



WALGETT SHIRE COUNCIL

MINUTES

16 December 2008

RAY KENT
General Manager

MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL HELD AT THE WALGETT COUNCIL CHAMBERS ON TUESDAY 16 DECEMBER 2008 COMMENCING AT 10.10am

PRESENT

Clr I Woodcock (*Mayor*)
Clr G Colless (*Deputy Mayor*)
Clr R Greenaway
Clr J Keir
Clr M Martinez
Clr K Smith
Clr D Lane
Clr L Walford
Clr G Murray
Mr R Kent (General Manager)
Ms C Medcalf (Director Corporate & Community Services)
Mr M Goodwin (Director of Planning and Regulatory Services)
Mr I Taylor (Director Rural Infrastructure & Support Services)
Mr F Coralde (Director Urban Infrastructure Services)
Miss J Gates (Minute Secretary)

APOLOGIES

Mrs Debra Walford

Public Forum Presentations

Murray Erbs and David Wolfenden - Item 12 North West Weight of Loads Group

- Power point presentation on Weights of Loads Committee

Mr Rod White – Presentation of Petitions

A letter from Mr White was read and concerns from local business owners regarding the conditions of footpaths in Wee Waa Street were discussed

Miss Jacinda Scutt – Item 1 Regional and Local Community Infrastructure Program 2008/09

Miss Scutt referred to her letter to Council which made reference to the need for:

- CCTV Security in Walgett
- Improved street Lighting in town centre
- Gardens in the town centre

Mayor Woodcock – advised that he would invite Police Commander Mark Gallagher to the next meeting of Council in February 2009 to discuss policing related issues.

Mrs Jenni Brammel – Item 2 Community Infrastructure Program - Strategic Projects 2008/09

- Power point presentation on the Australian Opal Centre in support of a request for Council to lodge a funding application on behalf of the Centre.

Mr Jack Baker – Closed Council Meeting Items

- Mr Baker raised procedural matters related to the exclusion of the public from the meeting to discuss confidential items.

Declaration of Pecuniary/Non Pecuniary Interests

Clr Keir declared a Pecuniary Interest

- Item 11 – Tender Plant Hire

Clr Martinez declared a Pecuniary Interest

- Item 6 – Walgett Growth Management Study

Clr Greenaway declared a Pecuniary Interest

- Item 11 – Tender Plant Hire

Clr Lane declared a conflict of interest

- Item 2 – Australian Opal Centre
- Item 9 – Environmental Risk Assessment and Mitigation Package (E-RAMP)

Clr Lane declared a Pecuniary Interest

- Item 6 – Walgett Growth Management Study

269/08 Confirmation of Minutes

Motion:

That the minutes of Council Meeting held 25 November be confirmed with the following amendments:

Page 6 – Ms Jill Roughly spoke on the subject of the Country Women’s Association’s Medical Scholarship.

Moved: Clr Keir
Seconded: Clr Greenaway

CARRIED

270/08 Motion of which notice has been given – House numbering on gutters

Motion:

That the report to be presented by the Director, Planning & Regulatory Services on the subject of ‘Urban Addressing’ identify and assess all options for house numbering in the Shire’s towns and villages.

Shire

Moved: Clr Smith
Seconded: Clr Walford

CARRIED

271/08 Petition – State of footpaths on northern side of Wee Waa Streets between Fox and Pitt Streets

Motion:

1. This petition is received and noted.
2. That Council considers cost of repairs and rehabilitation in the formulation of its 2009/2010 budget.

Moved: Clr Walford

Seconded: Clr Keir

CARRIED

Clr Lane Left the meeting at 12:22pm

272/08 Community Infrastructure Program – Strategic Projects 2008/09

Motion:

1. Council agrees to lodge an application on behalf of the Australia Opal Centre for funding from the “Regional and Local Community Infrastructure Program – Strategic Projects 2008/09” for the development of the Australian Opal Centre at Lightning Ridge
2. The proponents of the scheme be advised of Council's decision

Moved: Clr Martinez

Seconded: Clr Walford

CARRIED

Clr Lane rejoined the meeting at 12:28pm

The meeting was adjourned for lunch at 12:29

The meeting resumed at 1:26pm

Presentation made by Ms Lois Gray and Mr Wayne Garnsey of the Department of Planning and Mr Ian Sinclair, Council's consultant who prepared the Walgett Shire Council Growth Management Study & Strategy.

