



# **WALGETT SHIRE COUNCIL**

## **MINUTES**

**28 September 2010**

*ADOPTED: 26<sup>th</sup> October 2010*

**DON RAMSLAND**  
*General Manager*

**MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL HELD AT THE  
CARINDA HALL ON TUESDAY 28 SEPTEMBER 2010  
COMMENCING AT 10.09AM**

**PRESENT**

Clr I Woodcock (Mayor)  
Clr G Colless (Deputy Mayor)  
Clr L Walford  
Clr R Greenaway  
Clr D Lane  
Clr G Murray  
Clr M Martinez  
Clr J Keir  
Clr K Smith  
Mr D Ramsland (General Manager)  
Mr I Taylor (Director, Rural Infrastructure & Support Services)  
Mr M Goodwin (Director, Planning and Regulatory Services)  
Mr F Coralde (Director, Urban Infrastructure Services)  
Ms Susanna Jones (Acting Finance Manager)  
Mrs D Parker (Minute Secretary)

**Welcome to Visitors**

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

**Apologies**

Nil

**Election of Mayor/Deputy Mayor**

**278/10 Election of Mayor and Deputy Mayor**

**Resolution:**

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

**Moved:** Clr Greenaway

**Seconded:** Clr Colless

**CARRIED**

**279/10 Election of Mayor for Ensuring Twelve (12) Months**

1. That returning officer, being the General Manager, advised that only one nomination had been received and declared Councillor Woodcock elected Mayor unopposed for the 2010/2011 term.

Mayor, Clr Woodcock assumed the chair

**280/10 Election of Deputy Mayor for Ensuring Twelve (12) Months**

1. The returning officer, being the General Manager, advised that only one nomination had been received and declared Councillor Murray elected as Deputy Mayor unopposed, for the 2010/2011 term.

**Public Forum Presentations**

**Mr Dominic Warnock spoke on the following matters:**

- Thank you to the Council for conducting the meeting in Carinda
- Carinda Race Club toilets are in need of repair as they cannot handle the volume of users on race days.
- There are several issues with Coonamble Road filling up with water and becoming impassable. Could something please be done about this problem?
- Parts of the road 4km west of Carinda heading towards Brewarrina are not top dressed. If it rains there is no way to get the school bus through. The problem needs to be addressed.
- In relation to the bridges in the Carinda area could there be a program released so that the towns are aware of when these repairs are going to happen?
- There is a reunion being held in the Carinda Hall at the weekend. The toilets have several leaks which need repairing. There is also a tank located in the back area which is leaking.
- There is a culvert near the Lamph property (Douglas Park) which is about 6km out of town. This is too narrow and trucks are finding it difficult to gain access to the property as the water is pooling in this area. There are quite a few other property owners in the area who have this same problem.
- There is a water drainage problem in the main street of Carinda which is going to be a mosquito haven. This issue still needs addressing
- Lot 9 Wilbour Street (Namoi Cotton) is still in a bad state. There may be septic water running into this block which needs to be rectified. Also a mosquito problem.
- Thank you to Lianne Tasker for the work she has been doing for the community
- What is the current position with regards to pool shade shelter?

**Mrs Patty Wilcox spoke on the following matters:**

- There are concerns in relation to the bridges in the area. The concerns raised were in relation to the area flooding and not being able to get their sheep and cattle out of the area as they cannot cross the bridge. The Director of Rural Infrastructure advised that there should be some movement over the next few weeks
- There is a need for a place to turn a semi around as there is no way to get the stock out. There is a need to have gravel placed on the approaches of the bridges.

- Mrs Wilcox also advised that if the old bridge is to be demolished it is a big issue for the residents

**Mrs Jan Hodge spoke on the following matters:**

- Spoke on the issues surrounding the access in and out of Carinda. She further advised that she had recently been ill and was only able to get to hospital in a 4WD vehicle and had to leave hospital early as there was rain predicted and would not have been able to get back to her home if she waited any longer.

**Mr Campbell spoke on the following matters:**

- Mr Campbell expressed thanks for Council listening to the community
- Mr Campbell advised that he had concerns in relation to the roads from Carinda to Walgett and Coonamble during the harvest. He advised that growers were questioning what is going to happen to the road and whether there would be weight limits on roads. The Director of Rural Infrastructure Services advised that the current conditions will remain in place and the bridge may be repaired by harvest.

