



WALGETT SHIRE COUNCIL

MINUTES

23 February 2010

RAY KENT
General Manager

ADOPTED: 23 March 2010

MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS ON TUESDAY 23 FEBRUARY 2010 COMMENCING AT 10:05AM

PRESENT

Clr I Woodcock (Mayor)
Clr Martinez
Clr K Smith
Clr L Walford
Clr R Greenaway
Clr D Lane
Clr J Keir (arrived at 10.10am)
Clr G Murray (arrived 10.12am)
Ray Kent (General Manager)
Ms C Medcalf (Director Corporate & Community Services)
Mr I Taylor (Director, Rural Infrastructure & Support Services)
Mr F Coralde (Director, Urban Infrastructure Services)
Mr M Goodwin (Director, Planning and Regulatory Services)
Mrs J Campbell (Minute Secretary)

Apologies

1/2010 Apologies

Resolution:

That an apology be accepted from Clr Colless and leave of absence be granted.

Moved: Clr Greenaway

Seconded: Clr Keir

CARRIED

Welcome to Visitors

The Mayor welcomed all visitors to the meeting and acknowledged the traditional owners of the land.

Public Forum Presentations

Philomena McCue from the Lightning Arts and Craft Centre

Item 1 Lightning Ridge Reserve (R230055) Reserve Trust

Philomena raised some concerns that she would like to see addressed at the Lightning Ridge Arts & Craft Centre:

- Permission to tap into the optic fibre that is currently going into the Library to allow the telephone to be put on
- A more secure fence to be installed around the perimeter of the Centre
- Some kind of cooling system to be installed
- Painting of the western wall with a mural

2/2010 Proposals from the Lightning Ridge Arts and Craft Centre

Resolution:

That permission to connect the phone using the fibre optic connection going into the Library for the Lightning Ridge Arts & Craft Inc be granted immediately and that the other proposals advised in her public forum presentation be taken into consideration in the formulation of the 2010/2011 budget.

Moved: Clr Greenaway

Seconded: Clr Lane

CARRIED

10.10am Clr Keir entered the meeting

Marlene Cutler and Johnny Witts from the Collarenebri Golf Course Incorporated
Item 2 Collarenebri (R82811) Reserve Trust – Collarenebri Golf Course Incorporated

The representatives raised concerns regarding the cost of obtaining Public Liability insurance for the Golf Course given that the Club is effectively non-operational. They will consider seeking a temporary licence.

10.12am Clr Murray entered the meeting

Dr Elizabeth Smith representing the Australian Opal Centre
Item 9 Funding Request – Australian Opal centre

- Expressed the desire for the funding request outlined in item 9 to be approved.
- Expressed concern regarding the funding opportunity that will lapse if the request for funding from Council is not approved.

10.30am Clr Walford left the meeting

10.35am Clr Walford returned to the meeting

Mr Jack Baker and Mr Alan Friend from the Walgett Ratepayers Association
Walgett Weir

- Raised their concern about the height of the weir and the fact that water is not being kept in Walgett for use.
- Outlined the history of the Walgett weir

3/2010 Request the Western Division make deputation to State and Federal Water Ministers

Resolution:

That Council approach the Western Division Conference to organise a deputation to the State and Federal Water Ministers proposing that every town along the Barwon Darling river system endeavour to keep the level of their weir to a comparable height to ensure a secure water supply for each town and village and to properly supply a water feature for each town and village.

Moved: Clr Walford

Seconded: Clr Keir

CARRIED

Michael Fuller and Aleks Dobrochodow, from Busy Street

Presented their final report on Tourism branding

Declaration of Pecuniary/Non Pecuniary Interests

- Clr Lane declared a Non Pecuniary Interest in Item 21 – State Emergency Fleet
- Clr Greenaway declared a Non Pecuniary Interest in item 12 – Community Development and Tourism Quarterly Report – October 2009 to January 2010 and any item that relates to Namoi House

4/2010 Confirmation of Minutes – 15 December 2009

Resolution:

1. That the minutes of the Council meeting held on the 15th December 2009 be confirmed.

Moved: Clr Lane

Seconded: Clr Keir

CARRIED

Clr Murray raised a concern that in council resolution 387/09, the current advertising was not changed for the water restrictions. The Director Urban Infrastructure Services advised that he would address the matter.

