



WALGETT SHIRE COUNCIL

MINUTES

21 November 2006

*Stephen McLean
General Manager*

**MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL
HELD IN THE COLLARENEBRI TOWN HALL
ON TUESDAY, 21 NOVEMBER 2006, COMMENCING AT 10.00 am**

PRESENT

Mr Vic Smith (Administrator), Mr Stephen McLean (General Manager), Mrs Emma Darcy (Acting Manager Corporate Services), Mr Matthew Goodwin (Manager Regulations and Planning), Mr Alan Nelson (Manager Engineering) Mr Ian Taylor (Projects Engineer), Miss Kaye Stone (Secretary Reserve Trust) and Mrs Kerry Warden (Minute Secretary)

Administrator Vic Smith welcomed those attending the meeting and advised that there would be a period of thirty minutes provided for those community members wishing to address Council.

OPEN FORUM PRESENTATIONS

Mr Ted King – Manager of Sheepyard Pub

Item 2 – Sheepyard Pub

Expressing his disappointment in Council's handling of this matter, which he thought has been managed inappropriately.

He stated that he has arranged for his planning/building advisor to be at the Sheepyard on Friday 24 and Saturday 25 November and would like to arrange an on-site meeting with Council Staff and the Administrator to discuss the building.

Matthew Goodwin responded saying that the building could be moved and cleaned up and that the General Managers Report and recommendation should stand. A submission should be put forward to Council and due process should follow.

Stephen McLean commented that our Building Inspector has inspected the building on site and advised accordingly the procedures which should be followed.

Also other meetings have been arranged by staff for Mr King and Sue Tomlinson to attend, though they have been unavailable at those particular times.

Mr Haywood Little

Item 21 – Application for Connection to Town Water Supply

Still seeking approval from Council to connect his residential mineral claim to the town water supply. Initially his application was deferred pending further investigation by Council and during this period Council approved and illegal water connection on the preserved field.

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I wish to advise Council that the illegal connection, approved by Council, and my application in March 2006 were made prior to Council's policy of September 2006.

Requesting that Council approve his application, with any conditions they so wish to impose.

Mr Robert Greenaway

Mr Greenaway spoke on behalf of himself and the Collarenebri Precinct Committee on the following matters:

- Requesting that specific regulations for country towns within the Shire be treated with the appropriate considerations.
- Caravan Park in Collarenebri - perhaps the land known as the 'old treatment works' could be purchased for this purpose.
- Rates – Council visit the Precinct Committees to review the rates within the Shire.
- Due to there being a 1.6 million surplus in the last financial year that perhaps some of these funds could be spent on roads within the Shire for our ratepayers.
- The widening of the roads has been very much appreciated.
- Item 31a - Burren Junction Bore Baths – the baths could still operate for another six (6) months as it is not due to be capped until 16 December 2006.

Mr Jack Baker

Item 18 – Parks and Sporting Grounds

Mr Baker submitted a letter in regards to this matter that the block on which the astronomical survey mark was placed. This marker should remain as is and a section of the block at the back be fenced off with access to Eloura Park, this being of historical significance.

300/06 – Confirmation of Minutes – 19 October 2006

RESOLUTION: -

It was resolved on the Motion of the Administrator that the Minutes of the Council Meeting held on 19 October 2006 be confirmed.

Carried.

301/06 – 2005/2006 Audited Financial Report & Auditors Report

It was resolved on the Motion of the Administration that Council formally receives the Audited Financial Reports together with the Auditor's Reports for the period 1 July 2005 to 30 June 2006.

Carried.

