



# **MINUTES FOR ORDINARY COUNCIL MEETING**

## **9<sup>th</sup> February, 2016**

**NOTICE IS HEREBY GIVEN** pursuant to clause 7 of Council's Code of Meeting Practice that the Ordinary Council Meeting of Walgett Shire Council was held at the **Walgett Shire Council Chambers** on **9<sup>th</sup> February, 2016** commencing at 10:0am to discuss the items listed in the Agenda.

**ADOPTED: 22<sup>nd</sup> March 2016**

Don Ramsland  
**GENERAL MANAGER**

## CONFLICT OF INTERESTS

**What is a “Conflict of Interests”** – A conflict of interests can be two types:

**Pecuniary** – an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

**Non-Pecuniary** – a private or personal interest that a Council official has that does not amount to a pecuniary interest as defined in the Local Government Act (eg. A friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature.)

### **Remoteness**

A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in Section 448 of the Local Government Act.

**Who has a Pecuniary Interest?** – A person has a pecuniary interest in a matter if the pecuniary interest is the interest of:

- The person, or
- Another person with whom the person is associated (see below)

### **Relatives, Partners**

A person is taken to have a pecuniary interest in a matter if:

- The person's spouse or de facto partner or a relative of the person has a pecuniary interest in the matter, or
- The person, or a nominee, partners or employer of the person, is a member of a company or other body that has a pecuniary interest in the matter

N.B. “Relative”, in relation to a person means any of the following:

(a) The parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descends or adopted child of the person or of the person's spouse.

(b) The spouse or de facto partners of the person or of a person referred to in paragraph (a)

### **No Interest in the Matter**

However, a person is not taken to have a pecuniary interest in a matter:

- If the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative or company of other body, or
- Just because the person is a member of, or is employed by, the Council
- Just because the person is a member of, or a delegate of the Council to, a company or other body that has a pecuniary interest in the matter provided that the person has no beneficial interest in any shares of the company or body.

### **Disclosure and participation in meetings**

- A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
  - (a) At any time during which the matter is being considered or discussed by the Council or Committee, or
  - (b) At any time during which the Council or Committee is voting on any question in relation to the matter.

**No Knowledge** – A person does not breach this Clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

### **Participation in Meetings despite Pecuniary Interest (S452 Act)**

A Councillor is not prevented from taking part in the consideration or discussion of, or from voting on, any of the matters/questions detailed in Section 452 of the Local Government Act.

**Non-Pecuniary Interest** – Must be disclosed in meetings.

There are a broad range of options available for managing conflicts & the option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with. Non-Pecuniary conflicts of interest must be dealt with in at least one of the following ways:

- It may be appropriate that no action be taken where the potential for conflict is minimal. However, Councillors should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (eg. Participate in discussion but not in decision making or vice versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. Relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as if the provisions in S451 of the Local Government Act apply (particularly if you have a significant non-pecuniary interest)

### **Disclosure to be Recorded (S453 Act)**

A disclosure (and the reason/s for the disclosure) made at a meeting of the Council or Council Committee or Sub-Committee must be recorded in the minutes of the meeting.

**MINUTES OF THE ORDINARY MEETING OF THE WALGETT SHIRE COUNCIL HELD AT THE WALGETT SHIRE COUNCIL CHAMBERS ON 9<sup>TH</sup> FEBRUARY, 2016 AT 10:00 AM**

**PRESENT**

Clr J Keir (Deputy Mayor)  
Clr G Murray  
Clr R Greenaway  
Clr M Martinez  
Clr L Walford  
Clr M Taylor  
Clr I Woodcock  
Don Ramsland (General Manager)  
Michael Urquhart (Chief Financial Officer)  
Jessica McDonald (Director Environmental Services)  
Raju Ranjit (Director Engineering/Technical Services)  
Bronte Kerr (Minute Secretary)

Deputy Mayor Councillor Keir chaired the meeting.

**1/2016/1 Apologies**

**Resolved:**

That the apology from Councillors Lane and Councillor Cooper are accepted and a leave of absence granted.

**Moved: Clr Woodcock**

**Seconded: Clr Walford**

**CARRIED**

**Public Forum Presentations**

Robert Ward discussed the following:

The Walgett Sub branch of the RSL are requesting Council to consider waiving the fees associated with a Development Application, Construction Certificates and all subsequent inspections as a donation from Council towards the erection of a Memorial Wall to be located in Memorial RSL Park, 70 Fox Street, Walgett. The wall will feature RSL and Memorial plaques commemorating and honouring those that have served in conflicts around the world from the Walgett district.

