



MINUTES FOR ORDINARY COUNCIL MEETING

27th September 2016

ADOPTED: 25th October 2016

Don Ramsland
GENERAL MANAGER

MINUTES OF THE ORDINARY MEETING OF THE WALGETT SHIRE COUNCIL HELD AT THE WALGETT COUNCIL CHAMBERS ON TUESDAY 27 SEPTEMBER 2016 AT 10:10 AM

Record of affirmation or oath:

Kelly Smith oath at 10:00am 27 Sep 2016
Michael Taylor oath at 10:02am 27 Sep 2016
Lawrence Walford oath at 10:04am 27 Sep 2016
Manuel Martinez oath at 10:05am 27 Sep 2016
Bill Murray oath at 10:06am 27 Sep 2016
Robert Turnbull oath at 10:07am 27 Sep 2016
Tanya Cameron oath at 10:08am 27 Sep 2016
Jane Keir oath at 10:10am 27 Sep 2016
Ian Woodcock oath at 10:10am 27 Sep 2016

PRESENT

Clr Ian Woodcock (Mayor)
Clr M Martinez (Deputy Mayor)
Clr L Walford
Clr G Murray
Clr J Keir
Clr K Smith
Clr R Turnbull
Clr T Cameron
Clr M Taylor
Don Ramsland (General Manager)
Prafulla KC (Acting Deputy Director Engineering/Technical Services)
Bronte Kerr (Minute Secretary)

Election of Mayor/Deputy Mayor

The General Manager then assumed the Chair as Returning Officer to conduct the Mayoral Elections.

10/2016/1 Election of Mayor and Deputy Mayor

Resolved:

That Council adopt the ordinary ballot method for the election of the Mayor and Deputy Mayor.

Moved: Clr Murray

Seconded: Clr Keir

CARRIED

Election of Mayor for Ensuring Two (2) Years

There being two nominations for the position of Mayor, those of Clr G Murray and Clr I Woodcock, the Returning Officer then conducted an election for the position by ordinary ballot. Following the counting of votes the Returning Officer declared the number of votes for Clr I Woodcock (5) and Clr B Murray (4). Ian Woodcock was declared Mayor for the ensuring term.

Election of Deputy Mayor for Ensuring Two (2) Years

There being two nominations for the position of Deputy Mayor, those of Clr J Keir and Clr M Martinez, the Returning Officer then conducted an election for the position by ordinary ballot. Following the counting of votes the Returning Officer declared the number of votes for Clr M Martinez (5) and Clr J Keir (4). Manuel Martinez was declared Deputy Mayor for the ensuing term.

10/2016/2 Destruction of Election Ballot Papers

Resolved:

That any ballot papers used in conjunction with the bi-annual elections now be destroyed.

Moved: Clr Walford

Seconded: Clr Taylor

CARRIED

Clr Woodcock then assumed the Chair for the remainder of the meeting.

Declaration of Pecuniary/Non Pecuniary Interests

Councillor	Item No.	Pecuniary/Non-Pecuniary	Reason
Keir	18.3.2	Pec	Business on the tender list
	18.2.1	Non-Pec	Affiliate of the Sporting Club Trust
	15.4.3	Pec	Related field of work (grading)– family business
Murray	18.2.1	Non-Pec	Affiliate of the Sporting Club Trust
Martinez	15.4.1	Pec	Plant on the job
	18.3.2	Pec	Business on the tender list
Turnbull	15.4.1.	Pec	Relationship to Clr Martinez
	18.3.2	Pec	Relationship to Clr Martinez

Confirmation of Minutes

9/2016/3 Minutes of Ordinary Council Meeting – 23rd August 2016

Resolved:

That the minutes of the Ordinary Council meeting held 23 August 2016, having been circulated be confirmed as a true and accurate record of that meeting.

Moved: Clr Murray

Seconded: Clr Walford

CARRIED

Motions of Which Notice has been Given – Nil

Reports of Committees/Delegates – Nil

Reports from Officers

10/2016/4 Council's Decision Action Report – September**Resolved:**

That the Resolution Register for September 2016 be received and noted.

