



**MINUTES FOR THE
ORDINARY COUNCIL
MEETING**

Tuesday 30th August 2022

Michael Urquhart
GENERAL MANAGER

**MINUTES OF THE ORDINARY MEETING OF THE WALGETT SHIRE COUNCIL HELD AT THE
WALGETT SHIRE CHAMBERS ON TUESDAY 30TH AUGUST 2022 AT 11:00AM**

OPEN FORUM**Public Presentations:**

Nil

The Mayor declared the meeting open at 12:20PM

PRESENT

Mayor Jane Keir
Deputy Mayor Greg Rummery
Clr Alf Seaton
Clr Colin Hundy
Clr Daniel Walford
Clr Jasen Ramien
Clr Michael Cooke
Clr Sue Currey
Michael Urquhart (General Manager)
George McCormick (Manager Community Services)
Ramesh Selliah (Acting Director Engineering/Technical Services)
Kimley Talbert (Director Environmental Services)
Belinda Petersons (Minute Secretary)

Leave of Absence:

Clr Ian Woodcock

Declaration of Pecuniary/Non-Pecuniary Interests

Councillor	Item No.	Report title/ Subject matter	Pecuniary/Non-Pecuniary	Reason
Mayor Keir	9.3.1	Monthly Maintenance Grading Report – as at 31 July 2022	Pecuniary	Family Business interest
Clr Ramien	9.1.5	Reconnecting Regional NSW – Community Events Program	Non-Pecuniary	President of Collarenebri Fishing Club
Clr Ramien	9.3.1	Monthly Maintenance Grading Report – as at 31 July 2022	Pecuniary	Family Business interest
Clr Ramien	9.4.2	Development Application No. DA2022/43	Pecuniary	Family Business interest
Clr Rummery	9.4.2	Development Application No. DA2022/43	Non-Pecuniary	Provision of agronomy services to applicant

10/2022/1 Leave of Absence**Resolved:**

That the leave of absence received from Clr Woodcock is accepted and leave of absence granted.

Moved: Clr Ramien

Seconded: Clr Currey

CARRIED

10/2022/2 Minutes of Ordinary Council Meeting – 26 July 2022**Resolved:**

That the minutes of the Ordinary Council meeting held 26 July 2022, having been circulated, be taken as read and confirmed as a true and accurate record of the proceedings on the meeting.

Moved: Clr Seaton
Seconded: Clr Currey
CARRIED

10/2022/3 Monthly Mayoral Report**Resolved:**

That the Mayoral report for August 2022 be received and noted.

Moved: Mayor Keir
Seconded: Clr Currey
CARRIED

10/2022/4 Council's Decision Action Report – July 2022**Resolved:**

That the Resolution Register as at July 2022 be received and noted.

Moved: Clr Cooke
Seconded: Clr Seaton
CARRIED

10/2022/5 Circulars Received From the NSW Office of Local Government**Resolved:**

That the information contained in the following Department circular 22-22, from the Local Government Division Department of Premier and Cabinet be received and noted.

Moved: Clr Walford
Seconded: Clr Ramien
CARRIED

10/2022/6 Important Dates for Councillors – Upcoming Meetings & Events**Resolved:**

That Council receive and note the list of upcoming meetings and events.

Moved: Clr Rummery
Seconded: Clr Currey
CARRIED

Note: Additional dates were provided by the Mayor to be added to the table and re-circulated to all Councillors

10/2022/7 Council Policy and Procedure Review

Resolved:

That:

1. The General Managers report be received;
2. Council adopts the revised policies and procedures as presented:
 - i) Advertising Vacant Positions
 - ii) Professional Institute Memberships & Accreditation

Moved: Cllr Cooke

Seconded: Cllr Seaton

CARRIED

10/2022/8 Reconnecting Regional NSW – Community Events Program

Resolved:

That Council allocate the recommended funding to the abovementioned events.

Moved: Cllr Hundy

Seconded: Cllr Walford

CARRIED

Note: The name of Event 5 should be amended to 'Colly Cod Festival'.

10/2022/9 Stronger Country Communities Fund Round 5

Resolved:

That applications be made for the abovementioned projects in order of the amended ranking 1 to 7 (Table 1.0) be submitted to the Stronger Country Communities Fund Round 5 program.

Moved: Cllr Rummery

Seconded: Cllr Cooke

CARRIED

Note: Amended Ranking is as follows -

1. Collarenebri Sportsground fence
2. Skate Park in Gray Park, Walgett
3. Footpath Cycle ways & K&G Onyx St, Lightning Ridge
4. Collarenebri K&G Wilson Street (main street) beautification (200)
5. Lightning Ridge Footpath Cycle Way, Pandora Street continuation (155)
6. Lighting Ovals 2 and 3, Walgett
7. Walgett Footpath Cycle way, Dewhurst Street & K&G (Stage 1) (160)

10/2022/10 Monthly Outstanding Rates Report as at 31 July 2022**Resolved:**

The 31 July 2022 outstanding rates report be received and noted.

