



# **MINUTES FOR ORDINARY COUNCIL MEETING**

**26 March 2019**

Greg Ingham  
**GENERAL MANAGER**

<b>MINUTES OF THE ORDINARY MEETING OF THE WALGETT SHIRE COUNCIL HELD AT ROWENA HALL ON TUESDAY 26 MARCH 2019 AT 10:05AM</b>
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**PRESENT**

Clr Manuel Martinez (Mayor)  
 Clr Ian Woodcock (Deputy Mayor)  
 Clr Jane Keir  
 Clr Bill Murray  
 Clr Lawrence Walford  
 Clr Kelly Smith  
 Greg Ingham (General Manager)  
 Michael Urquhart (Chief Financial Officer)  
 Jessica McDonald (Director Environmental Services)  
 Raju Ranjit (Director Engineering/Technical Services)  
 Rebecca Wilson (Minute Secretary)

**Leave of Absence**

Clr Michael Taylor  
 Clr Tanya Cameron  
 Clr Robert Turnbull

**Declaration of Pecuniary/Non-Pecuniary Interests**

Councillor	Item No.	Pecuniary/Non-Pecuniary	Reason
Clr Martinez	11.4.2	Pecuniary	Business Related
	11.3.6	Pecuniary	Family Property
	13.5	Pecuniary	Business Related
	13.36	Pecuniary	Business Related

**Public Presentations:**

- *Mr Adrian Newton – Mr Newton spoke to the partition received by Council on 25 February 2019 in relation to the private maintenance and ownership of Tungra Road.*
- *Mr Michael Schiller – RAM Aviation – presented proposal on Commercial Flight Charter from Gold Coast LD to Lightning Ridge NSW.*

<b>2/2019/1 Minutes of Ordinary Council Meeting – 19 February 2019</b>
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**Resolved:**

That the minutes of the Ordinary Council meeting held 19 February 2019, having been circulated be confirmed as a true and accurate record of that meeting.

**Moved: Clr Murray**  
**Seconded: Clr Woodcock**  
**CARRIED**

11:04am – Clr Smith left the meeting

11:12am – Clr Smith returned to the meeting

**2/2019/2 Mayoral Report****Resolved:**

That Council receive and note the Mayoral report.

**Moved:** Clr Walford  
**Seconded:** Clr Woodcock  
**CARRIED**

**NOTICE OF MOTION – Tungra Road – Clr Bill Murray**

*Notice of Motion was deferred to April meeting when report from Director Engineering/Technical Services on Tungra Road will be submitted for Council's consideration.*

*11:15am – Clr Smith left the meeting*

*11:19am – Clr Walford left the meeting*

*11:21am – Clr Smith returned to the meeting*

**2/2019/3 Council's Decision Action Report****Resolved:**

That the Resolution Register as at March 2019 be received and noted.

**Moved:** Clr Keir  
**Seconded:** Clr Woodcock  
**CARRIED**

**2/2019/4 Circulars Received from the NSW Office of Local Government****Resolved:**

That the information contained in the following Departmental circulars published 8/2/19 & 14/3/19 from the Local Government Division Department of Premier and Cabinet be received and noted.

**Moved:** Clr Keir  
**Seconded:** Clr Woodcock  
**CARRIED**

*11:29am – Clr Walford returned to the meeting*

**2/2019/5 Important Dates for Councillors - Upcoming Meetings and Events****Resolved:**

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

**Moved:** Clr Keir  
**Seconded:** Clr Woodcock

<b>CARRIED</b>
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<b>2/2019/6 Adoption of Model Code of Meeting Practice for Local Councils in NSW</b>
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**Resolved:**

That Council receive and adopts the *Model Code of Meeting Practice for Local Councils in NSW*.

**Moved: Clr Walford****Seconded: Clr Murray****CARRIED**

<b>2/2019/7 Adoption of Model Code of Conduct for Local Councils in NSW</b>
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**Resolved:**

That Council receive and adopts the *Model Code of Conduct for Local Councils in NSW*.

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

<b>2/2019/8 General Manager Activities/Meeting Dec 2018 – March 2019</b>
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**Resolved:**

That the General Manager Activity report for December 2018 – March 2019 be received.