Moved: Clr Martinez

Seconded: Clr Murray

CARRIED**10/2016/5 Weekly's received from the Local Government NSW****Resolved:**

That the information contained in the weekly circulars numbers 32-36 from the Local Government NSW be received and noted.

Moved: Clr Keir

Seconded: Clr Cameron

CARRIED**10/2016/6 Circulars Received from the NSW Office of Local Government****Resolved:**

That the information contained in the following Departmental circular 25-34 from the Local Government Division Department of Premier and Cabinet be received and noted.

Moved: Clr Taylor

Seconded: Clr Cameron

CARRIED**10/2016/7 Monthly Calendar September - November 2016****Resolved:**

That Council receive and note the regular monthly calendar for the period September - November 2016.

Moved: Clr Smith

Seconded: Clr Keir

CARRIED

10/2016/8 Results of Quadrennial Local Government Elections – Information and Training Session for Councillors

Resolved:

That the General Manager's report be received and noted and appropriate arrangements made for Councillors to attend the training session being offered in Gilgandra on the 9th November, 2016.

Moved: Clr Walford

Seconded: Clr Murray

CARRIED

10/2016/9 Delegates and Representatives to, and members of External bodies

Resolved:

That members, representatives and delegates be as outlined in the attached schedule 1.

Moved: Clr Walford

Seconded: Clr Cameron

CARRIED

10/2016/10 Ordinary Council Meetings – Time, Dates and Venues for 2017

Resolved:

That Council endorse the schedule of proposed time, dates and venues for the 2017 Ordinary Council Meetings.

Moved: Clr Walford

Seconded: Clr Smith

10/2016/11 Closedown of Administration over Festive Season

Resolved:

1. Council operations close for the three days Wednesday 28th to Friday 30th December 2016 inclusive and the General Manager make satisfactory arrangements for the maintenance of essential services and provision of emergency call out services.
2. The closedown be effectively notified to residents along with details of essential service and emergency call out arrangements.
3. Note the Outdoor Staff shutdown period from Friday 16 December, 2016 to Monday 16 January 2017.

Moved: Clr Keir

Seconded: Clr Murray

CARRIED

10/2016/12 Local Government NSW – Annual Conference – 16-18 October 2016**Resolved:**

That attendance of the Mayor and General Manager at the LGNSW Annual Conference in Wollongong between 16-18 October 2016 be confirmed and expenses paid.

Moved: Clr Murray

Seconded: Clr Taylor

CARRIED

10/2016/13 Payment of Expenses and Provision of Facilities for Councillors Policy**Resolved:**

1. That Council give notice of its intention to adopt the Draft Policy for the Payment of Expenses and Provision of Facilities to Councillors, in accordance with Section 252 of the Local Government Act.

2. And that the Revised Payment of Expenses and Provision of Facilities for Councillors Policy then be placed on public exhibition and public submissions invited for a period of 28 (twenty-eight) days.

Moved: Clr Taylor

Seconded: Clr Martinez

CARRIED

10/2016/14 Advertising – Public Consultation Sessions and Council Meeting**Resolved:**

That Council run an extensive publicity campaign in relation to the Far West Initiative – public consultation sessions and make arrangements for a meeting at 3:00pm on the 6th October 2016 for the General Manager and Councillors to discuss the direction and position of Council with regards to Local Government reform.

Moved: Clr Murray

Seconded: Clr Cameron

CARRIED

10/2016/15 Matters Generally for Brief Mention or Information Only From the General Manager**Resolved:**

That the matters listed by the General Manager for brief mention or information be received and noted.

Moved: Clr Keir

Seconded: Clr Cameron

CARRIED

*Clr Walford left the Meeting Room at 11:55am
Clr Walford returned to the Meeting Room at 12:05pm
Clr Smith left the Meeting Room at 12:09pm*

10/2016/16 Cash and Investment Report as at 30th June 2016

Resolved:

That the Investment report as at 31st August 2016 be received and noted.

