



MINUTES FOR ORDINARY COUNCIL MEETING

26th July, 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 **Rowena Pub** on **26th July 2016** commencing at 10:30 am to discuss the items listed in the Agenda.

ADOPTED: 23rd August

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 ROWENA PUB ON TUESDAY 26 JULY 2016 AT 10:30 AM

PRESENT

Clr D Lane (Mayor)
Clr J Keir (Deputy Mayor)
Clr G Murray
Clr R Greenaway
Clr M Martinez
Clr M Taylor
Clr I Woodcock
Don Ramsland (General Manager)
Michael Urquhart (Chief Financial Officer)
Prafulla KC (Acting Deputy Director Engineering/Technical Services)
Bronte Kerr (Minute Secretary)

1/2016/8 Apologies

Resolved:

That the apologies received from Councillors Walford and Cooper are accepted and a leave of absence granted.

Moved: Clr Greenaway
Seconded: Clr Murray

CARRIED

Public Forum Presentations

Mark Walsh discussed the placement of the caravan park signage in Lightning Ridge and the effects it is having on his business and tourist. Mr Walsh would like to have the signage improved for all parties involved.

Tanya Cameron advised the CWA are having the quarterly meeting on 7 August, 2016 and the State CWA will be preparing a submission in relation to the Far West Initiative Discussion Paper when released for public comment.

Declaration of Pecuniary/Non Pecuniary Interests

Clr Martinez declared a pecuniary interest in items 14.4.2 and 14.4.3
Clr Keir declared a pecuniary interest in item 14.4.2

Confirmation of Minutes

2/2016/8 Minutes of Ordinary Council Meeting – 28 June 2016

Resolved:

That the minutes of the Ordinary Council meeting held 28 June 2016, having been circulated be confirmed as a true and accurate record of that meeting.

Moved: Clr Keir
Seconded: Clr Taylor

CARRIED

Motions of Which Notice has been Given - Nil

Mayoral Minutes

3/2016/8 Matters for Brief Mention or Information Only from Mayor

Resolved:

That the matters listed for Brief Mention by the Mayor are received and noted.

Moved: Clr Lane
Seconded: Clr Woodcock

CARRIED

4/2016/8 Lightning Ridge Reserve Trust Management Committee

Resolved:

That the Mayor and General Manager investigate the proposed formation and operation of the Lightning Ridge Reserve Trust Management Committee.

Moved: Clr Martinez
Seconded: Clr Greenaway

CARRIED

Reports of Committees/Delegates

5/2016/8 Minutes of Plant Committee meeting held 6th July 2016

Resolved:

That the minutes of the Plant Committee Meeting held 6th July 2016 be received and noted and the recommendations contained therein adopted as resolutions of Council.

Moved: Clr Woodcock
Seconded: Clr Murray

CARRIED

6/2016/8 Minutes of Western Division Mid-Term meeting held 11th July 2016

Resolved:

That the minutes of the Western Division Mid-Term meeting held 11th July 2016 be received and noted.

Moved: Clr Greenaway
Seconded: Clr Keir

CARRIED

7/2016/8 Minutes of GMAC Meeting held 23 June 2016

Resolved:

That the minutes of the GMAC Meeting held 23 June 2016 be received and noted.

Moved: Clr Woodcock
Seconded: Clr Keir

CARRIED

Reports from Officers

8/2016/8 Council's Decision Action Report – July 2016

Resolved:

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

Moved: Clr Greenaway
Seconded: Clr Murray

CARRIED

9/2016/8 Weekly's received from the Local Government NSW

Resolved:

That the information contained in the weekly circulars numbers 25-27 from the Local Government NSW be received and noted.

Moved: Clr Woodcock
Seconded: Clr Taylor

CARRIED

10/2016/8 Circulars Received from the NSW Office of Local Government

Resolved:

That the information contained in the following Departmental circular 18-23 from the Local Government Division Department of Premier and Cabinet be received and noted.

Moved: Clr Greenaway
Seconded: Clr Keir

CARRIED

11/2016/8 Monthly Calendar June – September 2016

Resolved:

That Council receive and note the regular monthly calendar for the period July – September 2016.

Moved: Clr Keir
Seconded: Clr Woodcock

CARRIED

12/2016/8 Fees for Mayor and Councillors 2016/2017

Resolved:

1. The Councillor fee for 2016/17 be \$11,290
2. The Mayoral fee for 2016/17 be \$24,630
3. 25% of the Mayoral fee be allocated to the Councillor who occupies the position of Deputy Mayor

Moved: Cllr Greenaway

Seconded: Cllr Taylor

CARRIED

13/2016/8 Revised Drug and Alcohol Policy

Resolved:

Council adopt the updated Drug and Alcohol policy to enable appropriate drug testing to be undertaken.