**Declaration of Pecuniary Interests**

Clr Keir declared a Pecuniary Interest in item 14.4.3 – page 104 – Monthly maintenance grading report December 2015.

## Confirmation of Minutes

### **2/2016/1 Minutes of Ordinary Council Meeting –15<sup>th</sup> December 2015**

**Resolved:**

That the minutes of the Ordinary Council Meeting held 15<sup>th</sup> December 2015, having been circulated be confirmed as a true and accurate record of that meeting.

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

**CARRIED**

## Mayoral Minutes- Nil

## Motions of which Notice has been given – Nil

## Reports of Committees/Delegates – Nil

## Reports from Officers

### **3/2016/1 Minutes of Local Area Traffic Committee Meeting 10 December 2015**

**Recommendation:**

That the minutes of the Local Area Traffic Committee meeting held 10 December 2015, having been circulated be confirmed as a true and accurate record of that meeting.

**Moved:        Clr Woodcock**  
**Seconded:    Clr Martinez**

**CARRIED**

### **4/2016/1 Council's decision action Report - February 2016**

**Recommendation:**

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

**Moved:        Clr Greenaway**  
**Seconded:    Clr Walford**

**CARRIED**

### **5/2016/1 Weekly's received from the Local Government NSW**

**Recommendation:**

That the information contained in the weekly circulars numbers 48-50 and 1-4 from the Local Government NSW be received and noted.

**Moved:        Clr Murray**  
**Seconded:    Clr Greenaway**

**CARRIED**

**6/2016/1 Circulars received from the NSW Office of Local Government**

**Recommendation:**

That the information contained in the following Departmental circulars No 15-40-15-43 and 16-01-16-02 from the Local Government Division Department of Premier and Cabinet be received and noted.

**Moved:** Clr Greenaway  
**Seconded:** Clr Taylor

**CARRIED**

**7/2016/1 Monthly Calendar February – April 2016**

**Recommendation:**

That Council receive and note the regular monthly calendar for the period February - April 2016.

**Moved:** Clr Greenaway  
**Seconded:** Clr Murray

**CARRIED**

**8/2016/1 Bridges Renewal Programme – Round 2 – Successful Applications**

**Recommendation:**

That Council's staff are to be congratulated for preparing three successful grant applications and the action being taken in formally accepting the grants be endorsed

**Moved:** Clr Greenaway  
**Seconded:** Clr Woodcock

**CARRIED**

**9/2016/1 2016 Lightning Ridge Easter Festival funding request**

**Recommendation:**

1. For Council's consideration.
2. The Lightning Ridge Tourism Association be requested to provide a detailed budget for the Lightning Ridge Festival with clarification on allocation of the \$12000.00.
3. That an amount of \$12,000 be set aside by the LRTA each year as seed funding for the following year's Easter festival.

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

**CARRIED**

**10/2016/1 Approval and Funding Request – Lightning Ridge Race Club – Safety Fencing**

**Recommendation:**

That the request of the Lightning Ridge Race Club to erect safety fencing and associated funding be approved providing the additional information sought by Council is received.

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

**CARRIED**

**11/2016/1 Western Division Group of Shires – Annual Conference - Motions**

**Recommendation:**

That the following motions be submitted to the Western Division Group Annual Conference:

- September, 2016 quadrennial local government elections – Far West Councils
- Guaranteed recurrent government expenditure
- Natural disaster funding exemption
- Mapping exercise – state and federal service delivery
- Rate pegging limits to apply to state agency contributions

**Moved:** Clr Woodcock  
**Seconded:** Clr Taylor

**CARRIED**

**12/2016/1 Matters for brief mention or information only from General Manager**

**Recommendation:**

That the listed matters be received and noted.

- Far West Initiative
- Drought Communities Programme
- Rural Financial Counselling Services
- Draft Budget Preparation Schedule
- Youth Training Concept
- Western Division Conference
- Fixing NSW Country Roads – Expression of Interest

**Moved:** Clr Murray  
**Seconded:** Clr Taylor

**CARRIED**

**13/2016/1 Cash on hand and investment report as at 31 December 2015**

**Recommendation:**

That the cash on hand and investment report as at 31 December 2015 be received.