**Mrs Loretta Robinson spoke on the following matters:**

- Mrs Robinson expressed concern over when the Castlereagh River was going to have a new bridge and what was the plan for the Carinda area. The Director of Rural Infrastructure Services advised that the current design is a new bridge where the old one is.
- Mrs Robinson enquired in relation to costings to leave the old bridge and then have the new one beside it and make it accessible for traffic. She expressed concern in relation to the river which will run for a long time and not being able to put the new bridge up until that area is dry. She also expressed concern in relation to the bypass remaining open while the new bridge is being built
- Mrs Robinson advised that if she is to use the alternate route of the red road it involves travelling an extra 300km per week
- Mrs Robinson enquired as to whether there were issues concerning the planning of the bridges and would like to know when there have been concrete plans put in place. The Director of Rural Infrastructure Services advised that he was reluctant to say what plans are in place as they sometimes have to change.
- Mrs Robinson expressed concerns over why the bridge was pulled down before the other bridge was put in place. The Director of Rural Infrastructure Services advised that the contracts were planned with 6 bridges to be built using multiple teams one after the other but due to delays with weather and pile issues the process has not worked the way it should have.

**Mrs Sue Dowling-Brown spoke on the following matters:**

- Mrs Dowling-Brown expressed concern in relation to the decision for the bridge to be pulled down and queried why the new one could not have been built beside the old one to enable people to access Walgett. The Mayor advised that no-one could have foreseen what has happened in this instance.
- Mrs Dowling-Brown also queried if the RTA was aware of the state of the Castlereagh Bridge. The Director of Rural Infrastructure Services advised that he believed that RTA staff had been over it and were aware of the problems.
- Mrs Dowling-Brown produced a bolt which she had taken from the bridge and advised that there are many bolts exposed which causes damage to vehicles crossing it.

**Mr Trevor Harland spoke on the following matters:**

- Mr Harland advised that he walks the bridge on a regular basis and has been putting the bolts back in so that people are not blowing tyres.

- Mr Harland requested that gravel be placed on the side of the bridge as there is evidence of a car which has almost landed in the river
- There has been new bitumen put down but there have been no culverts installed which is creating water pools which enter his shed. He requested that something be done about this.

**Ms Cheryl Yow spoke on the following matters:**

- Ms Yow advised that she is a member of the Lower Macquarie Community and Farmers Group which held regular meetings which Council members had never attended. She further queried whether there would be a member of Council who could attend these meetings. Ms Yow was requested to provide the General Manger with meeting details and contacts following the meeting.

**Mr Campbell spoke on the following matters:**

- Mr Campbell spoke in relation to the Carinda Jockey Club toilets. He advised that the toilets are no longer able to cope with demand when they hold their race meets. The toilets which are at the grounds were completed in 1981 and there has been an additional block erected in 2005. Mr Campbell advised that he would be more than willing to meet with a member of Council to get the ball rolling in relation to funding for the purpose of building a new amenities block. The Director of Urban Infrastructure Services advised that he would liaise with Mr Campbell to look at what could be done in this instance.

Mayor, Clr Woodcock then thanked the local residents for their attendance and advised the various issues raised would be followed up.

**Declaration of Pecuniary/Non Pecuniary Interest**

- Councillor Martinez declared a pecuniary interest in item 26 Development and Complying Certificate Applications as his development is listed in the report.

**Confirmation of Minutes**

<b>281/10 Confirmation of Minutes of Council Meeting 24 August 2010</b>	
<b>Resolution:</b>	
1. That the minutes of the Council meeting held 24 August 2010 be confirmed.	
<b>Moved:</b>	Clr Lane
<b>Seconded:</b>	Clr Keir
<b>CARRIED</b>	

## **Reserve Trust Management Committee Reports**

### **282/10 Collarenebri Lions Park (R230021) Reserve Trust**

**Resolution:**

1. That Council endorse action to match the funding of \$2000 offered from Recreational Fishing Trusts, to be allocated from the Parks and Reserves Ledger Account on a dollar for dollar basis.
2. That Council notify Councillors and the community of Collarenebri of the date and time of the proposed release of fish into the Barwon River.

**Moved:** Clr Lane

**Seconded:** Clr Smith

**CARRIED**

### **283/10 Collarenebri Racecourse Toilet Block – Need to identify alternate Source of Funding**

**Recommendation:**

1. That Council add the construction of the new Collarenebri Showground toilet block to its baseline capital works budget for 2010/2011 at an estimated cost of \$50,000 and that other works be deleted from the budget so as not to impact adversely on the original budget forecast. The works to be deleted shall be identified in conjunction with the September, 2010 quarterly financial review
2. That authority be given for the Mayor and General Manager to identify and submit replacement project(s) totalling \$63,000 for Round 3 of the Regional Local Communities Infrastructure programme as soon as possible.

