

DRAFT



WALGETT SHIRE COUNCIL

MINUTES

21 SEPTEMBER 2006

*Stephen McLean
General Manager*

**MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL
HELD IN THE LIGHTNING RIDGE BOWLING CLUB ON THURSDAY,
21 SEPTEMBER 2006 , COMMENCING AT 10.07 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), Mrs Kerry Warden (Minute Secretary)

OPEN FORUM PRESENTATIONS

Miss Megan Duncan

Reference to Report 22 – Mission Road

Miss Duncan expressed her concerns with the closure of the Mission Road as this road services residents of Walgett and rural areas in times of flood as a major access road for people on the Brewarrina and Cumborah sides of Walgett and also should be considered as a major by-pass for road trains travelling via Walgett to Brewarrina. As the alternative by-pass route around Montkeila Street is not really suitable as it passes two schools along Peel Street. Maybe the road could be upgraded making it more passable in wet weather conditions and also an impact study to be considered as to the amount of road trains/traffic access this road, with dust being also an issue.

Alan Nelson responded that there does not seem to be a lot of traffic that uses this road and the RTA has shown no interest in contributing to the upgrading of the road as they feel that the road would have to be gravelled and sealed to be compliant.

Mr Haywood Little

Reference to Report 20 – Water Supply to Preserved Opal Fields – Lightning Ridge

Mr Little was of the opinion that each application should be treated on its own merits and that miners should have access to the town water supply.

Mr Ian Woodcock

Reference to Report 20 – Water Supply to Preserved Opal Fields – Lightning Ridge

Mr Woodcock advised Council that this property use to belong to Mr Peter Waterford, where the pipeline is located and connections to water were organised between appropriate parties. Hence Council purchased this land from Mr Waterford and this pipeline was to be upgraded to service miners accordingly.

Steven McLean responded to Mr Woodcock's comments saying that this would not be a good working practice and opposed this decision.

231/06 – Confirmation of Minutes – 17 August 2006

RESOLUTION: -

It was resolved on the Motion of the Administrator that the Minutes of the Council Meeting held on 17 August 2006 be confirmed.

Carried.

232/06 – Contract of Employment – General Manager

RESOLUTION:-

It was resolved on the Motion of the Administrator that Council approve of the General Manager, Mr Stephen McLean being released from his current contract with Walgett Shire Council and entering into a Standard Contract of Employment for General Managers as ratified by the Department of Local Government.

Carried.

233/06 – General Manager’s Studies

RESOLUTION:-

It was resolved on the Motion of the Administrator that Council approve the General Manager’s attendance at an Advanced Diploma of Business Management Course at the University of Ballarat and that all associated costs, as detailed in this report, are to be met by the General Manager.

Carried.

234/06 – New South Wales Rural Fire Service – Asset Replacement Plan

RESOLUTION:-

It was resolved on the Motion of the Administrator that:

1. That Council adopt the New South Wales Rural Fire Service 3 Year Asset Replacement plans as presented.
2. That Council authorise the General Manager to sign the North West Team - Walgett District 3 year Asset Replacement program for 2008-2010.
3. That Council authorise the General Manager to sign the North West Team – North West Team District Management District 3 year asset replacement program for 2008-2010.

Carried.

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235/06 – Council Meeting Dates – 2006/2007

RESOLUTION:-

It was resolved on the Motion of the Administrator that Council note the change of day and that meeting dates and locations be set as listed below through until the end of June 2007:-

MONTH	DAY	DATE	LOCATION
October 2006	Thursday	19	CARINDA
November 2006	Tuesday	21	COLLARENEBRI
December 2006	Tuesday	19	WALGETT
January 2007	NO MEETING		
February 2007	Tuesday	20	WALGETT
March 2007	Tuesday	20	LIGHTNING RIDGE
April 2007	Tuesday	17	BURREN JUNCTION
May 2007	Tuesday	15	ROWENA
June 2007	Tuesday	19	WALGETT

Carried.

236/06 – Report on Rates and Charges – 31 August 2006

RESOLUTION:-

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

Carried.

237/06 – Investment Report – 21 August 2006

RESOLUTION:-

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

Carried.

SHIRE OF WALGETT- MINUTES

238/06 – Management Report – 31 August 2006

RESOLUTION:-

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

Carried.

239/06 – Administrative Office – Christmas and New Year Closure

RESOLUTION:-

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

1. That Council note the closure of the administration building from the afternoon of Friday 22 December 2006, and reopening on Tuesday 2 January 2007 as per Council Policy (CM 28/09/1998).
2. That Council note that the 27, 28 and 29 December 2006 is provided to indoor staff as leave-in-lieu, in recognition of unpaid overtime throughout the year as per Council Policy (CM 24/11/1997).

Carried.

240/06 – Staff Conditions of Employment – Christmas Break

RESOLUTION:-

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

1. That *Policy 7.7, Staff Conditions of Employment – Christmas Break*, adopted by Council on 24 November 1997 is rescinded effective from 1 January 2007.
2. That *Policy 7.7, Closure of Administrative Offices between Christmas and New Year, point two (that salaries staff be granted the three days paid leave in lieu of overtime)* be amended effective from 1 January 2007 and adopted as follows:-

Administrative Offices Closure – Christmas and New Year

That Council adopt a policy allowing the closure of the Council's administrative offices between the Christmas and New Year break. The closure is subject to the following conditions:

1. That Council close its administrative offices between Christmas and New Year.
2. That after hours numbers be provided to the general public for the purpose of emergency enquiries.
3. That the Council advertise during the month of December giving the public adequate notice of the said closures.