5/2010 Confirmation of Minutes – 19 January 2010

Resolution:

1. That the minutes of the Extraordinary Council meeting held on the 19th January 2010 be confirmed.

Moved: Clr Greenaway

Seconded: Clr Lane

CARRIED

6/2010 Lightning Ridge (R230055) Reserve Trust

Resolution:

That:

1. A licence for 3 years be issued to the Lightning Ridge Arts and Craft Council Incorporated for use of part of Lot 8 DP1123745 (previously gazetted as Lot 166 DP820444) as an Arts and Craft Centre.
2. The rent fee be \$410 per annum.
3. The Mayor and General Manager be authorised to sign the licence.

Moved: Clr Murary

Seconded: Clr Lane

CARRIED

7/2010 Collarenebri (R82811) Reserve Trust - Collarenebri Golf Course Incorporated

Resolution:

That:

1. A licence be issued to the Collarenebri Golf Course Incorporated for use of part Lot 57 DP752673 as a Golf Course.
2. The rent fee be \$410 per annum.
3. The Mayor and General Manager be authorised to sign the licence.

Moved: Clr Greenaway

Seconded: Clr Smith

CARRIED

8/2010 Collarenebri (R82811) Reserve Trust – Mulga Mudlarks

Resolution:

That:

1. A licence for 3 years be issued to the Mulga Mudlarks Incorporated for use of part Lot 57 DP752673 as a Mud Trials area.
2. The rent fee be \$410 per annum.
3. The Mayor and General Manager be authorised to sign the licence.

Moved: Clr Lane
Seconded: Clr Walford

CARRIED

9/2010 Investigation into interest free loans

Resolution:

That Council investigate any possible interest free loans for infrastructure in the context of budget deliberations.

Moved: Clr Greenaway
Seconded: Clr Murray

CARRIED

10/2010 Walgett Racecourse & Showground (D520009) Reserve Trust Report

Resolution:

1. That Council consider providing a \$50,000 annual budget for upgrading the Walgett Showgrounds as a new expenditure proposal at the time of formulation of the 2010/11 budget.

Moved: Clr Lane
Seconded: Clr Walford

CARRIED

Mayoral Minutes

Nil

Motions of which Notice has been given

11/2010 Notice of Motion – Walgett Levee – truck bypass route

Resolution:

1. That the council investigate the possibility of including a truck by-pass route with the upgrading of the Walgett levee bank.

Moved: Clr Murray

Seconded: Clr Lane

CARRIED

Presentation of Petitions

The Mayor presented a petition from 232 residents which stated:

“We, the undersigned being residents of Walgett Shire object to any proposal to relocate the War Memorial currently located at Fox and Wee Waa Streets”

12/2010 Petition from Walgett RSL Club

Resolution:

That Council receive the petition organised by the Walgett RSL Memorial Club regarding not moving the monument in Wee Waa and Fox Streets.

Moved: Clr Keir

Seconded: Clr Murray

CARRIED

Councillors Question with Notice

Clr Murray

Question 1:

Has the Carinda tip remediation been completed?

Response:

The Director Urban Infrastructure Services advised that the cleanup of the tip has been completed.

Question 2:

When is the fence being installed around the Skate Park and is there any action in place to paint over the Graffiti?

Response:

The Director Corporate and Community Services advised that applications for funding assistance to fence the skatepark have gone in and we are waiting results. Work is about to commence in the next 2 weeks (approximately) on the basketball/netball courts next to the skatepark. We are trying

to have the courts completed prior to the fencing being installed. In addition, we are waiting for delivery of water bubblers that will be installed at each of the skateparks.

The Director further advised that graffiti is an ongoing issue. Parks and Gardens staff are generally responsible for graffiti removal and youth services staff do some when they're up there.

Clr Greenaway

Question 1:

Does the Shire contribute financially towards Namoi House Inc. & if not why is Council involved in running Namoi House Inc.?

Response:

The Director Corporate and Community Services advised that Council does not contribute financially to Namoi House Inc. Councillors were provided with a detailed report in the Closed Session of the November meeting regarding this matter.

The discussion of this matter was moved into Closed Session.