**Moved:** Clr Taylor  
**Seconded:** Clr Greenaway

**CARRIED**

**14/2016/1 Cash on hand and investment report as at 31 January 2016****Recommendation:**

That the cash on hand and investment report as at 31 January 2016 be received.

**Moved:** Clr Greenaway

**Seconded:** Clr Taylor

**CARRIED**

**15/2016/1 Community Development Report: October – December 2015****Recommendation:**

That the report for Community Development for October-December 2015 be received and noted.

**Moved:** Clr Woodcock

**Seconded:** Clr Taylor

**CARRIED**

**16/2016/1 Community Assistance Scheme Donations – Round 2 2015/2016****Applications****Recommendation:**

That the following applicants be granted financial assistance under Section 356 of the Local Government Act 1993 for the first round of 2015/2016;

<b>Organisation</b>	<b>Project</b>	<b>Recommended Amount</b>
Carinda and District Race Club	Hire of toilets for Carinda Race Day	\$1,800.00
The Ridge Community Resource Centre Inc.	Volunteers Picnic Day with Workshop costs of catering and supplement pages for the Induction Kits	\$800.00
Barwon District Anglican Churches	Purchase of microphones for use at Community Events held within the Walgett Shire	\$300.00
Burren Junction Fishing Club	Swimming Lessons for children from birth to 5 years of age	\$1,200.00

**Moved:** Clr Murray

**Seconded:** Clr Walford

**CARRIED**

**17/2016/1 Model Code of Conduct – Adoption of Code**

**Recommendation:**

That the revised “Model Code of Conduct” as presented be adopted.

**Moved: Clr Walford**

**Seconded: Clr Taylor**

**CARRIED**

**18/2016/1 Matters Generally for Brief Mention or Information only from Director of Environmental Services**

**That Walgett Shire Council resolve to:**

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

**Moved: Clr Greenaway**

**Seconded: Clr Martinez**

**CARRIED**

**19/2016/1 Monthly RMCC works Report from Director Engineering Services – December 2015**

**Recommendation:**

That Council receive and note the monthly RMCC works report for December 2015.

**Moved: Clr Murray**

**Seconded: Clr Greenaway**

**20/2016/1 Monthly Rural Infrastructure and Support Service Progress report from Director Engineering/Technical Services – December 2015**

**Recommendation:**

That Council receive and note the Engineering/Technical Services monthly works progress report for December 2015.

**Moved: Clr Murray**

**Seconded: Clr Walford**

*Clr Keir left the meeting room at 12:55am*

*Clr Woodcock assumed the chair.*



**21/2016/1 Shire Road 5 – Removal of Ramp**

**Recommendation:**

That Council write to Mr Bruce Harris requesting he remove the ramp on Shire Road 5 (approx. 20km from Collarenebri) and replace it with a causeway.

**Moved: Clr Greenaway**

**Seconded: Clr Murray**

**CARRIED**

**22/2016/1 Monthly Maintenance Grading Report from Director Engineering Services – December 2015**

**Recommendation:**

That Council receive and note the monthly maintenance grading works report for December 2015.

**Moved: Clr Murray**

**Seconded: Clr Taylor**

**CARRIED**

*Clr Keir returned at 1:15pm and then assumed the Chair for the remainder of the meeting.*

**QUESTIONS**

**Clr Woodcock**

Q1. Can council provide a report in regards to the water affecting the air-conditioning systems in Lightning Ridge?

Response: The Acting Director of Engineering/Technical Services will report accordingly.

Q2. Can Council provide an update on the Walgett bore?

Response: The General Manager advised that Council will be installing a cooling tower in the near future.

Q3. What is the progress in relation to the cooling tower in Lightning Ridge?

Response: The Acting Director of Engineering/Technical Services will report accordingly.

Q4. Is there any funding for Bill O'Brien way, the section towards Lightning Ridge Town?

Response: The General Manager advised that Council has applied for funding for 16/17.

**Clr Greenaway**

Q1. When are the pavements in Collarenebri expected to be laid under the beautification program?

Response: The General Manager advised that the project is scheduled to commence in May 2016.

**Clr Martinez**

Q1. Slashing near the dog race track in Lightning Ridge.

Response: The General Manager advised area would be under the core control of Council.

Q2. Can Council investigate the current procedures being undertaken by private contractors in relation to pumping out septic systems?

Response: The Acting Director of Engineering/Technical Services to investigate.

Q3. What is the update on the replacement of the toilet block in Lightning Ridge at the VIC?