**Moved:** Clr Greenaway

**Seconded:** Clr Smith

**CARRIED**

## **Mayoral Minutes**

Nil

## **Motion of which Notice has been given**

Nil

## **Presentation of Petitions**

Nil

## **Councillors Questions with Notice**

### **Clr Greenaway:**

#### **Question 1:**

When will the expressions of interest for the operation of the Collarenebri Agency be advertised?

It was agreed that the public meeting should be held at the Collarenebri Town Hall.

#### **Response:**

The Director Corporate & Community Services advised that the Expression of Interest will go out following the consultation with the Community currently scheduled for 19 October 2010.

It was agreed that the Public Meeting should be held at the Collarenebri Town Hall.

#### **Question 2:**

What was the outcome of the quotes received for the electrical repairs to the Rowena Hall and the supplying of a toilet block for the Collarenebri Tennis Club?

#### **Response:**

The Director Corporate & Community Services advised that there were 3 quotes received for the electrical repairs to the Rowena Hall and waiting for decision, and 5 quotes were received for the toilet block for the Collarenebri Tennis Club and waiting for decision.

The General Manager also explained to the meeting that Round 3 of RCLIPS had not yet been approved and no work could be commenced until the funding agreement was finalised.

#### **Question 3:**

Would it be possible to have the Shire's Public Risk policy that would cover persons or organisations hiring Shire owned facilities such as halls & sports grounds?

#### **Response:**

The Director Corporate & Community Services advised that if we were taken on that liability it would significantly increase Council's premiums and liability risk. The Director further advises that it is not advisable.

The General Manager undertook to further investigate this matter.

**Question 4:**

Does Graincorp pay Shire rates on their silo sites and do they have permission to sell fuel from within the silo area to the public?

**Response:**

The Director Corporate & Community Services advises that Graincorp does pay rates on its sites.

The Director Planning & Regulatory Services further advised that Graincorp does not have development consent to sell fuel to the public from the Walgett silo site.

**Reports of Delegates and Representatives**

**284/10 Walgett Local Area Traffic Committee**

**Resolution:**

1. That Council note and adopts the recommendations of the meeting of the Local Area Traffic Committee on 26 August 2010 subject to the concurrence of NSW Police as follows:
  - a. Relocation/Implementation of Taxi Zone – Fox Street (HW18) Walgett – outside RSL Club

**Moved:** Clr Greenaway

**Seconded:** Clr Lane

**CARRIED**

**Reservation of items for Debate**

Nil

**Reports of Officers**

**285/10 Council decisions Action Report – 24.08.10**

**Resolution:**

1. That the report be received.

**Moved:** Clr Greenaway

**Seconded:** Clr Martinez

**CARRIED**

**286/10      Circulars received from the Division of Local Government**

**Resolution:**

1. That the information contained in the Departmental circulars 10-14 to 10-22 from the Local Government Division Department of Premier and Cabinet be received and noted.

**Moved:**        Clr Walford

**Seconded:**    Clr Murray

**CARRIED**

**287/10      Circulars received from the Local Government and Shires Association of NSW**

**Resolution:**

1. That the information contained in the weekly circulars from the Local Government and Shires Association be received and noted.

**Moved:**        Clr Smith

**Seconded:**    Clr Keir

**CARRIED**

**288/10      Introduction of Monthly Calendar**

**Resolution:**

1. That Council note the intention to produce a regular monthly calendar as an agenda item to the monthly meeting.

**Moved:**        Clr Smith

**Seconded:**    Clr Martinez

**CARRIED**

**289/10      Closedown of Administration over Festive Season**

**Resolution:**

1. Council operations close for the three days 29th to 31st December 2010 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

**Moved:**        Clr Martinez  
**Seconded:**    Clr Greenaway

**CARRIED**

**290/10      Ordinary Council meetings – Dates and Venues for 2011**

**Resolution:**

1. That the schedule of Ordinary Council Meetings for 2011 be outlined as follows:  
  
22<sup>nd</sup> February – Walgett  
22<sup>nd</sup> March – Lightning Ridge  
26<sup>th</sup> April – Collarenebri  
24<sup>th</sup> May – Walgett  
28<sup>th</sup> June – Walgett  
26<sup>th</sup> July – Rowena  
23<sup>rd</sup> August – Walgett  
27<sup>th</sup> September – Carinda  
25<sup>th</sup> October – Walgett  
22<sup>nd</sup> November – Burren Junction  
20<sup>th</sup> December - Walgett  
and that the meetings commence at 10.00am

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

**CARRIED**

**291/10 Designated persons and the Submission of written returns**

**Resolution:**

That the occupants of the following positions be deemed designated persons pursuant to Division 1 of Part 2 of the Local Government Act 1993:

1. Director, Corporate and Community Services
2. Director, Planning and Regulatory Services
3. Director, Rural Infrastructure and Support Services
4. Director, Urban Infrastructure Services
5. Finance Manager
6. Technical Officers with expenditure authority of \$20,000 or greater
7. Stores Officer
8. Support Services Co-ordinator
9. Senior Tourism Development Officer
10. Roads Engineer
11. Urban Utilities Engineer
12. Manager Community Development and Tourism
13. Senior Finance Officer
14. Senior Health and Building Surveyor

**Moved:** Cllr Murray

**Seconded:** Cllr Colless

**CARRIED**

**292/10 Delegates and Representatives to, and members of External bodies**

**Resolution:**

1. That members, representatives and delegates be as outlined in the attached schedule with the following amendments:

COMMITTEE	OFFICER	COUNCILLOR.
Australian Airports Association	Director Urban Infrastructure Services	Not Required
Bushfire Management Committee	Director Rural Infrastructure and Support Services	Clr Murray
Camps on Claims Working Group	Director Planning and Regulatory Services	Clr Lane
Castlereagh Macquarie County Council		Mayor and Clr Greenaway
Collarenebri Community Working party	Lianne Tasker/General Manager	Mayor
Crown Reserve 1024168 Over Preserved Opal Fields Management Committee	Director Planning and Regulatory Services	Clr Lane
Floodplain Management Authorities Group	Director Urban Infrastructure Services	Mayor and Clr Keir
Kamilaroi Highway Group	Tourism Development Officer	Not Required
Lightning Ridge Mining Board		Delegate Clr Lane Alternate Clr Murray
Lightning Ridge Tourism Board	Director Corporate and Community Services	Clr Martinez
Lightning Ridge Community Working Party	General Manager	Mayor/Clr Walford
Local Emergency Management Committee	Director Rural Infrastructure and Support Services	Mayor
Local Government Group of the Namoi Catchment Management Authority	Director Urban Infrastructure Services	Clr Keir
Namoi peel Catchment Customer Service Committee	Director Urban Infrastructure Services	Clr Keir
Mungindi Menindee Advisory Council		Clr Greenaway and Clr Murray
Netwaste	Director Urban Infrastructure Services	Not Required
Northern Regional Library	Director Corporate and Community Services	Clr Smith and Clr Keir
Orana Area Consultative Committee	Director, Corporate and Community Services	Clr Lane
Orana Regional Organisations of Council	General Manager	Mayor and Deputy Mayor
Outback Arts Incorporated	Director, Corporate and Community Services	Clr Keir
Outback Regional Tourism Organisation	Tourism Development Officer	Clr Martinez/Clr Lane
Regional Procurement Initiative	Director Rural Infrastructure and Support Services	Not Required
Rural Bush Fire Group Management	Director Rural Infrastructure and Support Services	Clr Murray
Community Safety Precinct Committee	General Manager	Mayor and Clr Colless
Saleyards Advisory Committee	Director Urban Infrastructure Services	Clr Colless
Shire's Association of NSW C Division	General Manager	Mayor and Deputy Mayor
Western Division of the Shire's Association	General Manager	Mayor and Deputy Mayor
Local Traffic Committee	Director Rural Infrastructure and Support Services	Clr Colless and Clr Martinez
Walgett and District Tourism Association	Tourism Development Officer	Clr Keir
Walgett Community Working Party	Director Corporate & Community Services/ General Manager	Clr Walford/Mayor
Walgett Community College Board		Clr Murray
Walgett Shire Interagency Group	General Manager	Clr Keir
Weight of Loads Committee	Director Rural Infrastructure and Support Services	Clr Colless and Clr Martinez

2. That the contact details of council's various delegates/representatives be provided to each organisation together with a request that all council delegates/representatives be given at least 7 days written notice of all meetings.
3. That reports be submitted to Council immediately following the various Committees/Working Parties where Council is represented.

**Moved:** Clr Greenaway

**Seconded:** Clr Smith

**CARRIED**

11.30am Clr Walford left the meeting

11.32am Clr Walford returned to the meeting

**293/10 Review of Code of Meeting Practice (July 2008) – Notice of Meetings and Giving Notice of Business**

**Resolution:**

1. That, in accordance with the requirements of Sections 361, 362 and 363 of the Local Government Act 1993 (as amended) Council's Code of Meeting Practice be revised by making the following amendments:
  1. By inserting the following additional subsection to Clause 7 Notice of Meetings:
    4. *The Notice of Ordinary and Extraordinary meetings be by way of ordinary mail, delivery to Councillors at their place of residence or business, provided that in cases of emergency or by prior arrangement, notice may be given by way personal delivery, facsimile and/or telephone*
  2. By amending clause 19 (1) a by deleting the words "fourth working day preceding the meeting" and replacing them with the words "tenth working day preceding the meeting"
  3. And that the revised Code of Meeting Practice then be placed on public exhibition and public submissions invited.