13/2010 Community Safety Precinct Committee Minutes

Resolution:

1. That the Minutes be received and noted.

Moved: Clr Lane

Seconded: Clr Walford

CARRIED

NOTE: That an invitation be extended to Superintendent Bob Noble to attend the next meeting of Council in March at Lightning Ridge and that the Mayor and General Manager seek a meeting with the Superintendent prior to the Council Meeting.

- Clr Lane declared a Pecuniary Interest in any motion relating to the Silo at Burren Junction as he is an employee of the owners.

12.15pm Clr Lane left the Meeting

14/2010 Kamilaroi Highway at Burren Junction

Resolution:

That Council combine with Graincorp and write to the RTA about the possibility of moving the Kamilaroi Highway away from the Burren Junction Silo.

Moved: Greenaway

Seconded: Clr Murray

CARRIED

12.16pm Clr lane returned to the Meeting

15/2010 Walgett Local Traffic Committee

Resolution:

1. That Council note and adopts the recommendations of the meeting of the Local Area Traffic Committee on 17 December 2009 as follows:
 - a. Bus Zone – Rowena: Relocation to the north of the current location; and
 - b. Taxi Zone – Fox Street Walgett (southbound): Relocation from angle parking to parallel to kerb outside Gateway Hotel.

Moved: Clr Greenaway

Seconded: Clr Lane

CARRIED

12.20pm Clr Walford left the meeting

12.23pm Clr Walford returned to the meeting

16/2010 Walgett Local Emergency Management Committee

Resolution:

1. That Council note the minutes of the Walgett Local Emergency Management Committee meeting held 12 January 2010.

Moved: Clr Murray

Seconded: Clr Keir

CARRIED

17/2010 NSW Rural Fire Service North West Zone Service Level Agreement Committee Meeting

Resolution:

1. That Council note the draft minutes of the North West Zone NSW Rural Fire Service meeting held in accordance with the Service Level Agreement with its constituent councils December 2009.

Moved: Clr Greenaway

Seconded: Clr Smith

CARRIED

18/2010 Funding Request – Australian Opal Centre

Resolution:

That Council grant \$40,000 from the current budget to the Australian Opal Centre and that Council consider in its budget deliberations the allocation of \$20,000 in 2010/11 for operational costs of the Centre.

Moved: Clr Lane
Seconded: Clr Smith

CARRIED

19/2010 Request for Council to join the Murray Darling Association Inc in 2010/11

Resolution:

1. That membership of the Murray Darling Association be considered as a new expenditure proposal at the time of formulation of the 2010/2011 Budget.

Moved: Clr Murray
Seconded: Clr Greenaway

CARRIED

20/2010 “Sustaining Rural Communities” – National Conference, Narrabri

Resolution:

1. That all Councillors be authorised to attend the “Sustaining Rural Communities” National Conference to be held in Narrabri in April 2010.

Moved: Clr Walford
Seconded: Clr Lane

CARRIED

21/2010 Community Development and Tourism Quarterly Report – October 200 – January 2010

Resolution:

1. That the Community Development and Tourism quarterly report (October – January 2010) be received and noted.

Moved: Clr Keir
Seconded: Clr Lane

CARRIED

22/2010 Outback Regional Tourism Organisation - Symposium

Resolution:

1. That Councillors Lane, Walford and Martinez attend the Outback Regional Tourism Organisation Symposium in Lightning Ridge 22- 23 March 2010.

Moved: Clr Lane

Seconded: Clr Martinez

CARRIED

23/2010 LGSA Tourism Conference - 2010

Resolution:

1. That Councillor Lane be authorised to attend the LGSA Tourism Conference in March 2010.

Moved: Clr Martinez

Seconded: Clr Smith

CARRIED

25/2010 Quarterly Budget review as at 31st December 2009

Resolution:

1. That Council note the quarterly budget review for the period to 31 December 2009 and adopt the changes as recommended.

Moved: Clr Greenaway

Seconded: Clr Lane

CARRIED

26/2010 Cash on Hand and Investment Report as at January 2010

Resolution:

1. That the cash on hand and investment report as at 31 January 2010 be received

Moved: Clr Lane

Seconded: Clr Greenaway

CARRIED

27/2010 Budget Report 2010/2011

Resolution:

That:

1. Council adopts the budget timetable as detailed in the report.
2. Council adopts the Baseline Budget assumptions as detailed in the report.
3. Council resolves to move the Ordinary Council meeting from Tuesday 22 June 2010 to Monday 28 June 2010

Moved: Clr Martinez

Seconded: Clr Keir

CARRIED

28/2010 Rating Land Valuation Cycle

Motion:

1. That Walgett Shire Council support the retention of a four year land valuation cycle and communicate their decision to the New South Wales Valuer General.