Carried.

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241/06 – Walgett Shire council Code of Conduct – Review

RESOLUTION:-

It was resolved on the Motion of the Administrator that Walgett Shire Council's Code of Conduct Policy be adopted for a further twelve months, with a review of the Policy to be held on 21 September 2007.

Carried.

242/06 – Excess Water Arrears

RESOLUTION:-

It was resolved on the Motion of the Administrator that Council write off \$4,522.02 in outstanding water charges under Local Government (Financial Management) Reg 1999 Para 30-370 17(5)(c) as listed in a report titled "*Water Trial Balance*" dated 25 August 2006.

Carried.

243/06 – Community Assistance Scheme Donations – 2006/2007 Budget

RESOLUTION:-

It was resolved on the Motion of the Administrator that Council approve funding for financial assistance under Section 356 of the Local Government Act 1993 as per attached schedules for 2006/2007 with the following amendments:

- St Peter's Anglican Church Walgett-Fittings for Toilet/Shower Block to be accessible by wheelchair amount increased from \$250.00 to \$880.00.
- Daniel Richard Walford-Cricket Team for 2006/2007 Cricket Season purchase of cricket kit. That Council assist Mr Walford in making application for a grant from the NSW Cricket Association.
- Walgett District Cricket Association-to help operate the Association for the 2006/2007 Season, such as new cricket pitch for Collarenebri Oval, to help with travelling in the NSW, NRMA Plate Cup. That Council assist the Walgett District Cricket Association in making a grant application to the NSW Cricket Association.

Carried.

SHIRE OF WALGETT- MINUTES

ORGANISATION	DETAIL OF PROJECT / ACTIVITY	COST OF PROJECT / ACTIVITY	AMOUNT SOUGHT	CATEGORY AND AMOUNT RECOMMENDED
St Peter's Anglican Church Walgett PO Box 89 WALGETT NSW 2832 Contact: Gary and Virginia Stuart	Fittings for Toilet / Shower Block to be accessible by wheelchair	Not Known	\$1500.00	Category C \$250.00
Rowena Pre-School Incorporated Shaw Street ROWENA NSW 2387 Contact: Wendy Keys	Ablution Block Pre-made block for Rowena Preschool	\$13,409.00	\$5,000.00	Category C \$500.00
Rowena Oval Committee Shaw Street ROWENA NSW 2387 Contact: Anna Sevil	Electricity for Shed on Oval in Rowena	\$3680.00	\$1000.00	Category C \$500.00
Bourke / Walgett School of Distance education Walgett Branch P&C Assoc C/- BWSOWE Walgett Primary School WALGETT NSW 2832 Contact: Nickole Lowe	Walgett DEC Mini Schools (three to be held)	\$333.33 x 3 schools	\$1000.00	Category C \$500.00

SHIRE OF WALGETT- MINUTES

ORGANISATION	DETAIL OF PROJECT / ACTIVITY	COST OF PROJECT / ACTIVITY	AMOUNT SOUGHT	CATEGORY AND AMOUNT RECOMMENDED
Walgett and District Tourism Association Incorporated C/- Post Office WALGETT NSW 2832 Contact: Megan Duncan	Walgett Community Gardening – town beautification (for purchase of seeds, seedlings, chemicals and fertiliser)	Ongoing	\$1000.00	Category C \$500.00
Walgett and District Tourism Association Incorporated C/- Post Office WALGETT NSW 2832 Contact: Marilyn Collins	Bulldust to Bitumen Walgett Centenary Shire Art Show 2 day art show commemorating centenary of Walgett Shire.	\$12,500.00	\$2000.00	Category B \$500.00
Collarenebri Pony Club C/- "Ibon" ROWENA NSW 2387 Contact: Vanessa Radford	Jamboree and One Day Event 2006 at Collarenebri Pony Club and rebuilding of Cross Country Course	\$2000.00 +	\$500.00	Category C \$250.00
Lightning Ridge and Region Transcultural Community Council PO Box 1724 LIGHTNING RIDGE NSW 2834 Contact: Christina Johansson	Harmony Day Celebration with a Multicultural Feast and Music	\$440.00	\$440.00	Category B \$220.00
Isolated Children's and Parents Association Walgett Branch "Malabar" WALGETT NSW 2832 Contact: Judy Newton	Isolated Children's and Parents Association State Conference	\$3000.00	\$1000.00	Category B \$500.00

