PAID</b> <b>CHEQUE TO BE CLEARED</b>	Maitland Street COLLARENEBRI  Lot 69,70 DP 820448 W L L 14028	8977
1002	Mary Anne MARSH Steve Kim MARSH	Church Street COLLARENEBRI  Lots 1,2 DP 746968	2025

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Ass No	Name of Owner/s or persons having an interest in the land	Description of Land	Area sq M
1015	Paul William HARRIS Vanessa Lindsay Caryl MARTYN	Earl Street COLLARENEBRI  Lot 7 Sec 18 DP 758262	2023
1168	Oliver David CRIDGE Melinda Jane CRIDGE	Wilson Street COLLARENEBRI  Lots 1 DP 186099, Lot A DP 189513	2406
31	Shane Dale THURSTON Donna Lee THURSTON	62 Arthur Street WALGETT  Lot 33 DP 588872	907
153	Allan Patrick MOLLOY	6 Duff Street WALGETT  Lot 43 DP 847451	1840
754	ESTATE LATE Brian William WRIGHT	Neilly Street WALGETT  Lot 102 DP 568884	675
125	ESTATE LATE Eugene George LAKE	97 Dewhurst Street WALGETT NSW  Lot 3 Sec 38 DP 759036	2023
930	David Wayne SMITH	Warren Street CARINDA  Lot 2 Sec 2 DP 758227	2023
913	Paul John LUNN	Oliver Street CARINDA  Lot 5 Sec 13 DP 758227	2023
1257	Aymold Pty Ltd	Walgett Street CUMBORAH  Lots 2,3 Sec 8 DP 758317	6361



Ass No	Name of Owner/s or persons having an interest in the land	Description of Land	Area sq M
1763	Sheref SANCAR	Nobby Road LIGHTNING RIDGE  Lot 1 DP 263351	9000
2002	Jozef STARK-STRZELECKI Iris Esme DAVIES	Silica Street LIGHTNING RIDGE  Lot 10 Sec 19 DP 758612 WLL 12758	809.4

Carried.

### **50a/06 – Lightning Ridge Sporting Fields**

#### **RESOLUTION:**

It was resolved on the Motion of the Administrator that work, to install an automatic irrigation system, for both Spider Brown Oval and the adjacent Soccer Field, be proceeded with, without resorting to staging the work for budgetary reasons, as previously resolved.

Carried.

### **50b/06 – LGMA National Congress**

#### **RESOLUTION:-**

It was resolved on the Motion of the Administrator that the General Manager be authorised, with the assistance of Civica Pty Ltd as offered, to attend the LGMA National Congress in Perth 21-24 May 2006.

Carried.

### **50c/06 – Acquisition of Land Lightning Ridge**

#### **RESOLUTION:**

It was resolved on the Motion of the Administrator that:

1. The Council proceed to acquire 26 ha of land described as part Lot 11794 DP 767406 for subdivision, Town of Lightning Ridge, by compulsory acquisition under the Land Acquisition (Just Terms Compensation) Act 1991.
2. Authority be granted for an application to be made for the approval of the Minister for Local Government pursuant to the Section 187 (2) of the Local Government Act.

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3. Authority be granted for an application to be made for the approval of the Governor to be obtained under Section 19 of the Land Acquisition (Just Terms Compensation) Act 1991 to be gazettal of an acquisition notice.
4. The land is acquired for residential subdivision purposes.
5. The Council confirm that all minerals are to be excluded from the compulsory acquisition.
6. The land when acquired is classified as operation land.

Carried.

### **50d/06 – Walgett Precinct Committee – February 2006 Minutes**

#### **RESOLUTION:**

It was resolved on the Motion of the Administrator that the Minutes of the Walgett Precinct Committee Meeting held on 14 February 2006 be received and noted and the recommendations listed in the Minutes are endorsed.

Carried.

### **51/06 – Councillor Numbers and System for Electing Mayor**

#### **RESOLUTION:**

It was resolved on the Motion of the Administrator:-

1. That the Council make application to the Minister for Local Government for approval to reduce the number of Councillors for Walgett Shire Council to seven.
2. That a constitutional referendum be conducted in conjunction with the election for the Shire of Walgett to be held in September 2006 for the purpose of determining the question of whether the basis for the election of Mayor for the Shire should be changed to “election by electors”.
3. That there be a consideration towards ‘ridings/wards’ within the referendum.

Carried.

### **52/06- Walgett Youth Centre Upgrade**

#### **RESOLUTION:**

It was resolved on the Motion of the Administrator that Council note the report concerning funding for the upgrade of the Walgett Youth Centre and that the Regional Partnership Application, has been submitted by Council to DOTARS.

Carried.

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**53/06 – Monthly Management Report to 28 February 2006**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that Council notes the Monthly Management report for the period ending 28 February 2006.

Carried.

**54/06 – Report on Rates – 28 February 2006**

**RESOLUTION:**

It was resolved on Motion of the Administrator that the Report on Rates as at 28 February 2006 be received.

Carried.

**55/06 – Statement of Bank Account Balances – 28 February 2006**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that the Statement of Bank Account Balances as at 28 February 2006 be received.

Carried.

**56/06 – Walgett Shire Tourism Summary**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that Council receive and note the Tourism.

Carried.

**57/06 – 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 February 2006.

Carried.

**58/06 – Development Application 2006001 – Walgett Shire Council**

**RESOLUTION:**

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

Development Application 2006001 is 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.