Moved: Clr Murray

Seconded: Clr Walford

AMENDMENT

That Walgett Shire Council support a five year land valuation cycle and communicate their view to the New South Wales Valuer General

Moved: Clr Greenaway

Seconded: Clr Smith

**AMENDMENT BECAME MOTION
CARRIED**

29/2010 Crown Reserve Established over the Preserved Opal Field

Resolution:

That Council:

1. Note the letter dated 10 December 2010 from the Land and Property Management Authority regarding the establishment of Crown Reserve 1024168 over parts of the preserved opal fields, the termination of Permissive Occupancy 1985/19 and related matters.
2. Nominate the position of Councillor to be appointed to the management committee for Crown Reserve 1024168, with the Director Planning and Regulatory Services to act as an advisor to the Councillor.
3. Transfer \$189,000, which is presently held as internally restricted reserves, to the Reserve Trust for Crown Reserve 1024168 if the Trust or Land and Property Management Authority agree in writing to use the funds exclusively for land management works within the reserve or additional land acquisition for the reserve.
4. Request the Land and Property Management Authority to add a representative of the Lightning Ridge Tourist Association and a representative of the residents of the Preserved Opal Fields to the Management Committee for the Crown Reserve 1024168.
5. Nominate Councillor Lane to participate in the Management Committee for Crown Reserve 1024168 for Walgett Shire Council.

Moved: Clr Lane

Seconded: Clr Walford

CARRIED

1:16pm adjourned for lunch
1:50pm returned from lunch

1:50pm Clr Lane left the meeting

30/2010 State Emergency Services Fleet

Resolution:

That Council:

1. Endorse proceeding with the upgrading of the SES vehicle fleet to meet service standards over the next three years.

Moved: Clr Martinez

Seconded: Clr Smith

CARRIED

1:53pm Clr Lane returned to the meeting

31/2010 Leasing of High Utilisation Plant

Motion:

That Council:

1. Endorse calling tenders for the lease of two graders, two multi-tyred rollers, and one padfoot roller, on minimum terms of four years; and
2. Endorse the sale by tender or auction of both motor graders identified for disposal in council's strategic plant replacement program.

Moved: Clr Greenaway

Seconded: Clr Martinez

That consideration of this item be deferred until an investigation has been completed on cost and funding of purchase versus leasing options.

Moved: Clr Murray

Seconded: Clr Lane

CARRIED

32/2010 December 2009 Flood Event

Resolution:

1. That Council note the impact of the December 2009 Flood event on Walgett Shire roads.

Moved: Clr Greenaway

Seconded: Clr Keir

CARRIED

2:14pm Clr Martinez left the meeting

2:17pm Clr Martinez returned to the meeting

33/2010 Coonabarabran – Mungindi Road Improvement Proposal

Resolution:

That Council advise Warrumbungle Shire Council that:

2. Walgett Shire would contribute to the grant report on the basis of the proportion of the upgrade in each shire;
3. Walgett would nominally be prepared to allocate up to \$600,000 per annum to the project on a one third or 50% contribution basis; and
4. Walgett is willing to lead the Grant Submission Report preparation, using an external consultant project manager.

Moved: Clr Greenaway

Seconded: Clr Smith

CARRIED

NOTE: Clr Murray and Clr Keir asked that their vote against the motion be recorded.

34/2010 Delegate to Committee for the Coonabarabran – Mungindi Road Improvement Proposal

Resolution:

That Council:

Nominate Councillor Greenaway and the Director Rural Infrastructure and Support Services to be part of a committee for the Coonabarabran – Mungindi Road Improvement Proposal

Moved: Clr Keir

Seconded: Clr Smith

CARRIED

35/2010 Moree Plains Shire Council – Higher Productivity Vehicle Strategy

Resolution:

That Council:

1. Advise Moree Plains Shire Council that the proposed High Productivity Vehicle Routes compiled 20/11/09 are suitable to Walgett Shire Council.