Moved: Cllr Woodcock

Seconded: Cllr Keir

CARRIED

14/2016/8 Fixing of Country Roads Programme – Future Approach to Funding and Works

Resolved:

That the General Manager's report with regards the Fixing Country Roads Programme:

1. Be received and noted.
2. That a further report be submitted to the August meeting detailing a revised works programme for 2016/17 together with revised funding arrangements.
3. Council adopt the revised tender documentation approach detailed above to cater for the possible introduction of competitive tendering for future grant works.
4. Council commence negotiations with staff and relevant unions to address the various issues likely to arise when competitive tendering is introduced.

Moved: Cllr Greenaway

Seconded: Cllr Murray

CARRIED

15/2016/8 Matters Generally For Brief Mention or Information Only

Resolved:

That the matters listed for brief mention or information is received, noted and endorsed.

Moved: Cllr Greenaway

Seconded: Cllr Keir

CARRIED

16/2016/8 Cash and Investment Report as at 30th June 2016

Resolved:

That the Investment report as at 30th June 2016 be received and noted.

Moved: Clr Woodcock

Seconded: Clr Taylor

CARRIED

17/2016/8 Quarterly Outstanding Rates Report – June 2016

Resolved:

Council receive and note the report.

Moved: Clr Keir

Seconded: Clr Murray

CARRIED

18/2016/8 Stocktake Variance Financial Year 2016

Resolved:

That Council approve the write on of stock with a total value of \$1,747.41 to the stores ledger.

Moved: Clr Woodcock

Seconded: Clr Martinez

CARRIED

19/2016/8 Council Insurance Renewals 2016-2017

Resolved:

That the report be received and noted

Moved: Clr Taylor

Seconded: Clr Murray

CARRIED

20/2016/8 Community Development Report April – June 2016

Resolved:

That the report for Community Development for April- June 2016 be received and noted.

Moved: Clr Woodcock

Seconded: Clr Keir

CARRIED

21/2016/8 Walgett Shire Council Community Safety Plan

Resolved:

1. That the Chief Financial Officers Report be received.
2. That Council place the Draft Walgett Shire Crime Prevention & Community Safety Plan on public exhibition for a period of 28 days from 29th June, 2016.

Moved: Clr Greenaway

Seconded: Clr Woodcock

CARRIED

22/2016/8 Sale of Council Properties

Resolved:

- a) That Council receive the Chief Financial Officers report.
- b) The Chief Financial Officer arrange for valuations of the three (3) properties:
 - 46 Euroka Street Walgett
 - 32 Namoi Street Walgett
 - 45 Pitt Street Walgett;
- c) Council engage a local auctioneer and proceed to auction all three (3) properties.
- d) When all properties are sold the Chief Financial Officer shall table a report to Council detailing with stage two of the proposal including acquisition of suitable land and construction of four (4) (two) bedroom units.

Moved: Clr Greenaway

Seconded: Clr Taylor

CARRIED

22/2016/8 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. Disable Toilet at the Lightning Ridge Visitor Information Centre
6. Community Building partnership Grant Application 2016 – Burren Junction Hall
7. Customer Action Request System
8. End of Year financial Statements
9. Lightning Ridge Visitor Information Centre
10. Public Works Workshop – Gavin Priestly
11. Local Government Week

Moved: Clr Woodcock

Seconded: Clr Taylor

CARRIED

The meeting adjourned for morning tea at 12:53pm

The meeting resumed at 1.35pm with all those previously present again present.

23/2016/8 Companion Animal Issues – Large Dogs

Recommendation:

Walgett Shire Council resolve to:

1. Note the report as written above;
2. Conduct dog blitz operations of a similar nature on a regular basis in the future.

Moved: Clr Greenaway

Seconded: Clr Keir

CARRIED

24/2016/8 Lightning Ridge Town Signage

Resolved:

Not proceed with tabled proposal but review other options.

Moved: Clr Woodcock

Seconded: Clr Martinez

CARRIED

25/2016/8 Matters Generally for Brief Mention or Information only from Director of Environmental Services

Resolved:

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

Moved: Clr Keir

Seconded: Clr Murray

CARRIED

26/2016/8 Monthly RMCC works Report from Acting Director Engineering Technical Services

Resolved:

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

Moved: Clr Woodcock

Seconded: Clr Keir

CARRIED

Clr Keir and Clr Martinez declared a pecuniary interest in the following item and left the meeting at 1:51pm.

27/2016/8 Monthly Maintenance Grading Report from Director Technical/Engineering Services

Resolved:

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

Moved: Clr Woodcock

Seconded: Clr Taylor

CARRIED

Clr Keir returned to the meeting at 1:53pm.