**Moved: Clr Keir****Seconded: Clr Woodcock****CARRIED**

<b>2/2019/9 Tourism Development Report – March 2019</b>
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**Recommendation:**

That Council receive and note the Tourism Development Report for March 2019.

**Moved: Clr Murray****Seconded: Clr Walford****CARRIED**

**2/2019/10 Cash and Investment Report as at 28 February 2019**

**Resolved:**

That the Investment report as at 28 February 2019 be received and noted.

**Moved: Clr Smith**  
**Seconded: Clr Keir**  
**CARRIED**

**2/2019/11 Monthly Outstanding Rates Report**

**Resolved:**

That the outstanding rates report be received and noted.

**Moved: Clr Murray**  
**Seconded: Clr Woodcock**  
**CARRIED**

**2/2019/12 Request for Community Assistance – International Opal Jewellery Design Awards Association Inc.**

**Resolved:**

That Council approve a contribution of \$3,500 to the International Opal Jewellery Design Awards Association Inc. as advertised in the 18/19 Operational Plan.

**Moved: Clr Keir**  
**Seconded: Clr Smith**  
**CARRIED**

**2/2019/13 Appoint of a Native Title Manager**

**Resolved:**

That Council appoint;  
(a) Kevin Andrew Dunshea as the “primary” native title manager  
(b) Michael John Urquhart as the “alternate” native title manager

**Moved: Clr Keir**  
**Seconded: Clr Smith**  
**CARRIED**

### 2/2019/14 Community Assistance Scheme Donations - Round 2 2018/2019 Applications

#### Resolved:

That the following applications be granted financial assistance under Section 356 of the Local Government Act 1993 for the second round of 2018/2019;

Organisation	Project	Financial Ranking	Original Request \$	Recommended Amount \$
Lightning Ridge Pony Club	Pony club building improvements, completion of roof over bar area.	3	\$5,000.00	\$2,500.00
Lightning Ridge Community Radio	Payment of power account <b>Note; Organisation has regularly received allocation between \$200 and \$1,100 since 12/13.</b>	1	\$1,467.00	\$1,467.00
Walgett Amateur Swimming Club	Assistance for Swim Club members to finance coaching for the children.	2	\$3,000.00	\$2,000.00
Carinda & District Race Club	Hire of toilets for Carinda race day	7	\$3,000.00	\$2,500.00
Let's Dance Carinda Tribute	Hire of toilets for the Lets Dance Carinda event October 19. <b>Note: Organisation received \$2,200 in first round 18/19, balance of maximum grant.</b>	1	\$3,000.00	\$800.00
Collarenebri Water sports Club	<ol style="list-style-type: none"> <li>1. Purchase of fingerlings \$3,000.</li> <li>2. Carp Muster event</li> <li>3. Three (3) day Cod Classic event</li> </ol>	1	\$3,000.00 \$1,000.00 \$1,000.00	\$0.00 \$1,000.00 \$1,000.00

#### Motion:

That Council increases the 2018/19 budget allocation from \$10,000 to \$20,000

**Moved:** Cllr Keir  
**Seconded:** Cllr Murray  
**CARRIED**

### 2/2019/15 Matters Generally for Brief Mention or Information Only – From CFO

#### Resolved:

That the Matters Generally for Brief Mention or Information Only from the Chief Financial Officer in the following areas; Property Matters, Finance & Administration and Community Services be received and noted.

**Moved:** Cllr Murray  
**Seconded:** Cllr Woodcock

<b>CARRIED</b>
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<b>2/2019/16 Monthly RMCC Works – March 2019</b>
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**Resolved:**

That Council receive and note the monthly RMCC works report for March 2019.

**Moved: Clr Woodcock****Seconded: Clr Walford****CARRIED**

<b>2/2019/17 Monthly Maintenance Grading Report – March 2019</b>
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**Resolved:**

That Council receive and note the monthly maintenance grading works report for March 2019.

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

*12:14pm – Clr Walford left the meeting*

*12:18pm – Clr Walford returned to the meeting*

*12:19pm – Clr Walford left the meeting*

<b>2/2019/18 Monthly Service Progress Report – March 2019</b>
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**Resolved:**

That Council receive and note the Engineering Services monthly works progress report for March 2019.