Moved: Clr Keir
Seconded: Clr Taylor

CARRIED

Clr Smith returned to the Meeting Room at 12:10pm

10/2016/17 Collarenebri Mulga Mudlarks – Crown Reserve R82811

Resolved:

1. That a licence be issued to the Collarenebri Mulga Mudlarks Inc. for use of Lot 57 DP 752673 for use as a Mud Trials area.
2. That the rent fee be \$468.00 per annum + GST for a total of 3 years duration.
3. That the Mayor and General Manager be authorised to sign the licence.
4. That the Council seal be applied to the Licence Agreement (3 copies)

Moved: Clr Smith
Seconded: Clr Turnbull

CARRIED

10/2016/18 Monthly Outstanding Rates Report

Resolved:

Council note the outstanding rates arrears percentage and ongoing commitment to improve this key performance indicator.

Moved: Clr Smith
Seconded: Clr Keir

CARRIED

10/2016/19 Walgett Shire Council Community Safety Plan

Resolved:

That the Walgett Shire Crime Prevention & Community Safety Plan be formally adopted.

Moved: Clr Murray
Seconded: Clr Taylor

CARRIED

10/2016/20 Section 356 - Rebates Churches and Other Not For Profit Organisations

Resolved:

1. That a budget adjustment of \$2,823 increasing the budget from \$17,086 to \$19,909 be approved.
2. That the applications for a donation received from eligible not-for-profit organisations as per the attached list be approved and the rebates on annual service charges as detailed therein be granted and any interest raised because of the lateness of the report be written off.
3. Three properties be reviewed for eligibility:
 - 14 Shaw St Walgett – Trustee of Diocese Armidale
 - 47 Namoi St Walgett – Australian Indigenous Ministries
 - 35 Sutherland St Walgett – Australian Indigenous Ministries

Moved: Clr Martinez

Seconded: Clr Keir

**Against: Clr Taylor
CARRIED**

10/2016/21 Annual Financial Statements 2015/2016

Resolved:

1. The Draft Annual Financial Reports for 2015/2016 be referred to Council's Auditor.
2. The Mayor, Deputy Mayor, the General Manager and Chief Financial Officer be authorised to sign the necessary Financial Statements.
3. On receipt of the Audit Report, a copy shall 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, additionally be reviewed/adopted by Council formally as required, subject to Section 418 of the Local Government Act 1993 and its requirements.

Moved: Clr Walford

Seconded: Clr Turnbull

CARRIED

10/2016/22 Matters Generally for Brief Mention or Information Only – From Chief Financial Officer

Resolved:

That the Matters Generally for Brief Mention or Information Only from the Chief Financial Officer for:

1. Installation of Air conditioning Administration Centre.
2. Spider Brown Oval Facilities
3. Walgett Long Jump Pit
4. Lightning Ridge Bore Baths
5. Disabled Toilet at the Lightning Ridge Visitor Information Centre
6. Grant Application Come-By-Chance Toilet Facility
7. End of Year financial Statements

Moved: Clr Walford

Seconded: Clr Martinez

CARRIED

10/2016/23 Walgett CBD Business Contribution Application

Resolved:

1. That Council note the letter from the Keith Whiteman dated 22 August 2016 and quote from Matthew Wilson dated 16 August 2016.
2. That Council Reimburse \$5,000 to Keith Whiteman upon completion of proposed works and receipt of paid invoices for same if submitted to Council prior to 31 January 2017.

Moved: Clr Martinez

Seconded: Clr Taylor

CARRIED

10/2016/24 Walgett CCTV System Grant

Resolved:

1. Note the letter from Department of Justice to Walgett 2020 group dated 26 August 2016.
2. Project management and administration of the CCTV system and grant for a minimum of 15 years.

Moved: Clr Keir

Seconded: Clr Murray

CARRIED

10/2016/25 Container Deposit Scheme – New Legislation

Resolved:

1. That Council note the attached document.
2. That Council work in conjunction with NetWaste in regards to the Container Deposit Scheme.

Moved: Clr Martinez

Seconded: Clr Keir

10/2016/26 Matters Generally for Brief Mention or Information only from Director of Environmental Services

Resolved:

That Council receive and note the report by the Director of Environmental Services on matters for brief mention, or information only.

Moved: Clr Smith

Seconded: Clr Turnbull

CARRIED

Clr Turnbull and Clr Martinez left the Meeting Room at 12:48pm

10/2016/27 Monthly Progress Report from Acting Director Engineering Technical Services

Resolved:

That Council receive and note the Engineering Services monthly works progress report for August 2016.