**Moved:** Clr Walford

**Seconded:** Clr Lane

**CARRIED**

**294/10 Review of Code of Meeting Practice (July 2008) – Councillor’s Questions without Notice**

**Resolution:**

1. That, in accordance with the requirements of Sections 361, 362 and 363 of the Local Government Act 1993 (as amended) Council’s Code of Meeting Practice be revised by making the following amendments:

1. By inserting the following clause following “clause 29 Questions may be put to Councillors and Council”

*“Clause 29A QUESTIONS FOR NEXT MEETING*

*(a) Prior to the end of each Ordinary Meeting of Council a Councillor may give notice of a question for the next meeting. Any such question should be in writing.*

*(b) Nothing shall prevent an answer to such a question being given either straight away or prior to the next meeting but details of any such response must be made available to all councillors in writing.”*

2. By amending the Table of Contents by inserting the words “*Clause 29A QUESTIONS FOR NEXT MEETING*” immediately following clause 29

3. By amending Attachment A – Adopted Standing Orders by inserting the words “Questions for the Next Meeting” in place of the words “Questions without notice from Councillors” and

4. By inserting a new attachment - Attachment B – Questions for next Meeting pro-forma.

2. And that the revised Code of Meeting Practice then be placed on public exhibition and public submissions invited.

**Moved:** Clr Keir

**Seconded:** Clr Smith

**CARRIED**

**295/10 Review of Policy and WSC Procedures – Provision of Information to and Interaction between Councillors and Staff**

**Resolution:**

1. That, in accordance with the requirements of Sections 361, 362 and 363 of the Local Government Act 1993 (as amended) Council's Policy and WSC Procedures for the Provision of Information to and Interaction between Councillors and Staff be revised by making the following amendments:

***“During Meetings***

*The interaction between councillors and staff at Council meetings and Committee Meetings is regulated by:*

- \* *Section 360 of the Local Government Act*
- \* *Clause 249 of the Local Government (Meetings) Regulation 2005*
- \* *Council's Code of Conduct and;*
- \* *Council's Code of Meeting Practice*

*Section 360 of the Local Government Act enables the council to make regulations in regard to the conduct of meetings, adopt codes of meeting practice and states that meetings must be conducted in accordance with the code of meeting practice.*

*Clause 249 of the Local Government (Meetings) Regulation 2005 details how, in council meetings, councillors can ask questions of the other councillors by going through the chairperson. The regulation also details the process councillors must follow if they wish to ask a question of Council staff, by going through the General Manager.*

***Outside of Meetings***

*The Meetings Regulation (clause 249) makes provision for a councillor to obtain information at a council meeting, or by a Question on Notice at a council meeting.*

- \* *The General Manager is responsible to the council for performance and direction of all staff and day to day management of council. Therefore, it is appropriate that all requests for information and approaches to staff outside the forum of a council or committee meeting, be directed to the General Manager, or person/s nominated by the General Manager. (See Appendix A)*
- \* *Only those divisional directors (as defined in Section 332) and managers nominated by the General Manager can provide advice to councillors.*
- \* *It is within the discretion of the General Manger to require councillors to make an appointment with a divisional director, to put a request in writing, or to put it on notice to the council to obtain detailed or otherwise time consuming information. The General Manager must indicate in writing, the reasons for refusing a request.*
- \* *For all but straightforward advice on administrative matters, councillors should put their request for information or advice in writing to be answered by the General Manager or the appropriate divisional director. These written requests then form part of the council records and can be filed appropriately.*
- \* *A divisional director has the discretion to refer any request for information to the General Manager. The divisional director must indicate to the councillor their reasons for the referral.*
- \* *If a councillor is concerned about any refusal to provide information, they should firstly raise the matter with the General Manager (or the Mayor if it was the General Manager who refused to provide advice). If the councillor is still dissatisfied they should request the information by way of “Questions for the next meeting” to the Council.*
- \* *Councillors must not attempt to direct staff as to the performance of their work. Staff must report all such attempts immediately to their director or the General Manager.*
- \* *Councillors must not request staff to undertake work for the councillor or any other person.*
- \* *A councillor, member of staff or delegate must not take advantage of their official position to improperly influence other councillors, members of staff or delegates in the performance of their public or professional duties for the purpose of securing private benefit for themselves or for some other person..”*

2. And then combining both documents to become a draft "Policy – Councillors Access to Information and their Interaction with Council Staff" (Draft circulated to all Councillors)
3. And further that the revised Policy then be placed on public exhibition and public submissions invited.