**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**

**Sub 010.**

That seven lots are created by the subdivision of Lots 1436 and 167 in DP 820444 and Lot 1436 in DP 767160, one of about 2.561 hectares, one of about 5765m<sup>2</sup>, one of about 6010m<sup>2</sup>, one of about 5672m<sup>2</sup>, one of about 7193m<sup>2</sup>, one of about 6084m<sup>2</sup> and one of about 1.511 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 an authorised officer of Walgett Shire Council signs plan.

**Sub 060.**

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**

**Pin 010.**

The development shall be implemented in accordance with:

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

except as amended by the conditions of this development consent.

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

**OPAL MINING DISTURBANCE**

**Min 010.**

Opal mining and prospecting operations may have been previously carried out on, or below, the land, which is the subject of this consent, or on adjoining lands. The developer should make their own enquiries to determine whether the land being developed might be adversely affected by such activities, prior to proceeding with the development.

Reason: There are no official records of the extent of opal mining workings within the Lightning Ridge area. It is in the interest of the developer to ensure that there is no evidence that the land is detrimentally affected by mining activity.

Carried.

**59/06 – Athol Pine Trees – Gray Park, Walgett**

**RESOLUTION:**

It was resolved on the Motion of the Administrator:-

1. That Council remove three Athel Pine trees, which are growing adjacent to the bus shelter in Gray Park.
2. That suitable replacement trees be planted within the area from where these three Athel Pine trees are removed.
3. That Council give consideration to the staged removal of the remaining Athel Pine trees in Gray Park in subsequent budgets.

Carried.

**60/06 – Collarenebri Water and Sewer Funds**

**RESOLUTION:**

It was resolved on the Motion of the Administrator:

1. That Council agree in principle to set water and sewerage charges in Collarenebri for 2006/07 which does not see the funds continue operating at a deficit.
2. That Council discontinue previous arrangements whereby common water and sewerage charges are applied across the towns of Walgett, Lightning Ridge and Collarenebri.
3. That Council approach the NSW State Government, seeking funding to eliminate the current indebtedness of both the Collarenebri Water Fund and the Collarenebri Sewer Fund.

Carried.

**61/06 – Morilla Street Footpath – Lightning Ridge**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that Council accept the written offer received from the Proprietor, Lost Sea Opals to establish a turfed lawn along the Morilla Street frontage Lightning Ridge to his property, on the basis of Council supplying the turf and preparing the soil bedding and the proprietor laying the turf and maintaining it thereafter.

Carried.

**62/06 – Five Year Road Plan**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that Council adopt the draft Five Year Road Plan in unamended form and this be subject to annual review on a rolling basis.

Also that the Rowena/Burren Junction Road be given due consideration.

Carried.

**63/06 – Bridge over Namoi River at Walgett – Naming**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that Council note the acceptance of the name “Marjorie Phyllis Walford Bridge” for the bridge over the Namoi River at Walgett and that a small formal opening ceremony be planned, at a time to be arranged with the family of the late Mrs Walford.

Carried.

**64/06 – Walgett Parks and Sporting Fields**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that subject to submissions received following the public exhibition of the Draft Walgett Local Environment Plan (Classification of Public Land), Council give consideration to the conversion of the following parkland for disposal as residential housing land;

1. Gilbert Park (Lot 35 DP 226373)
2. Unnamed Park (Lot 31 DP 226373)
3. Eloura Park (Lot 33 DP 253488)

Carried.

**65/06 – Street Trees – Arthur Street, Walgett**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that Council defer a decision on a proposal to remove street trees in Arthur Street, along the frontage to Walgett High School, pending further advice from Country Energy and a further report on this matter.

Carried.

**66/06 – Street Tree – Fox Street, near Wee Waa Street, Walgett**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that Council note that the matter of the historic street tree near the intersection of Fox and Wee Waa Streets has been held over to the April meeting of Council.

Carried.

## **67/06 – Lightning Ridge Landfill – Future Waste Management**

### **RESOLUTION:**

It was resolved on the Motion of the Administrator that Council give consideration to the expenditure of \$887,000.00 in the financial year 2006/07 for the completion of the following in connection with the selection of a suitable site:

- Site Survey
- Site Design
- EIS
- DA
- Community consultation
- Initial construction

Carried.

## **68/06 – Asset Management and Revaluations**

### **RESOLUTION:**

It was resolved on the Motion of the Administrator that Council approve the transfer of the amounts of \$15,000.00 from Restricted Funds for Water Supplies and \$15,000.00 from Restricted Funds for Sewerage and \$10,000.00 from the current Roads and Bridges Budget to the current Engineering Administration budget for the procurement of an asset management and valuation tool.

Carried.

## **69/06 – Lightning Ridge Home and Community Care Centre**

### **RESOLUTION:**

It was resolved on that Motion of the Administrator:-

1. That Council declines to accept all tenders as submitted for contract number E0602 Construction of Home and Community Care Centre Lightning Ridge;
- and
2. That Council invite fresh tenders in accordance with the Local Government (General) Regulation 2005 (NSW) Clause 168, being select tenders from the firms that submitted an offer for Contract No E0602 Construction for Home and Community Care Centre Lightning Ridge, based on revised drawings and specifications.

Carried.



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**70/06 – Lightning Ridge Precinct Committee Minutes – 6 March 2006**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that Minutes of the Lightning Ridge Precinct Committee held on 6 March 2006 be received and noted.

Carried.

**71/06 – Walgett Precinct Committee Minutes – 7 March 2006**

**RESOLUTION:**

It was resolved on the Motion of the Administrator that the Minutes of the Walgett Precinct Committee held on 7 March 2006 be received and noted.

Carried.

The meeting closed at 11.03 am.

Confirmed by Council at its meeting on Thursday, 20 April 2006.

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Administrator

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General Manager