302/06 – Sheepyard Pub

It was resolved on the Motion of the Administrator that Walgett Shire Council resolve to note the General Manager's intent to proceed to address unauthorised development and construction activities associated with the Sheepyard Pub by:

1. Mailing a 'notice of intention' to issue Order No 1 under section 121B of the Environmental Planning and Assessment Act 1979 to immediately cease the use of the building for accommodation by unrelated persons. The notice will be issued to Sue Tomlinson and Ted King, as the "occupiers" of the accommodation building constructed on Mineral Claim 17379 without development consent.
2. Mailing a 'notice of intention' to issue Order No 2 under section 121B of the Environmental Planning & Assessment Act 1979 giving 30 days to demolish the accommodation building. The notice will be issued to Mark Dwyer, as owner of the accommodation building located on Mineral Claim 17379.
3. Mailing a 'notice of intention' to issue Order No 1 under section 121B of the Environmental Planning & Assessment Act 1979 requiring the cessation of all activities associated with gas cylinder storage and exchange on the Sheepyard Pub site. The notice will be issued to Blazed Tree Pty Ltd, as the owner of the Sheepyard Pub premises located on Mineral Claim 16688.
4. The General Manager considering any written responses received from the parties involved, or their agents, in accordance with Section 121L and 121J of the Environmental Planning and Assessment Act 1979. Such consideration will occur prior to making a decision on the whether to issue any orders, and if orders are to be issued, the terms of the orders.

Carried.

303/06 – Staff Recruitment and Retention

RESOLUTION:

It was resolved on the Motion of the Administrator that Council endorse the policy document titled “Labour Market Premium” and that it is reviewed in November 2007.

Carried.

304/06 – Industrial Relations Commission

RESOLUTION:

The Administrator amended the recommendation of Item 2 by the deletion of the amount of \$21,000.00 and replacing it with a figure of \$17,600.00.

It was resolved on the Motion of the Administrator that the recommendation be adopted with the amendment as follows:

1. That Council not accept the rate for assessment as notified by Resolving Matters
2. That Council agree to the payment of the costs of the appeal (Walgett Shire Council v WJ Fletcher as Trustee of the Property of John William Burden) as awarded in the amount of \$17,600.00.

Carried.

305/06 – 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.

306/06 – Walgett Pre-School and Long Day Care Centre Inc.

RESOLUTION:

It was resolved on the Motion of the Administrator that:

1. That the Walgett Pre-School and Long Day Care Centre Incorporated be encouraged and supported by Walgett Shire Council in seeking funding opportunities.

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2. That Council approve an additional loan amount of up to \$100,000.00 (\$350,000 in total) to the Walgett Pre-School and Long Day Care Centre Incorporated in the instance that all funding opportunities are exhausted.
3. The terms of the loan are that it is interest free for the first two years and that no repayments be required until the third year of the loan.

Carried.

307/06 - Report on Rates and Charges – 31 October 2006

RESOLUTION:

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

Carried.

308/06 – Auction Sale of Land for Overdue Rates

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.

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**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		
754	Estate of Late Brian W WRIGHT	Neilly st 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 Ms Vanessa L MARTYN	Earl Street COLLARENEBRI	2023	\$ 22,880.80
		Lot 7 Sec 18 DP 758262		
1016	Ms Carolee HARRIS Mr Benjamin FLICK	Earl Street 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		

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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		
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.

309/06 – Monthly Management Report to 31 October 2006

RESOLUTION:

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

Carried.

310/06 – Rowena Hall – Hiring Charges

RESOLUTION:

It was resolved on the Motion of the Administrator that:

1. That \$96.00 is transferred from Expenditure – Members and Civic Section 356 Donations, to Revenue – Public Halls for the annual hall hire charge for the use of Rowena Hall to Country Women’s Association – Rowena.
2. Further applications to waive charges will be dealt with on their merits.
3. The subsidised hall charges for Country Women’s Association – Rowena is not seen as a precedent for future applications.

Carried.

311/06 – Isolated Children & Parent’s Association – Annual Conference

RESOLUTION:

It was resolved on the Motion of the Administrator that \$3,750.00 is transferred from Expenditure – Members & Civic Section 356 Donations, to Revenue – Internet Centre Sales for the printing of registration papers for the ICPA State Conference.

Carried.