Moved: Clr Smith

Seconded: Clr Greenaway

CARRIED

Questions Without Notice

Clr Murray

Question 1:

The water leaking next to the Carinda pub, what is happening with that?

Response:

The Director Planning & Regulatory services advised that he will take the question on notice and will ask his Building Surveyor to take a look at the situation.

Question 2:

Can an action report of what is discussed at Council meetings be put in the agenda with a date when things are completed?

Response:

The General Manager advised yes

Question 3:

With regard to the trees on the racecourse, is it possible for someone to knock them over?

Response:

The Director Urban Infrastructure Services advised yes

Clr Keir

Question 1:

With regard to the main street of Come-By-Chance, where are we going with the bitumen?

Response:

Both the Director of Rural Infrastructure and Support Services and the Director Urban Infrastructure Services advised that it is programmed to be commenced shortly.

Question 2:

I have provided copies of letters that have been written to Council in relation to the Walgett to Pilliga road. Does Council have copies of all of these and have they had a response?

Response:

The Director Rural Infrastructure and Support Services advised that most of them he has responded to.

Question 3:

Have we sold any flats yet?

Response:

The Director Corporate & Community Services advised that there was a successful negotiation with the Department of Housing to purchase 2 units. She further advised that the flats they are willing to purchase are one 3 bedroom in Arthur Street and a 2 bedroom in Gilbert Street, but only subject to their final pest and building inspections.

Question 4:

Is there a women's refugee about to be closed or is closed in Walgett?

Response:

The Director Corporate & Community Services advised that Barwon Cottage has temporarily closed its doors in relation to taking in new clients while they are restructuring the operation.

Question 5:

How are we going with Country Energy and the lightning upgrade of the CBD?

Response:

The Director Corporate & Community Services advised that it is all completed.

Clr Greenaway

Question 1:

Could we investigate to see if we could put a large Solar type system into operate the lights at the Collarenebri Aerodrome?

Response:

The General Manager advised that he had spoken with a representative from the Flying Doctors Service on Wednesday last, who advised him of a contact who will provide a list of solar systems that are operating well at other aerodromes. The General Manager further advised that the Director Urban Infrastructure Services will follow the matter up.

Question 2:

With regard to the carport roof in front of Bruce's garage at Collarenebri, can the building inspector please have a look at this?

Response:

The Director Planning & Regulatory Services asked the Councillor if he could provide him with a detailed location and he will ask his Building Surveyor to have a look.

Question 3:

In relation to the staff structure, there seems to be a new position added of Community Development Officer and this was not approved?

Response:

The Director Corporate & Community Services advised that this positions was resolved at a previous meeting of Council last year. She further advised that the position the councillor was referring to is a 12 month position and was a result of the Visitor Information Officer full time position not being required.

Question 4:

In relation to the staff structure again, the position of Senior Tourism Development Officer currently being filled by Rick Tasker, is this a new position or is it the Tourism Development Officer position and just a misprint?

Response:

The Director Corporate & Community Services advised that she will take this on notice.

Question 4:

Is Mrs Darcy still working for Council and what is she currently working on?

Response:

The Director Corporate & Community Services advised yes, she is currently working on Council's land register.

Question 5:

We have a Lands Officer position. Why is that person not doing that job and why are we getting an outside person?

Response:

The Director Corporate and Community Services advised that because of the complexity of the land register, and the qualifications that are required to complete a land register, the position of Lands Officer does not have the responsibility for the register.

Question 6:

So once the Lands Register is complete, is that all that we will have Mrs Darcy employed for?

Response:

The Director Corporate & Community Services advised that Mrs Darcy is scheduled to prepare outstanding Plans of Management for community land and that there is an employment contract with her.

Ian Woodcock

Question 1:

Can we see the employment contract and date that the contract commenced for Mrs Darcy? Did we not agree at a previous meeting that we would not continue with her engagement?

Response:

The General Manager advised that a confidential report covering the issues raised will be brought to the next meeting.

Clr Greenaway

Question 7:

At Australia Day, we had a minute silence in the welcome to country, why is that?

Response:

The Director Corporate & Community Services advised that it is common practice that Indigenous people do at functions. She advised that it relates to remembrance of the stolen generation.

Question 8:

What we are going to do with the faulty workmanship with the cement slab on all of the skateparks? Water pools in the centre of the facilities.