Moved: Clr Smith
Seconded: Clr Murray

CARRIED

Clr Turnbull and Clr Martinez returned to the Meeting Room at 12:52pm

10/2016/28 Monthly RMCC works Report from Acting Director Engineering/Technical Services

Resolved:

That Council receive and note the monthly RMCC works report for August 2016.

Moved: Clr Taylor
Seconded: Clr Cameron

CARRIED

Clr Keir left the Meeting Room at 1:01pm

10/2016/29 Monthly Maintenance Grading Report from Director Technical/Engineering Services

Resolved:

That Council receive and note the monthly maintenance grading works report for August 2016.

Moved: Clr Smith
Seconded: Clr Turnbull

CARRIED

The correspondence received by Council from Joanne Hackett on 25 September, 2016 in relation to Stoney's Road in Lightning Ridge was presented to Councillors and discussions took place.

The meeting adjourned for lunch at 1:24pm

The meeting resumed at 2:03 with all those previously present again present including Clr Keir.

QUESTIONS FOR THE MEETING

Clr Smith

Q1. Drainage of streets in Collarenebri and Rowena. **Response:** The Acting Director Engineering/Technical Services to investigate and take action accordingly.

Q2. No L/Ridge sign or kms on Gwydir Hwy cnr of Herbert & Wilson St.

Response: The Acting Director Engineering/Technical Services to investigate and take action accordingly.

Q3. Merrywinebone Road (RR329) in state of disrepair (Dangerous).

Response: The Acting Director Engineering/Technical Services to investigate and take action accordingly.

Q4. Explanation/removal of cricket pitch Collarenebri oval ? replacement.

Response: The Chief Financial Officer to investigate and report accordingly.

Q5: Remove young trees in table drains on road (RR329).

Response: The Acting Director Engineering/Technical Services to investigate and take action accordingly.

Clr Taylor

Q1. Road improvements between tourist icons within the Shire. This road improvement would enhance the travel of essential service vehicles e.g. Police, Fire, Ambulance, tourists and folk who live along this road network. Council should be able to undertake this task by going for a grant and council should go for this grant as a matter of urgency or by levy of \$10 per lease.

Response: The Acting Director Engineering/Technical Services to investigate and report accordingly.

Q2. Can Council support funding for road improvements from the end of the bitumen to where the school buses are housed? This move would make the school kids trip a bit better.

Response: The Acting Director Engineering/Technical Services to investigate and report accordingly.

Q3. Is there a hold up with the start-up date of the Grawin Bore. If not when will drilling start.

Response: The General Manager advised that the drilling will start within the next few weeks and is expected to be completed end of November 2016.

Q4. Is WSC pushing ahead with the street sweeper. If so when does the Shire take delivery of its new machine.

Response: The General Manager advised that Council is in the process of preparing tender documents.

Q5. We need in LR school zone a designated school child drop off point. Parents are being hit hard with penalties by over-zealous police issuing \$380 fines to parents. We need our traffic committee to take an urgent look at this problem.

Response: The Acting Director Engineering/Technical Services to list the matter on the Traffic Committee agenda.

Clr Walford – Nil

Clr Martinez

Q1. Can Council ensure the authorities have approved the closed wet road signs and can assist with enforcement?

Response: The Acting Director Engineering/Technical Services to investigate and action accordingly.

Q2. Contractor list reviewed twice yearly. Requested that the process for Expression of Interest for Contractors be reviewed and General Manager matter reviewed in conjunction.

Q3. Can Council arrange a cost estimate for the maintenance of roads in the opal fields based on two grades a year for each road?

Response: The Acting Director Engineering/Technical Services to investigate and report accordingly.

Q4. Can Council fund the supply of notice boards throughout the Shire?

Response: The Chief Financial Officer to investigate and action accordingly.

Clr Murray

Q1. Council letter to SES. David Monk or higher.

That a letter be sent to the SES (high up the food chain) i.e. potential flood in this area and the possible use of helicopters for stock retrieval and or stock inspection. In the 2012 flood farms wanted to use the SES chopper for stock inspection, but needed to have a 2 day induction course to ride in the helicopter. These famers had to use the pilots to check their stock, and through no experience looked at the wrong stock and wrong paddocks. Also need to embed a local to direct the choppers delivering supplies to the properties.