312/06 - Reserve 230055 for Public Recreation and Public Baths at Lightning Ridge

RESOLUTION:

It was resolved on the Motion of the Administrator that a letter be written to the Lightning Ridge Olympic Pool Association Incorporated advising them of Council’s intentions of cancelling the current insurance cover on the buildings and contents of the Lightning Ridge Olympic Pool, Theme Park, Diving Pool and Diving Tower, and that the Association take out the necessary cover, as from Monday 11 December 2006.

Carried.

313/06 – Investment Report as at 31 October 2006

RESOLUTION:

It was resolved on the Motion of the Administrator that the Investment Summary Report as at 31 October 2006 be received and noted.

Carried.

313/06 – Investment Options – Grange Securities

RESOLUTION:

It was resolved on the Motion of the Administrator that:

1. That Council invest \$2,000,000 with Grange Securities for a period of no more than twelve (12) months and review this investment at the end of the investment period.
2. That Council provide Grange Securities a copy of its Investment Policy.

Carried.

314/06 – Review of Council’s Investment Policy That Council’s Investment Policy be adopted and reviewed in November 2007.

RESOLUTION:

It was resolved on the Motion of the Administrator that Council’s Investment Policy be adopted and reviewed in November 2007.

Carried.

315/06 – Walgett Shire Tourism Development Strategy 2007/2010

RESOLUTION:

It was resolved on the Motion of the Administrator that Council receive the Walgett Shire Tourism Development Strategy with the intent to adopt this strategy after public consultation has taken place and all stakeholders have had the opportunity to make comments regarding the strategy known to Council and changes have been implemented.

Carried.

316/06 – 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 October 2006.

Carried.

317/06 – Parks & Sporting Grounds

RESOLUTION:

It was resolved on the Motion of the Administrator that:

1. After the reclassification of the land to “operational” via the impending gazettal of a land reclassification Local Environmental Plan that Council consider disposal of land know locally as Eloura Park (Lot 33, DP. 253488) as a single housing block and that the proceeds of this sale be reinvested in parks facilities in Walgett.
2. That Council retain Lot 31 DP 226373 once classified as operational land for potential use as a site for new staff accommodation.

Carried.

318/06 – Timber Bridge Replacement Programme

RESOLUTION:

It was resolved on the Motion of the Administrator that the recommendation be adopted with the following amendment:

1. That Council note the State Governments Timber Bridge Funding Partnership Programme.
2. That Council support the Local Government and Shires Association in making representations to the State Government, aimed at extending the programme beyond the three (3) year funding stream.

Carried.

319/06 – Old Council Chambers

RESOLUTION:

It was resolved on the Motion of the Administrator that Council accept the single quotation received, in an amount of \$16,500 (inclusive of GST), to construct a concrete slab/cut off wall around the perimeter of the Old Council Chambers and that this work be funded from Council's cash reserves.

Carried.

320/06 – Application for Connection to Town Water Supply

RESOLUTION:

It was resolved on the Motion of the Administrator that Council reaffirms the position it took in September 2006 and that an application from Mr Hayward Little, to connect his residential claim to the town water supply, is refused.

Carried.

321/06 – Regulation of Air Transport NSW

RESOLUTION:

It was resolved on the Motion of the Administrator that Council make a submission to the New South Wales Government, opposing the deregulation of the air transport service between Dubbo and Lightning Ridge via Coonamble and Walgett.

Carried.

322/06 – Lightning Ridge Cemetery

RESOLUTION:

The Administrator amended the recommendation by deleting Item 2 and it was resolved on the Motion of the Administrator that Council participate with BEST Employment and the Lightning Ridge Funeral Advisory Committee in the development of a "Work for the Dole" project at Lightning Ridge Cemetery on the basis of providing part time supervision at minimal cost.

Carried.

323/06 – Motor Vehicles – Leaseback Rates

RESOLUTION:

It was resolved on the Motion of the Administrator that existing leaseback rates for private use of Council vehicles are confirmed and that two additional categories be included, these being:

1. Commuter Use within a five (5) kilometre radius of the Administration Building - \$10 per week
2. 4 cylinder turbo diesel sedan/hatch/wagon (Holden Astra or equivalent) - \$60 per week

Carried.