Response:

The Director Corporate & Community Services advised that she will go back to the Manufacturer and check the spec with them and will also liaise with Council's Health and Building Surveyors on the matter.

Question 9:

Who makes the decision who occupies the council houses?

Response:

The General Manager advised that Council has adopted a Policy which determines which occupants of which positions are entitled to occupy Council dwellings.

Clr Greenaway advised that the rest of his question he will raise in confidential session.

Clr Martinez

Question 1:

What is the status of the Cumborah community hall?

Response:

The Director Corporate & Community Services advised that there was a meeting attended by herself and the Mayor and Councillor Lane with representatives from Cumborah community. She further advised that another meeting is scheduled for 1st March.

The Mayor advised that he will be unable to attend the next meeting and asked if Councillors Lane and Martinez could attend.

Question 2:

After a previous meeting of Council, we discussed about getting a GPS for the airstrip at Lightning Ridge? Has anything happened in respect of this matter?

Response:

The General Manager advised that he did not recall the matter.

The Director Urban Infrastructure Services advised that he was unaware of this as well, but will take this on notice and will look into it.

Clr Lane

In relation to the comments from the Lightning Ridge Arts & Craft Centre this morning, it is a pity that local councillors were not asked of their opinion of the location of the skatepark.

Clr Walford

Question 1:

In relation to the second bridge on the Lightning Ridge road out of Walgett, there was no road closure signs put up when water closed the lay by?

Response:

The Director Rural Infrastructure & Support Services noted the Councillors concern.

Question 2:

With the Main Street Beautification, what is happening?

Response:

The Director Corporate & Community Services advised that the report was out for public comment and a report on the project will be put to the March Council meeting.

Question 3:

Can we get some beautification up at the Walgett airport?

Response:

The Director Urban Infrastructure advised that he will look into this.

Clr Smith

Question 1:

Can we get items advertised in "Mungindi Matters", because some of the residents north of Collarenebri don't get access to Council information?

Response:

The General Manager advised yes.

The Executive Assistant asked if contact details could be provided by the Councillor.

Question 2:

What is happening with the walkway to Wali Reserve at Collarenebri?

Response:

The Director Rural Infrastructure & Support Services advised that a request for funding to do some works in is progress.

The Director Urban Infrastructure Services advised that \$20,000 has been set aside in this year's budget for this work as well.

Question 3:

Can something be done about getting the water pressure fixed at Collarenebri?

Response:

The Director Urban Infrastructure Services advised that he will take on notice.

Question 4:

The Campdraft and Rodeo at Collarenebri are trying to get back up and running. In relation to the Crown Reserve, can we find out how much money is held by the Trust?

Response:

The General Manager advised that staff can find out how much money is in the Reserve Trust.

Question 5:

Received a letter from the Hospital Auxiliary explaining the dangers of not having a footpath on the hospital side of the road and asking for a concrete pathway to be installed?

Response:

The General Manager advised that this item can be brought up as new expenditure proposal for the 2010/2011 budget.

Question 6:

Received a letter about the state of the Cryon to Collarenebri Road, can we see about this?

Response:

The Director Rural Infrastructure & Support Services advised that he has responded to that letter.

Question 7:

With the guttering work that was completed on the grandstand at Collarenebri, can the money saved relative to the budget be put into the painting?

36/2010 Works on the Collarenebri Grandstand

Resolution:

That the money saved on the replacment of the guttering on the grandstand at Collarenebri be expended on the painting of the grandstand.

Moved: Clr Smith

Seconded: Clr Greenaway

CARRIED

3:12pm Clr Lane left the meeting

Clr Woodcock

The Mayor advised Council of two letters he received in relation to the matter of the Lightning Ridge Bush Safari from the Ombudsman and the NSW Government Office of Minister for Police.

37/2010 Move into Closed Session

Resolution:

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

- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- (d) Commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it
- (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Moved: Clr Smith

Seconded: Clr Walford

CARRIED

Council referred back to Clr Greenaway's question raised in Questions with Notice.

The Director Corporate & Community Services responded to a number of questions from Councillor Greenaway in respect of the restructuring of staffing arrangement for Namoi House and Barwon house.