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

**CARRIED**

**296/10 Contractual Conditions of Senior Staff**

**Resolution:**

1. That the report be received.

**Moved:** Clr Greenaway  
**Seconded:** Clr Keir

**CARRIED**

*11.55am Clr Colless left the meeting*

*11.56am Clr Walford left the meeting*

*11.57am Clr Colless returned to the meeting*

*12.03pm Clr Walford returned to the meeting*

**297/10 Matters Generally for Brief Mention or Information only from General Manager**

**Resolution:**

1. That the matters listed by the General Manager for brief mention or information only be received and noted wording of the recommendation here

**Moved:** Clr Greenaway  
**Seconded:** Clr Lane

**CARRIED**

**298/10 Annual Financial Statements 2009 - 2010**

**Resolution:**

That:

1. The Draft Annual Financial Reports for 2008/2010 be referred to Council's Auditor.
2. The Mayor, General Manager and Acting Finance Manager be authorised to sign the necessary Financial Statements.
3. On receipt of the Audited Report, a copy be forwarded to the Department of Local Government and the Australian Bureau of Statistics.
4. Council delegate to the General Manager the authority to set the date at which the Auditors report and the Financial Statements be presented to the public.
5. Public notice be given of the meeting date for formal presentation of the audited Annual Financial Reports for 2009/2010

**Moved:** Clr Greenaway

**Seconded:** Clr Murray

**CARRIED**

**299/10 Cash on Hand and Investment Report**

**Resolution:**

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

**Moved:** Clr Keir

**Seconded:** Clr Lane

**CARRIED**

**300/10 Collarenebri Skate Park Shade Shelter – Council Seal required or Variation to Agreement**

**Recommendation:**

That Walgett Shire Council resolve to:

1. Authorise the Mayor and General Manager to sign and affix the Council seal to two copies of the Department of Families, Housing, Community Services and Indigenous Affairs *Deed of Variation to Standard Funding Agreement* for the variation of completion date of the construction of a shade shelter at Collarenebri Skate Park.

**Moved:** Clr Martinez

**Seconded:** Clr Smith

**CARRIED**

**301/10 Community Assistance Scheme Donations – 2010/2011 Budget**

**Resolution:**

- That Council applies funds for financial assistance under section 356 of the Local Government Act 1993 for the second round of 2010/2011 as follows:

	Organisation	Project	Request	Cost of Project / Activity	Recommended	Approved	Beneficiaries
1	Walgett District Pony Club	Annual Pony club Camp - costs of hiring the showground	\$2,030.00	\$2,030.00	\$500.00		Young people engaging in equestrian activities
2	Anglican Counseling Service	On-going counselling service visits to Lightning Ridge - 5 additional visits for 2010	\$4,500.00	\$18,900	\$500.00		Lightning Ridge Community
3	Parents and Friends Association of St Joseph's Catholic	Regional Choir camps for the 13 Children who have been selected to	\$1,000.00	\$7,250	\$500.00		St Joseph's Catholic School and community
4	Rowena CWA	Cost of Hiring the Hall for the CWA meetings	\$100.00	\$100	\$100.00		Local community of Rowena
		<b>TOTAL:</b>	<b>\$7,630.00</b>	<b>\$28,280.00</b>	<b>\$1,600.00</b>	<b>\$0.00</b>	

**Moved:** Clr Greenaway  
**Seconded:** Clr Colless

**CARRIED**

**302/10 Former Walgett Railway Station Building**

**Resolution:**

That Walgett Shire Council resolve to:

- Write to Scott and Sarah Wickman thanking them for their efforts to re-use the former Walgett railway station building and state that Walgett Shire Council has now resumed ownership of the building.
- Note that advertisements during August 2010 calling for written expressions of interest for the demolition or removal of the former Walgett railway station did not result in any submissions.
- Establish a new budget line item for \$4,000 for the demolition and removal of the former Walgett railway station building and reduce the existing budget of \$57,192 for the Walgett Airport Pesticide Residue Pit Remediation by \$4,000.
- Request the General Manager to obtain quotes and arrange for the demolition of the former Walgett railway station building by a suitably experienced and insured party. The project should include the removal of all associated materials from the site.
- Write to Wyn Lyons, owner of the "Belmont" property, advising her of this resolution.

**Moved:** Clr Lane

**Seconded:** Clr Martinez

**CARRIED**

**303/10 Development Consent Modification, Supermarket**

**Resolution:**

That Walgett Shire Council resolve to:

1. Approve the application by Michael Swain to modify development consent 2009/005 for a supermarket, shops, bottle shop and car parking, subject to the conditions of development consent recommended by Walgett Shire Council's Director of Planning and Regulatory Services in the 'Development consent modification assessment report' dated 16 September 2010.