Response: The General Manager advised that Council is currently seeking quotes.

**23/2016/1 Removal of ramps on SR55**

**Resolved:**

That Council take immediate action in relation to removing all 4 ramps located on Shire Road 55.

**Moved: Clr Walford**

**Seconded: Clr Martinez**

**CARRIED**

Q. When will the supplementary plant hire offers be presented to Council?

Response: The General Manager advised the report will be presented to the March meeting.

**Clr Murray**

Q. Can Council investigate install benches along Fox street in Walgett for those who walk to the hospital?

Response: The Acting Director of Engineering/Technical Services to investigate.

**Clr Taylor**

Q. Any indication of air services entering into Lightning Ridge and Walgett?

Response: The General Manager advised that expressions of interest have been called.

Q2. What is the progress in regards to the fencing project around the Lightning Ridge airport?

Response: The General Manager advised that Council is yet to receive the contract for the grant.

Q3. Can Council remove the dead trees in the streets of Lightning Ridge?

Response: The Acting Director of Engineering/Technical Services to take appropriate action

Q4. Can Council ensure the trees in Lightning Ridge are being watered?

Response: The Acting Director of Engineering/Technical Services to take appropriate action.

**Clr Walford**

Q1. Can Council ensure outdoor staff complete some form of safety check prior to mowing the footpaths due to the rocks washed up on the footpaths.

Response: The Acting Director of Engineering/Technical Services to take appropriate action

**24/2016/1 Move into Closed Session at 12:25 pm**

**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 Walford**  
**Seconded: Clr Woodcock**

**CARRIED**

**25/2016/1 Funding the erection of Street Banners at Lightning Ridge**

**Recommendation:**

That Council approve the quote provided by LRE Services to the sum of \$27,334.50 for phase 1 - the erection of 12 initial banners and phase 2 – the purchase of 70 brackets and mounting accessories as well as the erection of 35 banners to power poles in Lightning Ridge as per Essential Energy’s specifications with funding coming from the Tourism Reserve.

**Moved: Clr Woodcock**  
**Seconded: Clr Martinez**

**CARRIED**

**26/2016/1 Resignation of Director of Engineering/Technical Service – Replacement Arrangements**

**Recommendation:**

That Council’s Director of Engineering/Technical Services, Mr Raju Ranjit, resignation be accepted with regret and action being taken to source a replacement be endorsed.

**Moved: Clr Murray**  
**Seconded: Clr Greenaway**

**Against: Clr Woodcock**  
**CARRIED**

**27/2016/1 Tender for supply and delivery of traffic safety signage**

**Recommendation:**

Accept the tenders from Barrier Signs Pty Ltd and Artcraft Pty Ltd for Traffic Safety Signage.

**Moved: Clr Woodcock**  
**Seconded: Clr Taylor**

**CARRIED**

**28/2016/1 Tender for supply and delivery of water meters**

**Recommendation:**

Accept the tender from Elster Metering for supply and deliver of Water Meters.

**Moved: Clr Woodcock**

**Seconded: Clr Taylor**

**CARRIED**

**29/2016/1 Matters Generally for Brief Mention or Information only**

**Resolved:**

That the matters listed by the Mayor for brief mention or information only be received and noted.

**Moved: Clr Woodcock**

**Seconded: Clr Walford**

**CARRIED**

**30/2016/1 Return to Open Session at 12:45pm**

**Resolved:**

That Council return to open session.

**Moved: Clr Greenaway**

**Seconded: Clr Murray**

**CARRIED**

**31/2016/1 Adoption of Closed Session Reports**

**Resolved:**

That Council adopt the following recommendation of the Closed Committee:

- Funding the erection of Street Banners at Lightning Ridge
- Resignation of Director of Engineering/Technical Service – Replacement Arrangements
- Tender for supply and delivery of traffic safety signage
- Tender for supply and delivery of water meters
- Matters Generally for Brief Mention or Information only

**Moved: Clr Greenaway**

**Seconded: Clr Walford**

**CARRIED**

*Noted that this was Raju Ranjit's last meeting*

*Note of Thanks – Raju Ranjit*

The Deputy Mayor and Councillors thanked the Director of Engineering/Technical Services for his work and wished him all the best in his future endeavours.

**Close of Meeting**

The meeting closed at 12:50pm.

To be confirmed at the meeting of Council to be held on 22<sup>nd</sup> March 2016.

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Mayor

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General Manager