Moved: Clr Ramien
Seconded: Clr Hundy
CARRIED

10/2022/11 Cash and Investments as at 31 July 2022**Resolved:**

That the Investment report be received and noted.

Moved: Clr Rummery
Seconded: Clr Currey
CARRIED

10/2022/12 Public Interest Disclosure – Annual Report 2021/2022**Resolved:**

1. That the Chief Financial Officer's report be received; and
2. That Council adopt the 2021/2022 Public Interest Disclosures Annual Report.

Moved: Clr Cooke
Seconded: Clr Rummery
CARRIED

10/2022/13 Annual Financial Statements 2021/2022**Resolved:**

That:

1. The Draft Annual Financial Reports for 2021/2022 be referred to Council's Auditor;
2. The Mayor, Deputy Mayor, General Manager and Chief Financial Officer be authorised to sign the necessary Financial Statements;
3. On receipt of the Audit Report, a copy be forwarded to the Office of Local Government and any other relevant statutory body;
4. Council delegate to the General Manager the authority to set the date at which the Auditor's report and the Financial Statements be presented to the public; and
5. The Financial Statements be reviewed / adopted by Council formally when completed, subject to Section 418 of the Local Government Act 1993 and its requirements.

Moved: Clr Walford
Seconded: Clr Currey
CARRIED

10/2022/14 Revised Investment Policy**Recommendation:**

1. That the report be received; and
2. Council adopts the revised Investment policy as presented.

Moved: Clr Ramien
Seconded: Clr Seaton
CARRIED

10/2022/15 Community Development Report – April to August 2022**Recommendation:**

That the report for Community Development: April 2022 – August 2022 be received.

Moved: Clr Walford
Seconded: Clr Ramien
CARRIED

Note: George McCormick, Manager Community Development, will provide Belinda Petersons with list, each month, of upcoming Community Service events which is to be circulated to all Councillors.

At 1:02pm Mayor Keir and Clr Ramien declared a pecuniary interest and exited the Chamber. Deputy Mayor Rummery then presided over the meeting.

10/2022/16 Monthly Maintenance Grading Report – July 2022**Resolved:**

That Council receive and note the monthly maintenance grading works report for July 2022.

Moved: Clr Seaton
Seconded: Clr Currey
CARRIED

At 1:04pm Mayor Keir and Clr Ramien returned to the Chamber. Mayor Keir resumed the chair.

10/2022/17 Service Progress Report as at 31 July 2022**Resolved:**

That Council receive and note the Engineering Services monthly works progress report for July 2022.

Moved: Clr Cooke
Seconded: Clr Seaton
CARRIED

10/2022/18 Monthly Major Project Report - July 2022**Resolved:**

That Council receive and note the Monthly Major Projects Report for July 2022.

Moved: Clr Currey
Seconded: Clr Walford
CARRIED

10/2022/19 Applications for Fixing Local Roads Program - Round 4**Resolved:**

That Council note and authorise the funding applications for the **Fixing Local Roads Program – Round 4** for the top three roads on priority basis from the following projects:

<u>Road Name</u>	<u>Priority</u>
Cryon Road (SR5)	1
Mercadool Road (SR16)	2
Goangra Road (SR116)	3
Wanourie Creek Road (SR38)	4
Teranyan Road (SR33)	5

Moved: Clr Ramien
Seconded: Clr Hundy
CARRIED

20/2022/20 Development Approvals July 2022**Resolved:**

That Council receive and note the Development Approvals Report for July 2022.

Moved: Clr Seaton
Seconded: Clr Rummery
CARRIED

At 1:29pm Clr Ramien declared a pecuniary interest and Deputy Mayor Rummery declared and non-pecuniary interest. Both Councillors exited the Chamber at this time.

10/2022/21 Development Application No. DA2022/43**LOST:**

Council as a whole to approve Development Application No. DA-2022/43 being for the Extension and Operation of an existing quarry providing road base material, on Lot 3189 DP765394, (Komalah) Millencowbah Road Lightning Ridge, along with the normal conditions placed on such a development.

Note: The motion failed to be moved and seconded.

At 1:39pm Cllr Ramien and Deputy Mayor Rummery returned to the Chamber.

10/2022/22 Notice of Motion – Councillor Hundy

LOST:

That Council invite Expressions of Interest, from suitably qualified and professional consultants, to undertake and report on an audit of Council's policies, procedures and finances and that:

1. Councillors appoint a representation of two (2) Councillors to manage the recruitment, appointment and reporting of such consultancy; and
2. Funding for this project be obtained from Council's contingency fund or make provision for required funding.