**Moved:** Clr Lane

**Seconded:** Clr Martinez

**Planning Division:**

**FOR:** Clr Martinez, Clr Lane, Clr Colless, Clr Greenaway, Clr Smith, Clr Keir, Clr Walford, Clr Murray, Clr Woodcock

**AGAINST:** Nil

**CARRIED**

*12:11pm Clr Martinez left the meeting after having declared an interest in this matter and took no part in discussions or voting with regard to this item*

**304/10 Development Application and Complying Development Applications**

**Resolution:**

That Walgett Shire Council resolve to:

1. Note the report on Complying Development Certificate and Development Applications dealt with under delegated authority by the Director Planning and Regulatory Services or General Manager during August 2010.

**Moved:** Clr Greenaway

**Seconded:** Clr Keir

**CARRIED**

*12:14pm Clr Martinez returned to the meeting*

**305/10 Aboriginal Land Claim on Evaporation Pond at Burren Junction**

**Resolution:**

1. That Council resolves to approve Option 2 – Council to request LPMA to refuse the claims of NSWALC.
2. That Council authorizes the General Manager to write an official letter requesting LPMA to request Minister of Lands to refuse the claim submitted by the NSWALC.

**Moved:** Clr Greenaway

**Seconded:** Clr Lane

**CARRIED**

**306/10 Matters Generally for Brief Mention or Information only from Director Urban Infrastructure Services**

**Resolution:**

1. That the matters listed by the Director Urban Infrastructure Services for brief mention or information only be received and noted wording of the recommendation here

**Moved:** Clr Walford

**Seconded:** Clr Lane

**CARRIED**

**307/10 Proposed Disposal of Bridge Asset**

**Resolution:**

1. That Council approve the disposal and demolition of the boundary bridge on Moree Plains Shire's Taroo Road over the Meehi River.

**Moved:** Clr Greenaway

**Seconded:** Clr Keir

**CARRIED**

**308/10 Brewon Road bridges**

**Resolution:**

1. That Council note the letter from Mr and Mrs Cieslak regarding the Brewon Road Bridges; and
2. That Council affirm its commitment to complete sound asset management and strategic planning before committing to significant capital expenditures on roads.

**Moved:** Clr Murray

**Seconded:** Clr Keir

**CARRIED**

**Questions without Notice**

**Clr Murray:**

**Question 1:**

With regard to the hiring of halls does indemnity insurance cover each person's equipment at the event?

**Response:**

The General Manager advised that with regard to insurance anything brought onto the hire premises by a hirer or their agents is not covered by the Shire's insurance.

**Question 2:**

Can there be a form issued with a list of what is required by the Hirer?

**Response:**

The Director of Urban Infrastructure Services advised that he would take this on notice.

**Question 3:**

Is there chemical spraying taking place on the side of the roads?

**Response:**

The Director of Rural Infrastructure Services advised that staff follow a current procedure but do not have a large spraying capacity.

**Question 4:**

At the western end of Wee Waa Street, Walgett is there a possibility of putting another light in that area as it is fairly dark at night?

**Response:**

The Director of Urban Infrastructure Services advised that he would take it on notice.

**Question 5:**

What is the present position with regard to the Cumborah Hall?

**Response:**

The General Manager advised that no action will be taken before a meeting with the Hall Committee.

**Question 6:**

There is a bulldozer that is pushing trees onto the fence lines on the roads leading into Cumborah. What is happening with this?

**Response:**

The Director of Rural Infrastructure Services advised that pushing the trees was a decision made by staff at the time. He further advised that he would take on notice and advise of any follow up action required.

**Clr Greenaway**

**Question 1:**

Has construction of the basket ball courts in Walgett been contracted?

**Response:**

The General Manager advised that work has been contracted to MPREC and the slabs on the basket ball courts have been removed due to not complying with specifications. They are to be re-laid at the contractor's cost

**Question 2:**

Are we still trying to sell the units in the new housing complex? Are any of these units vacant?

**Response:**

The General Manager advised that the units are on the market for sale although there have been some approaches to rent the properties. 4 of the units remain vacant.

**Question 3:**

A tractor that was purchased to compact soil and mix lime has had the axels cut off to narrow it down and fuel tank altered. Why has this happened?

**Response:**

The Director for Rural Infrastructure Services advised that the tractor had been modified to make it comply with legal requirements when travelling to job sites. This was part of the original specification.

**Question 4:**

Has Council's land register been completed?

**Response:**

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

**Question 5:**

There appears to be a lot of pot holes in various areas throughout the Shire. Has there been a problem with the bitumen staff?