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ORGANISATION	DETAIL OF PROJECT / ACTIVITY	COST OF PROJECT / ACTIVITY	AMOUNT SOUGHT	CATEGORY AND AMOUNT RECOMMENDED
Carinda Diggers Memorial Hall C/- "Wirroona" CARINDA NSW 2831 Contact: Margaret Johnston	Replacement of Floor Covering in Meeting Room of the Town Hall	\$2000.00	\$1000.00	Category C \$1000.00
Walgett and District Pony Club PO Box 107 WALGETT NSW 2832 Contact: Fiona Denyer	Cover of fees associated with use of Walgett Showground for Pony Camp during October	Not Stated	\$972.00	Category C \$250.00
Daniel Richard Walford (Cricket) PO Box 504 WALGETT NSW 2832	Cricket Team for 2006/2007 Cricket Season – purchase of cricket kit	\$1000.00	\$600.00	Category A \$500.00
Lightning Ridge Community Radio PO Box 1781 LIGHTNING RIDGE NSW 2834 Contact: Bevan Brown	Volunteer Comfort Project Air conditioner for volunteers comfort in the working and reception area	\$1399.00	\$1399.00	Category C \$500.00
Collarenebri Jockey Club "Jomara" COLLARENEBRI NSW 2833 Contact: Sue Behsman	Collarenebri Jockey Club Annual Race Meeting	\$45,000.00	\$500.00	Category A \$500.00
Carinda and District Race Club "Willewa North" CARINDA NSW 2831 Contact: Tess Blair	Carinda Race Club Annual Race Meeting	\$30,000.00	\$500.00	Category A \$500.00

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ORGANISATION	DETAIL OF PROJECT / ACTIVITY	COST OF PROJECT / ACTIVITY	AMOUNT SOUGHT	CATEGORY AND AMOUNT RECOMMENDED
Lightning Ridge Central School PO Box 294 LIGHTNING RIDGE NSW 2834 Contact: Nicole DeLosa	MAD NIGHT Entertainment including music, art and drama, showcasing local talent.	\$5,000.00	\$2,500.00	Category B \$250.00
Walgett Playgroup PO Box 443 WALGETT NSW 2832 Contact: Jennifer Hernando	Purchase of toddler table and chairs.	\$634.00	\$500.00	Category C \$250.00
Collarenebri Preschool Incorporated High Street COLLARENEBRI NSW 2833 Contact: Sharon Girling	Introduction of Road and Bike Safety Programs to Preschool Students	\$2500.00	\$1000.00	Category C \$500.00
Yawarra Meamei Women's Group Inc PO Box 415 LIGHTNING RIDGE NSW 2834 Contact: Joan Treweeke	Volunteers Picnic Day May 2007 To celebrate the contribution made by volunteers in the community.	\$660.00	\$330.00	Category C \$330.00
Life Education New South Wales PO Box 789 ST MARYS NSW 1790 Contact: Joan Cassar	Provide for children from financially disadvantaged families of the Walgett Local Government Area and who cannot afford to attend the Life Education Mobile Classroom. (Walgett Community College, St Joseph's School Walgett and Lightning Ridge Central)	\$2,183.50	\$2,183.50	Category C \$250.00

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ORGANISATION	DETAIL OF PROJECT / ACTIVITY	COST OF PROJECT / ACTIVITY	AMOUNT SOUGHT	CATEGORY AND AMOUNT RECOMMENDED
Lightning Ridge Polocrosse Club PO Box 1458 LIGHTNING RIDGE NSW 2834 Contact: Rob Scott	Lightning Ridge Polocrosse Carnival (Two day polocrosse carnival)	\$5,000.00	\$500.00	Category A \$250.00
Lightning Ridge Great Goat Race Com PO Box 1693 LIGHTNING RIDGE NSW 2834 Contact: Maxine O'Brien	Easter Goat Races and Family Entertainment and Fireworks Donation to assist with running of Great Goat Races and Family Entertainment	\$25,600.00	\$4,500.00	Category C \$500.00
Walgett PreSchool PO Box 97 WALGETT NSW 2832 Contact: Cath Deshon	Long Day Care Centre To employ and extra staff member to assist with the business and preparation of the Long Day Care Centre	\$4,000.00	\$1,000.00	Category C Project Coordinator employed by Walgett Shire Council
Lightning Ridge Arts and Crafts Council PO Box 448 LIGHTNING RIDGE NSW 2834 Contact: Christina Johansson	Introductory Landscape Painting for Novice Artists 6 x Two Hour Sessions with Artist	\$800.00	\$500.00	Category B \$400.00
St Mary's Parish Catholic Church Arthur Street WALGETT NSW 2832 Contact: Cath Deshon	To maintain the presence of the Parish Priest, maintenance on the church, maintain the presence of Sister Mary Ellen and general running costs of the parish.	\$120,000.00	\$1,000.00	Category C \$250.00

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ORGANISATION	DETAIL OF PROJECT / ACTIVITY	COST OF PROJECT / ACTIVITY	AMOUNT SOUGHT	CATEGORY AND AMOUNT RECOMMENDED
Balyarta Day Care Centre Carers PO Box 205 WALGETT NSW 2832 Contact: Jennifer Colless	Thank You Celebration for Walgett Balyarta Day Care Centre Volunteer Carers	\$2,000.00	\$1,000.00	Category C \$250.00
Walgett Show Society Incorporated PO Box 56 WALGETT NSW 2832 Contact: Marion Pike	Zone Judging of NSW Show Girl Competition March 2007	\$2,000.00	\$1,000.00	Category C \$250.00
Walgett District Cricket Association 20 Euroka Street WALGETT NSW 2832 Contact: Doug Barry	Sponsorship for Walgett District Cricket Association To help operate the Association for the 2006/2007 Season, such as new cricket pitch for Collarenebri Oval, to help with travelling in the NSW, NRMA Plate Cup	\$3,000.00	\$500.00 - \$1,000.00	Category A \$500.00
Waste to Art Committee PO Box 31 WALGETT NSW 2832 Contact: Christine Dugan	Waste to Art Local competition – winners to feature in exhibition and competition in April 2007	\$1,000.00	\$1,000.00	Category B \$500.00
Lightning Ridge Preschool PO Box 312 LIGHTNING RIDGE NSW 2834	Kitchen Replacement	\$5,292.00	\$2,600.00	Category C \$2,600.00 Funds Committed Resolution Number 218/06
			TOTAL	\$14,050.00