**Moved: Clr Murray****Seconded: Clr Smith****CARRIED**

<b>2/2019/19 Mercadool Road</b>
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**Resolved:**

That Council resolves to authorise to seal 2.5km starts from 6km from Castlereagh Highway on intersection of the Mercadool Road.

**Moved: Clr Woodcock****Seconded: Clr Murray****CARRIED**

*12:24pm – Clr Walford returned to the meeting*

*12:30pm – Clr Martinez declared a pecuniary interest and left the meeting*

### 2/2019/20 Lightning Ridge Road Feasibility Study Report

**Resolved:**

That Council note and adopt Option 2 (following the existing Burranbaa Road (SR55) from Sherman's Way to Angledool Road (SR 102). Follow the Angledool Road (SR 102) the Ridge Road (RR 426) to Collarenebri).

**Moved:** Clr Smith

**Seconded:** Clr Kier

**CARRIED**

*12:37pm – Clr Martinez returned to the meeting*

### 2/2019/21 Building Future Communities Project

**Resolved:**

That Council note the Building Future Communities Project brief and the intended dates for the workshops.

**Moved:** Clr Keir

**Seconded:** Clr Smith

**CARRIED**

*The meeting adjourned for lunch at 12.47pm*

*The meeting resumed at 1.17pm*

*1:17pm – Clr Martinez declared a pecuniary interest and left the meeting*

### 2/2019/22 Walgett Shire Council Gateway Determination Proposed Rezoning for Large Lot Residential Purposes

**Resolved:**

That the Council resolve to not proceed with this subdivision, based on the report and amend the Rural Strategy so as not to include this category 1 area.

**Moved:** Clr Woodcock

**Seconded:** Clr Smith

**CARRIED**

*1:22pm – Clr Martinez returned to the meeting*



**2/2019/23 Draft Walgett Shire Rural Residential Strategy (Public Exhibition)****Resolved:**

That Council determines to make minor amendments to the Draft Walgett Shire Rural Residential Strategy that reflects "Lightning Ridge Candidate Area B' is the most appropriate site based on community consultation and the limited number of potential lots (4 stated in the strategy) for 'Lightning Ridge Candidate Area C'.

**Moved:** Clr Walford  
**Seconded:** Clr Woodcock  
**CARRIED**

**2/2019/24 Matters Generally for Brief Mention or Information from Director Environmental Services****Resolved:**

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

**Moved:** Clr Smith  
**Seconded:** Clr Keir  
**CARRIED**

**2/2019/25 Move into Closed Session**

**Time:** 1:41pm

That the public be excluded from the meeting pursuant to Sections 10A (2) (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:** Clr Murray  
**Seconded:** Clr Keir  
**CARRIED**

**2/2019/26 Debt Write Off – SPL 1955/3****Resolved:**

That amount of \$1,918.94 owed by Creen Pty Ltd in regards to terminated Crown Land lease SPL 1955/33 be written off on the grounds that an attempt to recover the amount would not be cost effective.

**Moved:** Clr Keir  
**Seconded:** Clr Murray  
**CARRIED**

#### **2/2019/27 Walgett Showground Male Amenities Refurbishment Project**

**Resolved:**

That Council;

(1) Endorse the actions of the Chief Financial Officer in transferring the Drought Communities Grant to the Walgett Showground Male Amenities Refurbishment project

(2) Fund the Walgett Showground Male Amenities Refurbishment project from the Drought Communities Program (\$149,000) and “Matching Government Grant” expenditure vote for 18/19 (\$35,000).

**Moved:** Clr Murray  
**Seconded:** Clr Smith  
**CARRIED**

#### **2/2019/28 Hardship Applications and Interest & Charges Write Off**

**Resolved:**

That the Council write-off \$3,009.20 of legal expenses and interest charges totalling \$128.08 applied incorrectly to the rate assessments 8623, 9696 and 35568 as detailed in the report.

**Moved:** Clr Walford  
**Seconded:** Clr Keir  
**CARRIED**

#### **2/2019/29 Future of the Colless Grandstand at the Walgett Showground**

**Resolved:**

That the Council fund the refurbishment of the Colless Grandstand from Council’s accumulated working capital.