28/2016/8 Monthly Progress report from Acting Director Engineering/ Technical Services

Resolved:

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

Moved: Clr Murray

Seconded: Clr Greenaway

CARRIED

Clr Keir returned to the meeting at 1:55pm.

29/2016/8 Matters Generally For Brief Mention or Information Only

Resolved:

That the matters listed for brief mention or information is received, noted and endorsed.

Moved: Clr Greenaway

Seconded: Clr Woodcock

CARRIED

Sharon Grierson from Roads and Maritime Services – Manager Network and Safety Services discussed the following;

- *Council consider seeking additional funding for the Pedestrian Access Management Plan (PAMP) from RMS to allow for a more strategic study to be undertaken looking at how the Communities can grow.*
- *Having the strategic study will assist in future grant funding applications.*
- *The current funding agreement will only provide a basic study and won't be as valuable to Council as that with a strategic approach.*

QUESTIONS FOR THE MEETING

Clr Murray – Nil

Clr Martinez

Q1.

Can Council change the 'closed during cleaning times' sign at bore baths in Lightning Ridge because tourists are driving away when they see the word 'closed'?

Response

The Acting Director Urban Services to investigate and take action accordingly.

Clr Taylor

Q1.

Can Council grade the tourist roads in Lightning Ridge?

Response

The General Manager advised that Council will not grade those roads as they are not the responsibility of Council.

Clr Taylor advised that the traffic on the Three Mile Road had increased and is now causing a dust problem.

Clr Lane explained that such an issue is to be referred to the Traffic Committee.

Q2.

What is the progress on the disabled toilets and showers at the bore baths of Lightning Ridge?

Response

The Chief Financial Officer to investigate and report accordingly.

Q3.

Can Council provide a report on the progress of the Grawin Bore project?

Response

The Acting Director Urban Services to report accordingly.

Clr Taylor asked if Council could send a letter of congratulations to Danielle Osborne for being awarded the SES person of the year

Clr Woodcock

Q1.

What is the update on the Spider Brown oval?

Response

The Acting Director Urban Services to investigate and report accordingly.

Q2.

Have any drought relief projects been approved yet?

Response

The General Manager advised Council has received approval for fencing projects including Carinda, Collarenebri, Rowena and Come By Chance landfills and the Spider Brown Sporting Oval.

Q3.

What is the start date for the Lightning Ridge Airport upgrade project?

Response

The project commences shortly, Council is seeking CASA approval first.

Q4.

What is the progress of the air services returning to the area?

Response

The General Manager advises that all four parties who lodged an expression of interest in air services provision have withdrawn and the Government is looking at alternative proposals.

Clr Greenaway

Clr Greenaway advised that the house numbers in Walgett are difficult to locate.

Response

The General Manager advises that street numbers were installed in all Walgett properties in early 2013 by the Walgett Community Promotions Group.

Clr Keir

Q1.

Can Council roll the funds from the 2016 Dick Colless Scholarship Award into next year's budget line?

Response

The General Manager advised that the 2016 Dick Colless Scholarship Award was advertised in December 2015 and January 2016 and the applications closed on Monday 1 February 2016. No applications were received by Council and the funds will be transferred into the following year.

30/2016/8 Move into Closed Session at 2:35pm

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 Greenaway

Seconded: Clr Keir

CARRIED

31/2016/8 Offer for Purchase of Land in Walgett CBD

Resolved:

That Council note that the offer of \$70,250 for the tender purchase of land at the corner of Fox/Neill Streets has been accepted, that contracts are being drawn up and exchanged and that the land is to be classified as operational land pursuant to Section 31 (2) of the Local Government Act 1993 once the sale is finalised.

Seconded: Clr Murray

Moved: Clr Keir

CARRIED

32/2016/8 Deferred to August 2016 Council Meeting -Shop awning remediation & Orders, Wilson St, Collarenebri

Resolved:

Report is deferred till Council's August meeting.

Moved: Clr Greenaway

Seconded: Clr Martinez

CARRIED

33/2016/8 Return to Open Session at 2:53 pm

Resolved:

That Council return to open session.

Moved: Clr Murray

Seconded: Clr Greenaway

CARRIED

34/2016/8 Adoption of Closed Session Reports

Resolved:

That Council adopt the recommendations of the Closed Committee Reports.

- Offer for Purchase of Land in Walgett CBD

- Deferred to August 2016 Council Meeting -Shop awning remediation & Orders, Wilson St, Collarenebri

Moved: Clr Greenaway

Seconded: Clr Keir

CARRIED

Close of Meeting

The meeting closed at 2:54pm

To be confirmed at the meeting of Council to be held on 23rd August 2016.

Mayor

General Manager