244/06 – Youth Worker for Sport and Recreation Activities

RESOLUTION:-

It was resolved on the Motion of the Administrator that the recommendation contained in the Council Business Paper is withdrawn and the following amendment is adopted as follows:-

1. That Council recognise Walgett Shire Councils partnership with Department of Sport and Recreation.
2. That Council accept the request from Department of Sport and Recreation to provide two (2) Youth workers to assist with the October 2006 school holiday activities, Department of Sport and Recreation to pay the wages for one worker.
3. That should Council be unable to engage the services of a Youth Worker for the period as requested that the funds be made available to the Department of Sport and Recreation to engage another Youth worker.

Carried.

244a/06 – Walgett Family Day Care – Funding Agreement 1 October 2006 to 30 June 2007

RESOLUTION:-

It was resolved on the Motion of the Administrator that Council authorise the General Manager and Administrator to sign the funding agreement between the Department of Families, Community Services and Indigenous Affairs and Walgett Shire Council for the extension of the Walgett Shire Family Day Care Project for the period 1 October 2006 to 30 June 2007 and affix the Council Seal.

Carried.

244b/06 – Annual Financial Statements 2005/2006

RESOLUTION:-

It was resolved on the Motion of the Administrator that:

1. That the Annual Financial Reports for 2005/2006 be referred to Council's Auditor.
2. That the Administrator, General Manager and Acting Manager of Corporate Services be authorised to sign the necessary Financial Statements.
3. That on receipt of the Audited Report, a copy is forwarded to the Department of Local Government and the Australian Bureau of Statistics.
4. That Council set Council Meeting of November 2006 as the meeting date for formal presentation of the audited Annual Accounts.

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5. That public notice is given of the meeting date for formal presentation of the audited Annual Financial Reports for 2005/2006.

Carried.

245/06 – Development Application 2006/003 Walgett Pre-School and Long Day Care Centre Inc

RESOLUTION:-

It was resolved on the Motion of the Administrator that the recommendation contained in the Council Business Paper is withdrawn and the following amendment is adopted as follows:-

I have considered the application to modify development consent 2006003 for a 39 place child care facility in Pitt St., Walgett and I am satisfied that it should be approved with 'on street' car parking.

My decision is based on the following factors:

- The development is not located in an area where there is significant vehicle traffic.
- No insurmountable safety issues associated with the proposed on-street parking have been identified by Council's engineering staff or the NSW Police.
- The development is being undertaken by a community based group.
- Based on the merits of this particular application, approving a variation from Council's Off Street Car Parking Code will result in a better outcome for the community, compared to strict adherence to the code.

That the Application for Modification of Development Consent for DA 2006003 be approved subject to the following conditions of consent, as amended from those recommended by Council's planning staff. The amendments made to the recommended conditions are:

(A) The deletion of condition "Par 020" relating to off street parking.

(B) Changing the reference to "off-street car parking" in condition "Par 010" to "on street car parking".

PRESCRIBED CONDITIONS OF DEVELOPMENT CONSENT

The Environmental Planning and Assessment Regulation 2000 prescribes the following conditions of development consent.

98. Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989

(1) For the purposes of section 80A (11) of the Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:

(a) that the work must be carried out in accordance with the requirements of the Building Code of Australia,

~~(b) in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6~~

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~~of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.~~

(2) This clause does not apply:

(a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or

(b) to the erection of a temporary building.

(3) In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

98A. Erection of signs

(1) For the purposes of section 80A (11) of the Act, the requirements of subclauses (2) and (3) are prescribed as conditions of a development consent for development that involves any building work, subdivision work or demolition work.

(2) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

(a) showing the name, address and telephone number of the principal certifying authority for the work, and

(b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and

(c) stating that unauthorised entry to the work site is prohibited.

(3) Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

(4) This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

(5) This clause does not apply in relation to Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws.

(6) This clause applies to a development consent granted before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.

Note. Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

COUNCIL IMPOSED CONDITIONS

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 030.

Prior to commencing any building works a Construction Certificate must be obtained from Council to authorise construction.

Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979.

Gen 040.

Council is to be immediately informed in writing if arrangements for work are changed.

Reason: To enable Council to maintain an accurate record of approvals granted.

Gen 060.

The use or occupation of the premises is not to commence until such time as the terms of Development Consent have been complied with, to the satisfaction of Council and a final occupation certificate issued. The owner may make application to Council for the occupation of incomplete premises. The use or occupation of incomplete premises is not permitted until the premises have been inspected by Council Officers and an Interim Occupation Certificate issued.

Reason: To restrict the use of the premises until the terms of the Development Consent have been complied with so as to ensure the health and safety of occupants of the building.

Gen 090.

Any future development on the subject site will require separate development approval to be obtained from Council in writing.

Reason: To ensure proper assessment under the Environmental Planning and Assessment Act 1979.