*Note: The motion was **Moved** by Cllr Hundy, however failed to be **Seconded**.*

Councillor Hundy also requested that his objection be recorded on the following matters:

- a) that this motion was rigorously discussed in the pre-meeting briefing discussions; and*
- b) that this motion was discussed in front of Council staff, which attended the briefing discussions, who are not Councillors*

The objections were noted and responded to by Mayor Jane Keir.

The General Manager read out the Questions on Notice, received from Councillor Hundy dated 17 August 2022, and responded to each of them.

It was agreed/understood that:

Q1. Making provision for the ability to allow a Walgett Shire ratepayer the provision to discuss any item listed on the agenda?

A1. That there is currently a provision in the Code of Meeting Practice for Walgett Shire residents to address Council on any item listed in the Agenda. There will be further provisions made in the revised Code of Meeting Practice, which will come to Council for ratification, for residents to address Council on items which are not on the meeting Agenda.

Q2. Making provision for a compost toilet on the Walgett to Brewarrina Road?

A2. The provision of a compost toilet on the Kamilaroi Highway (Walgett to Brewarrina Road) would fall under the responsibility of the Local Traffic Committee and will be discussed at their next meeting.

Q3. Discussion on lifting the ground height or run off where horses are located at the Pony Club?

A3. Council has no jurisdiction over the land where the Lightning Ridge Pony Club horses are kept and any animal health concerns would be a matter for the RSPCA.

Q4.Replacement of wood chips at play park in Opal Street?

A4.Council will look at the replacement of the wood bark chip, with sofffall rubber surfacing, in Opal Street Park, Lightning Ridge.

Q5.Financial relief support regarding usage of access to the cooking facilities of the Multi Centre by the Rugby League?

A5. Council staff will be directed to look at an annual fee for organisations, such as local sporting clubs, who require regular access to the kitchen facilities at the Lightning Ridge Multi Purpose Centre and report back to Council. The fee will then be advertised for 28 days and a report tabled for Council consideration.

10/2022/23 Move into Closed Session

Time: 2:05pm

That the public be excluded from the meeting pursuant to Sections 10A 92) (a) (c) & (d) of the Local Government Act 1993 on the basis that the items deal with:

- (a) Personnel matters concerning particular individuals (other than Councillors)
- (c) That information that would, if disclosed confer a commercial advantage on a person with whom the Council is conducting business (or proposed to conduct business)
- (d) That the matter and information is commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

Moved: Cllr Cooke
Seconded: Cllr Walford
CARRIED

10/2022/24 Long-Term Strategy for Lots 1 to 75 DP838673

Resolved:

That Council:

1. call for Expressions of Interest for the grazing rights to Lots 1 to 75 DP 838673 for an initial two (2) year period; and
2. develop a proposal for the staged development of the subdivision to be fully costed to include all services power, water, effluent, sealed internal roads and high speed NBN.

Moved: Cllr Hundy
Seconded: Cllr Seaton
CARRIED

10/2022/25 Section 713 Sale of Land for Unpaid Rates**Resolved:**

That the properties listed in Attachment 1 be approved for sale under Section 713 of the Local Government Act 1993

Moved: Cllr Rummery
Seconded: Cllr Cooke
CARRIED

Late Report "Matter of Urgency"

10/2022/26 Fixing Local Roads Program – Lorne Road Reconstruction and Sealing of 5.79kms**Resolved:**

That Council:

1. Decline to accept the variation proposal submitted by McMahon Services Australia Pty Ltd;
2. Enter into a deed of mutual termination with McMahon Services Australia Pty Ltd to bring responsibilities and obligations of both parties, under the contract, to an end;
3. Immediately commence reconstruction and sealing of 5.79kms of Lorne Road, Lightning Ridge, using Council day labour and local sub-contractors;
4. Immediately commence formal discussion with TfNSW regarding possible cost overrun of all TfNSW projects due to price escalations in fuel, road construction materials and sub-contractor rates.

Moved: Cllr Cooke
Seconded: Cllr Ramien
CARRIED

10/2022/27 Return to open session**Time: 2:18pm****Resolved:**

That Council return to open session.

Moved: Cllr Ramien
Seconded: Cllr Rummery
CARRIED

10/2022/28 Adoption of closed session reports

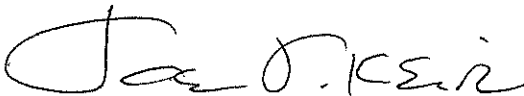
Resolved:

That Council adopt the recommendations of the Closed Committee Reports


Moved: Cllr Cooke
Seconded: Cllr Walford
CARRIED

Close of Meeting - The meeting closed at 2:20pm

To be confirmed at the next meeting of Council.



Mayor



General Manager