Response: The General Manager will draft an appropriate letter to Macquarie SES

Clr Turnbull

Q1. Can someone check/fix road near property 'Jomara' on Boorah Road

Response: The Acting Director Engineering/Technical Services to investigate and take action accordingly.

Q2: Fix access into wheat paddock on property 'Bando' on the Collarenebri-Angledool Road where road works have been carried out working on gravel.

Response: The Acting Director Engineering/Technical Services to investigate and take action accordingly.

Q3: Dirt roads north of Lightning Ridge need serious attention before harvest as farmers will not be able to access with trucks to transport their commodities.

Response: The Acting Director Engineering/Technical Services to investigate and take action accordingly.

Clr Cameron

Q1: When will work be done to repair sections of RR329 where dangerous conditions will prove extremely hazardous during the upcoming harvest season?

Response: The Acting Director Engineering/Technical Services to investigate and take action accordingly.

Q2.KC - add flooding issues @ Rowena tip to waste problems of the village

Response: The Acting Director Engineering/Technical Services to investigate and take action accordingly.

Q3: Can Council follow up with the NSW Ambulance Service regarding the possibility of the provision of aero medical response or retrieval (helicopter) services during times when black soil roads are closed or impassable during wet weather?

Response: The General Manager to investigate and report accordingly.

Clr Keir

Q1. Can Council provide an update on the SR7716 with regards to funding?

Response: The General Manager advised that in this year's budget Council has allocated funds (approx. 1million) for 4kms of sealing and Council will be engaging a consult to carry out a feasibility study prior to submitting an application for funding under round 3 – Fixing Country Roads.

Clr Woodcock

Q1. That the use of microphones at meetings be re-introduced if they are still operational.

Q2. Gave intention to lodge a notice of motion for council meetings to be recorded.

**10/2016/30 Matters Generally For Brief Mention or Information Only –
Engineering/Technical Services**

Resolved:

That the matters listed for brief mention or information is received, noted and endorsed in regards to Walgett drought emergency works, Walgett weir raising and fish conservation and Road and Bridge Projects.

Moved: **Clr Smith**
Seconded: **Clr Walford**

CARRIED

10/2016/31 Move into Closed Session at 2:40pm

Resolved:

That the public be excluded from the meeting pursuant to Sections 10A (2)(c) & (d) of the Local Government Act 1993 on the basis that the items deal with:

- (a) 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)
- (b) 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: **Clr Keir**
Seconded: **Clr Murray**

CARRIED

10/2016/32 External Investigation Report – Pendlebury Workplace Law

Resolved:

That copies of external investigation report prepared by Pendlebury Workplace Law be distributed to Councillors and the General Manager and arrangements made for discussions at a special/next council meeting.

Moved: **Clr Turnbull**
Seconded: **Clr Murray**

CARRIED

Clr Keir and Clr Murray left to the Meeting Room at 2:41pm

10/2016/33 Walgett District Sporting Club (WDSC)

Resolved:

That Council seek legal advice on the matter.

Moved: Clr Smith
Seconded: Clr Walford

CARRIED

Clr Keir and Clr Murray returned to the Meeting Room at 3:02pm

10/2016/34 Illegal Dwelling Lightning Ridge Golf Course

Resolved:

That Council receive and note the report.

Moved: Clr Cameron
Seconded: Clr Martinez

CARRIED

10/2016/35 Restart NSW Funding for the Reconstruction and Sealing of the Gundabloui Road between Collarenebri and Mungindi – 6km segment

Resolved:

1. Council accept the Restart NSW funding offer for the Reconstruction and Sealing of the Gundabloui Road between Collarenebri and Mungindi – 6km segment
2. Council execute the Restart NSW funding deed and affix the Common Seal of Council.

Moved: Clr Smith
Seconded: Clr Taylor

CARRIED

Clr Keir and Clr Martinez left to the Meeting Room at 3:19pm

10/2016/36 Plant Hire - Opportunity for a Further Tender

Resolved:

That Council accept the late tender from the following Contractor for RFQ 16/010 Hired Plant and Minor Works on a Casual Basis for the period 27 September 2016 to 30 June 2017.