Sub 040. – SEWER EASEMENT

An easement in favour of Council shall be obtained over the area that is traversed by Council's sewer main. The requirements of the easement are as follows:

The easement width shall be a minimum of 3.0m.

The easement shall be registered on the title of the relevant lot and lodged with the Land Titles Office.

The easement plan is to be approved by Council prior to lodgement at the Land Titles Office.

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REASON: Council's sewer main will be protected from inappropriate development by the easement.

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.

HOURS OF OPERATION

Hrs 010.

The approved hours of operation for this development are Monday to Sunday, 7:00am to 7:30pm.

Reason: To protect and preserve the amenity of the locality.

CONSTRUCTION

Con 030.

The builder shall provide a temporary sanitary service to the building site before building operations are commenced.

Reason: To provide effective sanitation of the site during building construction.

Con 040.

All construction materials, sheds, skip bins, spoil, temporary water closets etc, shall be kept wholly within the property and not placed on public land or in a position that may result in materials/debris being washed onto the roadway or into the stormwater drainage system.

Reason: To preserve the amenity of the locality and protect stormwater systems.

Con 070.

All footings and/or slabs shall be constructed as per engineer's details

Reason: To ensure compliance with the Building Code of Australia.

Con 080.

Roof trusses are to be designed and certified by the manufacturer for Region A, Category 2, 51 metres per second. Details of the manufacturers design and certification are to be submitted to Council prior to erection.

Reason: To ensure compliance with manufacturers specifications and Building Code of Australia.

Con 090.

All timber framing shall comply with the NSW Timber Framing Manual and the Building Code of Australia.

Reason: To ensure compliance with the Building Code of Australia.

Con 100.

All steel framing shall comply with Part B1 of the Building Code of Australia and associated standards.

Reason: To ensure compliance with the Building Code of Australia.

Con 120.

All glass installation shall comply with the requirements of Australian Standard 1288 and 2047 as applicable. The installer shall provide certification that the glazing complies with the requirements of AS 1288 and AS 2047 immediately following installation.

Reason: To ensure compliance with the Building Code of Australia.

Con 130.

All wet areas are to be waterproofed in accordance with Australian Standard 3740.

Reason: To ensure that the waterproofing of the wet areas comply with the relevant Australian Standards and the Building Code of Australia.

Con 140.

In addition to plans, elevations and sections, the application for a Construction Certificate is to include the following information:

- (a) The location of all smoke detectors/alarms together with a statement that they will be installed in accordance with AS1670.1 and,
- (b) Details of the proposed method of termite treatment showing that compliance will be achieved with AS 3660,
- (c) All structural details including specifications, tie-down and bracing plans and slab design details.

Reason: To ensure compliance with the Building Code of Australia.

Con 150.

All external lightning is to be positioned and directed so as to prevent the intrusion of light to the adjoining premises.

Reason: To prevent the intrusion of light onto adjoining premises.

Con 250.

All electrical work must be carried out by a licensed electrician in accordance with Australian Standard 3000 – SAA Wiring Rules and Australian Standard 3002.

Reason: To ensure compliance with Australian Standards.

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DISABLED ACCESS

Dis 030.

Provision of access and facilities is to be made for access by Disabled in accordance with the requirements of the Building Code of Australia.

Reason: To ensure compliance with the Building Code of Australia.

Dis 040.

At least one (1) disabled car parking space shall be provided within the proposed car park. The parking space is to have minimum width of 3.8m, with the signage and marking complying with the requirements of AS 2890.1. A continuous accessible path of travel complying with the requirements of AS 1428.1 is to be provided from the parking space to the building.

Reason: To ensure compliance with the Building Code of Australia..

TERMITE CONTROL

Ter 010.

Treatment against termites is to be carried out in accordance with AS 3660.1. Upon completion of the selected method of treatment:

(a) a certificate is to be issued to Council by the licensed installer of the system certifying that the system installed is in accordance with the specific requirements of Council and AS3660.1.

(b) A durable notice must be permanently fixed within the meter box indicating:

- The method of protection
- The date of installation of the system
- Where a chemical barrier is used, it's life expectancy as listed on the National Registration Authority label and
- The need to maintain and inspect the system on a regular basis.

Reason: To ensure compliance with the Building Code of Australia.

VENTILATION

Ven 010.

Provide an approved system of mechanical ventilation in accordance with the requirements of Part F4.5(b) of the Building Code of Australia.

Reason: To provide adequate ventilation and to ensure that there are no adverse affects on the occupants or the building.

Ven 020.

Kitchen exhaust installation must not be discharged into an enclosed ceiling space.

Reason: To ensure that kitchen gases are not retained in the ceiling space.

WATER, SEWER, AND STORMWATER

Plu 010.

Provision shall be made for a water meter upstand within the confines of the property to be accessible to Council at all times.

Reason: To provide ready access for the Regulatory Authority.

Plu 040.

The top of the buildings overflow relief gully (ORG) shall be a minimum 150mm below the lowest sanitary fixture or the buildings finished floor level, whichever is the lowest and a minimum 75mm above the finished surrounding ground level.

Reason: To prevent ingress of surface stormwater into the sewer and ensure compliance with Australian Standard 3500.1-4 and the Plumbing and Drainage Code of Practice.

Plu 050.

A minimum of 25 mm water service is required for the development.

Reason: To ensure compliance with NSW Plumbing and Drainage Code of Practice.

Plu 060.