**Response:**

The Director of Rural Infrastructure Services advised that there have been tenders accepted to provide new patching trucks as the old ones are out of date. There have been some trucks hired to enable the continuation of some of the work.

**Question 6**

There are potholes in the new road east of Rowena, are you aware of this?

**Response:**

The Director of Rural Infrastructure Services advised that these defects have been referred to the contractor.

**Clr Colless**

**Question 1:**

Did Coolibah Kids take up the rental assistance which was offered to them at a previous Council meeting?

**Response:**

The General Manager advised that he will take this one on notice. Clr Keir further advised that she will contact the Coordinator of the centre.

**Question 2:**

Is the report on the industrial estate going to be released soon?

**Response:**

The Director of Urban Infrastructure Services advised that it was in the process of being prepared.

**Clr Walford**

**Question 1:**

What is the timeframe for the netball court at Lightning Ridge to be up and running?

**Response:**

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

**Clr Keir**

**Question 1:**

On SR7716, the Little Bridge off the end of the bitumen and the small bridge which is sinking is totally horrendous. The side track near these bridges is very sharp and there are concerns from the trucking companies in relation to harvest. The Wangan Bridge which is 10km from Pilliga now has road trains going over it as the side track is covered with water and too deep to use. The small bridge must be filled in within the next couple of weeks and the Wangan Bridge need to be replaced and the side track made usable.

**Response:**

The Director of Rural Infrastructure Services advised that he would take this on notice.

**Question 2:**

In relation to Walgett air strip, are planes able to land there and bring in chemicals?

**Response:**

The Director of Planning and Regulatory Services advised that aerial spraying contractors may use the strip provided they are licensed and they do not leave their chemicals on site. The Director of Rural Infrastructure Services further advised that this is currently dealt with on a case by case basis which seems to be working without public complaint. The General Manager further advised that the request needs to be made in writing.

**Clr Smith**

**Question 1:**

Collarenebri seems to have individuals putting up solar panel arrays. Have these been approved?

**Response:**

The Director of Planning and Regulatory Services advised that discussions have taken place last week with some of the people involved and they are inside the technical requirements of the law and that Council Can take no further action other than that currently being taken. He further advised that there is nothing Council can do at this stage if they are acting within the law. They claim to be complying with in the technical terms of the legislation.

*12.49pm Clr Colless left the meeting*

**Clr Greenaway**

**Question 1:**

In relation to the solar panels which are classed as a shed, is there any difference between those and a carport?

**Response:**

The Director of Planning and Regulatory Services advised that a single carport can be built without DA consent as long as it is under 20sqm.

**Clr Woodcock**

**Question 1:**

In relation to the building damaged by fire in Collarenebri, why is the fencing still around it?

**Response:**

The Director of Planning and Regulatory Services advised that the fencing is still there as the police were still investigating. He further advised that there will be a notice issued to clean up the site shortly.

**309/10      Move into closed session      12.55pm**

**Resolution:**

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

- (c) commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person

**Moved:**      Clr Lane

**Seconded:**      Clr Greenaway

**CARRIED**

**310/10 Country Towns Water Supply and Sewerage Program**

**Motion:**

1. Council endorse the General Manager's action in submitting a \$2.249 million grant application to the Department of Environment, Water, Heritage and the Arts for the construction of:
  - a. A new Barwon River Intake that includes a rising main to Walgett Water Treatment Plant
  - b. A dedicated water main form Walgett Water Treatment Plant to the treated water reservoir in Dewhurst Street.
2. As applications close on Friday 25 September 2010
3. Council agree to contribute an additional \$300,000 towards the \$2.249 million additional capital works project – source to be determined if application is successful (Loan/Consolidated water funds)
4. Council agree to accept the \$8.754 million revised capital works program for the improvement of water and sewerage systems in Walgett and Namoi communities

**Moved:** Clr Colless

**Seconded:** Clr Lane

**CARRIED**

**311/10 Open Session 1.03pm**

**Motion:**

1. That Council return to Open Session and adopt the report of the committee.

**Moved:** Clr Greenaway

**Seconded:** Clr Walford

**CARRIED**

**Disclosure Returns**

Pursuant to Section 450A of the Local Government Act 1993 the General Manager tabled disclosure returns completed and submitted pursuant to Section 449 of the Act by the following designated persons:

Clr Martinez

Clr Colless

Clr Smith

Clr Keir

WALGETT SHIRE COUNCIL MINUTES

The meeting closed at 1.12pm

To be confirmed at the meeting of Council to be held on Tuesday 26<sup>th</sup> October 2010

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Mayor

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General Manager