1. Hunter's Agricultural Services Pty Ltd

Moved: Clr Murray
Seconded: Clr Walford

CARRIED

Clr Keir and Clr Martinez returned to the Meeting Room at 3:21pm

10/2016/37 Return to Open Session at 3:21 pm

Resolved:

That Council return to open session.

Moved: Clr Murray
Seconded: Clr Walford

CARRIED

10/2016/38 Adoption of Closed Session Reports

Resolved:

That Council adopt the recommendations of the Closed Committee Reports.

- External Investigation Report – Pendlebury Workplace Law
- Walgett District Sporting Club (WDSC)
- Illegal Dwelling Lightning Ridge Golf Course
- Restart NSW Funding for the Reconstruction and Sealing of the Gundabloui Road between Collarenebri and Mungindi – 6km segment
- Plant Hire - Opportunity for a Further Tender

Moved: Clr Smith
Seconded: Clr Martinez

CARRIED

10/2016/39 Letter from Col Hundy

Resolved:

That Council receive and note the letter from Col Hundy.

Moved: Clr Walford
Seconded: Clr Turnbull

CARRIED

Close of Meeting

The meeting closed at 3:35pm

To be confirmed at the meeting of Council to be held on 25th October 2016.

Mayor

General Manager

Schedule 1 - Delegates and Representatives to, and members of External Bodies

COMMITTEE	OFFICER	COUNCILLOR
Australian Airports Association	Director Engineering/Technical Services	Not required
Bushfire Management Committee	Director Engineering/Technical Services	Clr Murray
Castlereagh Macquarie County Council 4 year Term	General Manager	Clr Woodcock Clr Martinez
Collarenebri Community Working party	General Manager	Mayor
Community Safety Precinct Committee	General Manager	Mayor and Deputy Mayor
Lightning Ridge & Surrounding Opal Fields Management Crown Reserve 1024168 Trust	Director Environmental Services	Mayor Deputy Mayor
Kamilaroi Highway Group	Tourism Development Officer & General Manager	Not Required
Lightning Ridge Advisory Board		Clr Walford Alternate Clr Taylor
Lightning Ridge Community Working Party	General Manager	Clr Walford
Local Emergency Management Committee	General Manager as LEMO and Chief Financial Officer	Mayor
Local Traffic Committee	Director Engineering/Technical Services and General Manager	Clr Smith Alternative Clr Martinez
Netwaste	Director Environmental Services	Not Required
Big Sky Libraries	Director Chief Financial Officer	Clr Keir Clr Smith
Regional Development Australia - Orana	General Manager	Clr Cameron
Orana Regional Organisations of Council – GMAC	General Manager	Not Required
Orana Regional Organisations of Council (OROC)	General Manager	Mayor and Deputy Mayor
Outback Arts Incorporated	Director Chief Financial Officer	Clr Taylor Alternative Clr Keir
Plant Committee	Director Engineering/Technical Services and General Manager	Clr Turnbull Clr Woodcock Clr Murray Clr Taylor
Regional Procurement Initiative	Director Engineering/Technical Services	Not Required
Rural Bush Fire Management Group	Director Engineering/Technical Services	Clr Murray
Saleyards Advisory Committee	Director Engineering/Technical Services	Clr Murray
Western Division of the Shire's Association	General Manager	Mayor & Deputy Mayor
Walgett Community Working Party	Manager Community Services and General Manager	Mayor
Water Utilities Group	Director Engineering/Technical Services	Not required
Internal Audit and Risk Management	General Manager	Not required
Walgett HACC	General Manager	Clr Keir
Outback Shires Alliance	General Manager	Mayor & Deputy Mayor
Local Government NSW	General Manager	Mayor & Deputy Mayor
Far West Imitative Advisory Committee	General Manager as advisor	Mayor Alternative Deputy Mayor
Hudson Pear Taskforce	General Manager	Clr Woodcock Clr Taylor
Far West Academy of Sport	General Manager	Mayor
Western Division Councils of NSW	General Manager	Mayor