**Moved:** Clr Keir  
**Seconded:** Clr Smith  
**CARRIED**

*1:48pm – Clr Martinez declared a pecuniary interest and left the meeting*

**2/2019/30 Recommendation Report for the Upgrade of the Footpath and Kerb & Guttering in Wee Waa Street, Walgett – RFT 19/001**

Clr Keir moved this report for discussion in relation to the scoring and significant difference in tendered prices between the lowest and next lowest tenders. There was discussion in regards to tender evaluation and weighted criteria.

**Resolved:**

That the Council accepts the tender for the Upgrade of the Footpath and Kerb & Guttering in Wee Waa Street, RFT 19/001 from PW Concrete in the sum of \$288,409 including GST

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

**For**  
 Clr Ian Woodcock  
 Clr Kelly Smith  
 Clr Lawrence Walford

**Against**  
 Clr Jane Keir  
 Clr Bill Murray

**Absent**  
 Clr Michael Taylor  
 Clr Tanya Cameron  
 Clr Robert Turnbull

**2/2019/31 Recommendation Report for the Upgrade of the Footpath and Kerb & Guttering in Opal Street, Lightning Ridge – RFT 19/002**

**Resolved:**

That the Council accepts the tender for the Upgrade of the Footpath and Kerb & Guttering in Opal Street, RFT 19/002 from PW Concrete in the sum of \$308,594 including GST

**Moved:**        **Clr Smith**  
**Seconded:**   **Clr Murray**  
**CARRIED**

**2/2019/32 Return to Open Session**

**Time:2.12pm**

**Resolved:**

That Council return to open session.

**Moved:**        **Clr Keir**  
**Seconded:**   **Clr Smith**  
**CARRIED**

*Clr Martinez returned to the meeting at 2:12pm*

**2/2019/33 Adoption of closed session reports**

**Recommendation:**

That Council adopt the recommendations of the Closed Committee Reports.

**Moved: Clr Woodcock**

**Seconded: Clr Walford**

**CARRIED**

### **Questions for Next Meeting**

#### Clr Keir

Q1: Can Council consider sponsoring the gate entry fees the Walgett Show on Sunday 12<sup>th</sup> May, Mother's Day, of approximately \$5,000?

Q2: What is happening with Council's CCTV mobile trailer? Has it been repaired?

#### Clr Murray

Q1: How is Council funding the \$2million pledged to the Australian Opal Centre?

Q2: Why can't people pay for hire of Walgett Shire Council facilities at the Lightning Ridge Office?

#### Clr Woodcock

Q1: Has the watering of town trees in Lightning Ridge commenced? Can Council investigate the option to use an irrigation system?

Q2: Have all the street banners be audited in Lightning Ridge? Some are still needing repair  
Can Council investigate the transfer of water from the bath bore to Miner's Dams via the pump due to water shortages?

Q3: Has Council set a date for drug testing to commence?

Q4: Has Council investigated illegal water connections on the outskirts of Lightning Ridge Township?

#### Clr Smith

Q1: If staff are required to hold a Certificate III to operate the filtration plant, can Council please ensure someone with the correct qualifications is employed to perform these duties?

Q2: Can Council place 3-4 wheeling bins on the eastern side of Wilson Street, until new bins are available and chained to poles?

Q3: Can Council please water the town trees 3 times per week, roses at the town hall and the palm trees in Earl park?

Q4: Can the water be reconnected at Earl Park?

Q5: 4.5kms on the Gundabloui road the culvert needs attention (sinking).

Q6: The 'traffic conditions' sign has a spelling error (Gundiboui), can this be rectified?

Q7: Can Council please carry out an inspection on the Cryon Road, the Grawin Bridge approaches require maintenance?

Q8: Can Council undertake a full inspection of the hall and power at the Rowena Hall?

#### Clr Martinez

Q1: Can Council investigate if it can over insurance costs for community markets?

Q2: Can Council erect signage (closure times) fencing and security lights at Opal Park?

Q3: Can Council investigate the option to run a 6-month trial with RAM aviation in relation to their chartered flight proposal from Gold Coast to Lightning Ridge?

**Close of Meeting**

The meeting closed at 2.50pm.  
To be confirmed at the next meeting of Council.

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Mayor

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General Manager