All plumbing and drainage works are to be completed in accordance with Australian Standards 3500.1-4 and the Plumbing and Drainage Code of Practice.

Reason: To ensure that plumbing and drainage works are completed in a professional manner.

Plu 070.

Before any plumbing, stormwater or sewer drainage works are commenced an Activity Application and Annexure accompanied by a diagram of proposed works and the appropriate fees is to be submitted and approval granted in accordance with the requirements of Section 68 of the Local Government Act 1993.

Reason: To ensure compliance with the Local Government Act 1993, Council's On Site Sewage Management Guidelines, Australian Standard 3500.1-4 and the Plumbing and Drainage Code of Practice.

Plu 100.

The land surrounding the completed building is to have a drainage system so that:-

- (a) It is graded to divert surface water to the street, and clear of existing and proposed structures and adjoining premises, or
- (b) It is to be collected and drained via a gravity system to a Council stormwater line, or
- (c) Disposed of in a manner, which will not create any additional nuisance to adjoining properties.

Reason: To minimise the potential for detrimental impacts to buildings or neighbouring properties.

Plu 110.

Where the proposed building works necessitate the cutting-in of new stormwater outlets into the existing street kerb, the Applicant and plumbing/drainage contractor shall ensure that the following procedures are adopted.

- (a) A kerb adaptor suitable for the particular kerb profile and capable of withstanding vehicular loadings is to be utilised,
- (b) Create the opening in the kerb by use of either a saw cut or bored hole only – breaking out the kerb by impact methods is not permitted,
- (c) The kerb adaptor is to be kept flush with the top and outside face of the kerb, and
- (d) The fixing of the kerb adaptor and filling in of side gaps is to be undertaken by the use of an epoxy resin – mortar or concrete is not to be used.

Reason: Requirement of Council as the Road Authority.

Plu 120.

All new heated water installations shall, at the outlet of all sanitary fixtures used primarily for personal hygiene (bath, shower and hand basins) deliver heated water not exceeding -

- (a) 43.50 degrees centigrade for early childhood centres, primary and secondary schools and nursing homes or similar facilities for young, aged, sick or people with disabilities, and

Notes:

Temperature control devices require routine maintenance and performance testing. Information on maintenance can be found in AS 4032.2

It is the property owner's responsibility to ensure that the routine maintenance is carried out.

Reason: Temperature limits are required to minimise the risk of scalding.

Plu 130.

Roof water is to be disposed of:

- (a) By piping to the street gutter.

Reason: To alleviate any potential stormwater problems with respect to the buildings on the allotment or adjoining allotments.

Dem 020.

All demolition work to be undertaken in accordance with Australian Standard 2601 – The Demolition of Structures.

Reason: To ensure that demolition work is undertaken in a manner that is safe and minimises environmental disturbance.

PARKING & TRAFFIC

Par 010.

The on street car parking area is to be constructed of all weather material and maintained so that it is trafficable, free of pot holes, corrugations, erosion and does not interfere with stormwater runoff.

Reason: So adequate on street parking is provided for the development and it is maintained in an appropriate manner.

Par 040.

All loading and unloading activities relating to the use of the premises are to be carried out wholly within the site.

Reason: To ensure the amenity of the area is maintained and minimise the potential for interference with traffic flow on public streets.

Par 050.

The developer is to meet the cost of and be responsible for the construction of vehicular entrances in accordance with Council's requirements.

Reason: To provide access to the site.

Par 060.

Parking facilities for people with disabilities are to comply with Part D3.5 of Building Code of Australia and the requirements of Australian Standard 2890.1 – Parking Facilities – Off Street Car Parking.

Reason: To enable use of the car space by people with disabilities and to ensure compliance with the requirements of the Building Code of Australia.

Rds 050.

Where works are carried out on Council or public lands (ie public roads) by or on behalf of the applicant, the following conditions shall be satisfied:

- (a) The person or company proposing to carry out the works shall obtain approval from Council prior to works commencing.
- (b) The person or company carrying out the works will be required to carry appropriate public liability insurance to a value of ten million dollars (\$10M) for the full period during which works are being undertaken. Proof of the policy is to be provided to Council prior to work commencing.
- (c) If requested, the person or company carrying out the works shall submit to Council references demonstrating experience in the type of work proposed to be undertaken.

Reason – To ensure that any works undertaken on public lands are of an adequate standard and appropriate insurance is held by the party undertaking the works.

PLAYGROUND

Pla 010.

Playground equipment and layouts shall comply with 'Australian Standard 1924.1–1981 Playground equipment for parks, schools and domestic use – General requirements'.

Reason: To ensure that playground equipment is suitable for use by children.

FOOD PREMISES

Foo 010.

The fit out and operations of the kitchen must comply with the requirements of:

- (a) Food Safety Standards.
- (b) Australian Standard 4674-2004 Design Construction and Fit Out of Food Premises.
- (c) The NSW Food Act 2003.

Reason: To ensure that the building conforms to the relevant performance requirements of the Building Code of Australia and Food Act 2003.

Foo 020.

Plans and specifications showing floor layout and design of all food preparation, food service, food storage, dining area, garbage disposal area, construction and method of installation of all fittings and fixtures, together with floor, wall and ceiling finishes are required prior to Council issuing a Construction Certificate.

Reason: To comply with AS 4674 and Building Code of Australia.