324/06 – Bulk Fuel Supply

RESOLUTION:

It was resolved on the Motion of the Administrator that:

1. That Council, having regard to the provisions of Section 55(3) of the Local Government Act, resolves not to invite tenders for the supply of bulk fuel to mobile fuel trailers as it would not be practical to solicit tenders from suppliers other than those who are locally based and known to Council.
2. That quotations be invited from locally based fuel resellers for the supply of diesel fuel into Council's mobile fuel trailers.

Carried.

325/06 – RTA Agency

RESOLUTION:

The Administrator amended the recommendation and it was resolved on the Motion of the Administrator that Council provide improved security to that section of the administration building leased by the RTA by accepting a quote for not more than \$7,000.00 for the supply and installation of 'crimsafe' (or equivalent) security screens over window glass.

Carried.

326/06 – Walgett Levee Rehabilitation

RESOLUTION:

It was resolved on the Motion of the Administrator that:

1. That Council accepts the offer of \$800,000 from the Minister for Natural Resources for the Walgett Levee Rehabilitation project.
2. That \$210,000.00 be made available from restricted funds and that the remaining \$190,000.00 is considered in the 2007/2008 Estimates of Income and Expenditure.

Carried.

327/06 – Walgett Waste Depot

RESOLUTION:

The Administrator amended the recommendation and it was resolved on the Motion of the Administrator that Council note the issue of Environment Protection Licence No 12466 covering the Walgett Waste Depot operation, as well as the licence condition to carry out a hydro geological investigation of the site, at a cost not to exceed \$45,000.00.

Carried.

328/06 – Water Supply Drought Management

RESOLUTION:

It was resolved on the Motion of the Administrator that Council note the application to the NSW Minister Water Utilities for emergency capital works financial assistance.

Carried.

329/06 – NSW Local Roads Congress

RESOLUTION:

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

- 1) Endorse the 2006 NSW Local Roads Conference Communiqué and;
- 2) Note that Council is currently under funding regional and rural roads periodic maintenance by around \$4.2M p.a.

Carried.

330/06 – 24 Euroka Street – Walgett

RESOLUTION:

It was resolved on the Motion of the Administrator that:

1. That Council demolish the fire damaged building themselves allowing for all of the asset value of \$130,900.00 to be used for the completion of a replacement structure.
2. That the new premises be designed and allocated for Council staff accommodation.
3. That on the completion of the new premises that an independent rent assessment is completed to ascertain the market rent of the premises for Councils rent schedules

Carried.

330a/06 – Burren Junction Bore Baths

RESOLUTION:

It was resolved on the Motion of the Administrator that:

1. That Council endorse a solution, to ensure the continued operation of the Bore Baths at Burren Junction, put forward as a result of a meeting on November 17, 2006 between representatives of Council, the Burren Bore Trust and the Department of Natural Resources.
2. That Council invites Kinsley and Associates Pty Ltd to submit a proposal for the detailed design work associated with this project and that staff be authorised to accept this proposal if considered acceptable.
3. That a meeting is held in Burren Junction, before the temporary closure of the facility on December 16, 2006, to explain to the Burren Junction community the intended steps to rehabilitate the Burren Junction Bore Baths after the temporary closure on December 16, 2006.
4. That the Minister for Natural Resources is thanked for his involvement to date with this project and that a financial contribution towards the project is sought from the NSW Government on the basis of fairness.

Carried.

331/06 – Certificate of Appreciation

RESOLUTION:

It was resolved on the Motion of the Administrator that the Certificate of Appreciation be received and noted.

Carried.

332/06 – Reports of the Reserve Trusts

RESOLUTION:

It was resolved on the Motion of the Administrator that the Reports of the Reserve Trusts be received and adopted.

Carried.

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The meeting closed at 10.36 am

Confirmed by Council at its meeting on Tuesday, 19 December 2006.

Administrator

General Manager