3:30pm Meeting adjourned

3:44pm Meeting re-convened

38/2010 Legal Services Quarterly – February 2010

Resolution:

1. That Council receives and notes the report.

Moved: Clr Martinez

Seconded: Clr Walfotrd

CARRIED

39/2010 Tenders – RFT10006 – Supply & Delivery of one New or Used Minimum 225HP PTO Tractor

Resolution:

1. That Council accept tender from Mitchell Machinery for RFT10006 Supply & Delivery of One New or Used Minimum 225hp PTO Tractor for a Fendt 927 Tractor with reversible operator station in the amount of \$284,000.00 plus GST.

Moved: Clr Greenaway

Seconded: Clr Walford

CARRIED

NOTE: Clr Murray asked that his vote against the motion be recorded.

40/2010 Tenders – RFT10002 – Supply & Delivery of one Automated Bitumen Patching Truck

Resolution:

1. That Council accept tender from Ausroad Systems Pty Ltd for RFT10002 Supply & Delivery of One Automated Bitumen Patching Truck for a Hino Chassis based vehicle in the amount of \$299,804.00 plus GST.

Moved: Clr Greenaway

Seconded: Clr Martinez

CARRIED

41/2010 Tenders – RFT10003 Replacement of One Automated Bitumen Patching/Sealing Truck

Resolution:

1. That Council accept tender from Ausroad Systems Pty Ltd for RFT10003 Supply & Delivery of One Automated Bitumen /Sealing Truck for a Hino Chassis based vehicle in the amount of \$329,104.00 plus GST.

Moved: Clr Greenaway

Seconded: Clr Smith

CARRIED

42/2010 Tenders – Bridge Construction

Resolution:

That Council:

1. Award the contract E09001 for the construction of six bridges to CivilTeam Engineering Pty Ltd for Alternative 1 in the price of \$2,613,993.43 plus GST.
2. Increase the budget allocated for this project by \$1.62M with matching decreases in the following budget items: RTA Timber Bridge Partnership Program (revenue), Roads To Recovery (revenue), Regional Roads Operation & Maintenance items, and Shire Roads Operation & Maintenance items

Moved: Clr Martinez

Seconded: Clr Walford

CARRIED

43/2010 Tenders – RFT10008 Supply of Used 500HP Road Train Rated Prime Mover

Resolution:

That Council:

1. Accept no tender for RFT10008 Supply of Used 500hp Road Train Rated Prime Mover as the tenders submitted were non conforming and had unacceptably high current mileage; and
2. Obtain suitable offers from suppliers listed at www.truckhub.com.au and similar media for consideration.

Moved: Clr Greenaway

Seconded: Clr Walford

CARRIED

4:17pm Clr Walford left the meeting

44/2010 Tenders – RFQ10001 Supply & Delivery of 6x4 Side Loading Waste Truck

Resolution:

1. That Council accept tender from RHT Australia Pty Ltd for RFQ10001 Supply & Delivery of 6x4 Side Loading Waste Truck for a Iveco Chassis based vehicle with a Superior Pak Body in the amount of \$335,604.00 plus GST.

Moved: Clr Greenaway

Seconded: Clr Martinez

CARRIED

45/2010 Tenders – UIS/29/09 – Amenities Block at Lightning Ridge

Resolution:

That:

1. The tender of Bowyer Construction in the amount of \$132,718.30 incl GST be accepted for the construction of the Amenities Building in Lightning Ridge and a period of 15 weeks be adopted for the contract period.

Moved: Clr Keir

Seconded: Clr Greenaway

CARRIED

Questions Without Notice

Clr Greenaway

Question One:

Why was a staff member asked to move out of a Council house and another staff member moved in?

The General Manager advised that the tenant did not occupy a position entitled to staff housing and understood that occupation was temporary pending the arrival of an officer entitled to housing. Council's Building Surveyor was entitled to the dwelling as a condition of his employment. The General Manager made the decision in respect of this matter.

Clr Woodcock

Question one:

A report was going to be provided in regards to the employee at the Visitor Information Centre who did not complete works that was asked to be done.

A discussion was held on this topic and the Director Corporate & Community Services undertook to provide the Mayor further information on the matter.

46/2010 Move back into Open Session

Resolution:

That Council return to Open Session.

Moved: Clr Greenaway

Seconded: Clr Smith

CARRIED

The meeting closed at 4:38pm

To be confirmed at the meeting of Council to be held on Tuesday 23rd March 2010

Mayor

General Manager