INSPECTIONS

The applicant is to advise Council of the name and address of the body nominated to act as the Principal Certifying Authority, on the "Notice of Commencement Form" forty eight (48) hours prior to work commencing.

Inspections at the completion of stages as indicated below are required to be carried out by the Principal Certifying Authority. **Work must not proceed past any inspection stage until approval is given by the Certifier.**

Critical Stage Inspections – Class 9

- On set-out of the works and prior to any excavation.
- Footings/piers and slab after placement of moisture barrier, reinforcement and prior to pouring of any concrete.
- Underfloor drainage prior to pouring concrete.
- Footings after excavation and before pouring of any concrete
- On completion of framing prior to covering.
- On completion of blockwork/brickwork and prior to core filling.
- On completion of plumbing pipe installation (hot & cold water service) prior to covering.

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- On completion of waterproofing of wet areas and prior to commencement of wall and floor tiling.
- All external sewer drainage prior to covering in trenches, clearly visible and under hydrostatic test.
- Prior to covering any stormwater drainage connections, and
- After the building work has been completed and prior to any occupation certificate being issued in relation to the building

Reason: Occupation Certificates cannot be issued if the Principal Certifying Authority does not carry out the designated inspections, and to ensure compliance with the approved plans.

FIRE SAFETY

Fir 060.

Fire Safety Equipment as per the attached Fire Safety Schedule, shall be installed and maintained on the premises and be the subject of the required annual Fire Safety Statement

FIRE SAFETY SCHEDULE

The following fire safety services are to be installed in the building;

- (a) **Portable Fire Extinguishers** complying with the requirements of Part E1.6 of the Building Code of Australia and AS 2444 "Fire Extinguishers Selection".
- (b) **Exit signs** complying with the requirements of Part E4.5 of the Building Code of Australia and AS 2293. "Emergency Evacuation Lighting". Such lighting to be located at each designated exit from the buildings.
- (c) **Emergency Lighting** complying with the requirements of Part E4.2 of the Building Code of Australia and AS 2293.1 "Emergency Evacuation Lighting".
- (d) **An automatic smoke detection and alarm system** complying with the requirements of Specification E2.2a (Clauses 3 or 4 as applicable) of the Building Code of Australia and AS 1670.1 and AS 3786.

On completion of the building and at least once in each period of twelve months following completion, the owner shall cause council to be furnished with Certification that each essential fire service installed in the building is capable of performing to a standard not less than they were originally required to achieve and perform to a standard not less than that determined using the corresponding Part I.1 Building Code of Australia provisions.

Carried.

246/06 – 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 August 2006.

Carried.

247/06 – Council Policy regarding Western Lands Leases on the “Preserved” Opal Fields

RESOLUTION:-

It was resolved on the Motion of the Administrator that Walgett Shire Council resolve to amend the policy adopted at the Council meeting held on 14 July 2003 regarding land use and Western Lands Leases on the ‘preserved’ opal fields so that it becomes:

- (1) Walgett Shire Council regards opal mining and prospecting as the dominant land use on the ‘preserved’ opal fields. Accordingly, unless there are substantial and tangible benefits arising for the community, Council is opposed to any development that may detrimentally affect the dominant land use.
- (2) Walgett Shire Council regards low to medium density mining camps, tourism and grazing as secondary land uses on the ‘preserved’ opal fields.
- (3) Within the ‘preserved’ opal fields Walgett Shire Council is opposed to:
 - (a) The granting of a Western Lands Lease for residential purposes that is larger than 2,500m² in any situation.
 - (b) The granting of more than one Western Lands Lease in a given location where the lease would effectively cover a single mining camp and associated infrastructure.
 - (c) The conversion of any Crown Land on the ‘preserved’ opal fields to freehold title, unless the land is being incorporated into the Lightning Ridge urban area or it is being used for a public purpose.
- (4) Walgett Shire Council supports the grant of non-mining related land titles on the ‘preserved’ opal fields in the following circumstances:
 - (a) An existing mining ‘camp’ located on a Mineral Claim or Mining Purposes Lease is being converted to a Western Lands Lease for residential purposes.
 - (c) A new Western Lands Lease for a residence is applied for in a location where it is at least 50m away from any existing ‘camp’ Mineral Claim, Western Lands Lease for residential purposes, or the Lightning Ridge town boundary.
 - (c) A Western Lands Lease is sought over an established business that has been continuously operating for a substantial period of time prior to July 2003.

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- (d) A Western Lands Lease is sought for some other purpose and the applicant can clearly demonstrate that substantial benefits will accrue to the community that outweigh any detrimental impacts on opal mining or prospecting activities.
- (5) Walgett Shire Council will pursue the development of a Local Environmental Plan for the 'preserved' opal fields that reflects the above policies.

Carried.

248/06 – Street Trees – Arthur Street, Walgett

RESOLUTION:-

It was resolved on the Motion of the Administrator that Council note the removal of street trees which were growing into overhead powerlines in Arthur Street, Walgett in front of the Walgett High School.

Carried.

249/06 – Burren Junction Bore Baths

RESOLUTION:-

It was resolved on the Motion of the Administrator:-

1. That Council urgently seek a meeting with the Minister for Natural Resources to discuss the future of the Burren Junction Bore Baths and the extent of State Government support for the project to retain the facility, both in terms of project management and project financing.
2. That, in the event of the State Government indicating an unsatisfactory level of support for the project, Council abandons the project and allows the facility to close after December 16, 2006.

Carried.

250/06 – Expression of Interest Design and Construction of a Mineral Spa Pool, Burren Junction

RESOLUTION:-

It was resolved on the Motion of the Administrator that Council shortlist the Expression of Interest from Kinsley and Associates Pty Ltd and, subject to the project proceeding in the form of replacement pool(s) with heat exchanger, re-injection, and/or water treatment type components, invites Kinsley and Associates to submit a proposal.

Carried.

251/06 – Water Supply to Preserved Opal Fields – Lightning Ridge

RESOLUTION:-

It was resolved on the Motion of the Administrator:

1. That Council not permit people residing outside the Lightning Ridge Town Boundary within the preserved opal fields, the opportunity to lawfully connect to Council's town water supply.
2. That those residing on Western Lands Leases and Mining Purpose Leases who are already lawfully connected, and have been connected for sometime, as a consequence of decisions of previous administrations, be allowed to retain their connections.

Carried.

252/06 – Road Purchase Application

RESOLUTION:-

It was resolved on the Motion of the Administrator that Council lodge an application to close public roads contained within Enclosure Permit 45838 as well as the crown road located between Lots 5 and 35 DP 752264, subject to the landholder meeting all costs associated with the application to the Department of Lands.

Carried.

253/06 – Mission Road

RESOLUTION:-

It was resolved on the Motion of the Administrator that the recommendation contained in the Council Business Paper be withdrawn and the following amendment is adopted. That this matter be deferred of any action pending further community consultation relating to heavy vehicle passage through Walgett.

Carried.

254/06 – Walgett Levee

RESOLUTION:-

It was resolved on the Motion of the Administrator that Council engage the Department of Commerce, on the basis of a single invited quotation, to undertake pre-construction activities associated with the rehabilitation of the Walgett Flood Levee.

Carried.

255/06 – Footpath Reconstruction – Walgett

RESOLUTION:-

It was resolved on the Motion of the Administrator that Council work in partnership with BEST Employment to reconstruct footpaths in Wee Waa and Fox Streets, Walgett, as well as the front yard of their property, on the understanding that BEST Employment will provide 50% of the cost of materials for the project and a wages subsidy of \$4,000 per participant.

Carried.

256/06 – Mobile Fire Assets

RESOLUTION:-

It was resolved on the Motion of the Administrator that Council indicate support for a proposal which would see the ownership of mobile fire assets transferred from Council to the NSW Rural Fire Service.

Carried.

257/06 – North West Weight of Loads Group

RESOLUTION:-

It was resolved on the Motion of the Administrator:-

1. That covering approval be given to action taken in committing Council to the financial support of the North West Weight of Loads Group in chasing outstanding fines.
2. That Council support political representations by the North West Weight of Loads Group in seeking a fairer financial contribution to the group's activities from the New South Wales Government.

Carried.

258/06 – Staff Training – Asset Management

RESOLUTION:-

It was resolved on the Motion of the Administrator that approval be given for Council's Assets Officer, Kaye Stone, to attend the 2006 Australasian Conference for Conquest Users, to be held in Hobart, Tasmania on November 1 and 2 2006.

Carried.

259/06 – Swimming Pools – Walgett and Collarenebri

RESOLUTION:-

It was resolved on the Motion of the Administrator that the recommendation contained in the Council Business Paper is withdrawn and the following recommendation is adopted as follows:-

1. That Council enter into negotiations with Riley Aquatic Management for the licence to operate the Walgett Swimming Pool for the period 1 October 2006 to 30 June 2009.
2. That Council accept the tender of Laura and Heath Boland for the licence to operate the Collarenebri Swimming Pool for the period 1 October 2006 to 30 June 2009.

Carried.

260/06 – Engineering Internship

RESOLUTION:-

It was resolved on the Motion of the Administrator that Council indicate to the University of Technology Sydney that it is willing to offer one senior internship to a suitable civil engineering student for the period January to June 2007.

Carried.

261/06 – Water Service Metering and Consumption Based Water Charges

RESOLUTION:-

It was resolved on the Motion of the Administrator that Council receive and note the program for the implementation of Water Service Metering and transition to Usage Based Water Charges in Walgett Shire.

Carried.

**262/06 – Expressions of Interest
Water and Sewerage Telemetry**

RESOLUTION:-

It was resolved on the Motion of the Administrator that Council invite tenders for the provision of telemetry services for Walgett Shire Council from Rad-Tel Systems, and Westech Industrial Controls, in accordance with a detailed Request for Tender document and the Local Government (General) Regulation 2005 (NSW).

Carried.

263/06 – National Convention – Australian Airports Association

RESOLUTION:-

It was resolved on the Motion of the Administrator that approval be given for Council's Manager Engineering, Alan Nelson, to attend the 25th Annual Convention of the Australian Airports Association, to be held in Cairns, Northern Queensland from Sunday October 15 to Thursday October 19 2006.

Carried.

**264/06 – Minutes of the Local Area Traffic Committee Meeting held Wednesday
16 August 2006 at 3.00 p.m. in the Walgett Shire Council Chambers.**

RESOLUTION:-

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

Carried.

The meeting closed at 10.45 a.m.

Confirmed by Council at its meeting on Tuesday 21 November 2006.

Administrator

General Manager