273/08 Walgett Shire Growth Management Study & Strategy

Motion:

That Council defer this matter until the council have a workshop to discuss the matters further with the consultant. The date be set at 17 February 2009 for the workshop. Councillors to notify the Director Planning & Regulatory Services of subjects they wish to be addressed at the workshop by the 23rd January 2009.

Moved: Clr Lane
Seconded: Clr Martinez

Unanimous Vote

CARRIED

274/08 Regional and Local Community Infrastructure Program 2008-09

MOTION:

That the following projects be endorsed for funding from the Regional and Local Community Infrastructure program:

Walgett Street Lighting	(\$63,000)
Walgett primitive camping area	(\$72,500)
Lightning Ridge Skate Park	(\$72,000)
Lightning Ridge Gem Gardens	(\$6,000)
Lightning Ridge Bike Rack	(\$2,000)
Lightning Ridge Visitor Information Centre extension	(\$21,000)
Lightning Ridge Toilets at Visitor Information Centre	(\$6,000)
Lightning Ridge Parks and cemetery	(\$21,000)
Collarenebri primitive camping area	(\$63,000)
Collarenebri Playground/Skate Park	(\$52,000)
Burren Junction Bore Bath	(\$52,000)
Carinda Playground/Toilets	(\$41,500)
Cumborah Parks	(\$9,500)
Rowena Parks	(\$10,500)

Moved: Clr Greenaway
Seconded: Clr Coless

CARRIED

NOTE: Director Urban Infrastructure will provide advice to Council on the cost of existing skate parks at Gilgandra and Coonamble.

275/08 Resident's Proposals for Projects in Walgett

MOTION:

1. The toilet refurbishment and construction of netball courts be considered for funding under the Local Government Infrastructure Program but if not ranked for funding than the works, along with others identified by Mrs Walford, be considered for funding in the 2009/10 Budget
2. Mrs Walford be advised of Council's decisions in respect of her proposals

Moved: Clr Lane
Seconded: Clr Murray

CARRIED

276/08 Letter from Lightning Ridge Olympic Pool Association Inc

MOTION:

1. The report be received
2. The Lightning Ridge Olympic Pool Association Inc be provided with a copy of this report and advised of Council's resolutions in respect of the matter

Moved: Clr Walford
Seconded: Clr Martinez

CARRIED

277/08 Investment Report

MOTION:

Council note the investment report

Moved: Clr Greenaway
Seconded: Clr Murray

CARRIED

MOTION:

A report be prepared on identified investments and the Mayor be delegated authority to terminate said investments if, after considering the report, the Mayor deems it to be in the Council's financial interest to do so.

Moved: Clr Lane
Seconded: Clr Greenaway

CARRIED

278/08 Development and Complying Development Certificate Applications

MOTION:

That Walgett Shire Council resolve to:

1. Note the Development and Complying Development Certificate applications dealt with under delegated authority by the Director Planning and Regulatory Services and General Manager during November 2008

Moved: Clr Greenaway
Seconded: Clr Walford

CARRIED

279/08 Rural Addressing Road Name Amendments

MOTION:

That Walgett Shire Council resolve to:

1. Rename Narran Street Cumborah as Glengarry Street.
2. Rename SR102 Narran Road at Angledool as SR 102 Angledool Road.
3. If there is no objection offered by Brewarrina Shire Council, rename SR 101 Wilby Wilby Bridge Road as Wilby Wilby Road.
4. Submit the amended names to the Geographical Names Board of NSW and request that they be gazetted as formal road names.
5. Proceed to implement signage and rural address numbering throughout Walgett Shire, in compliance with the Australian Standard AS/NZ 4819:2003 Geographic Information - Rural and urban addressing.

Moved: Clr Keir
Seconded: Clr Lane

CARRIED

Clr Lane left the meeting at 4.31pm

280/08 Environment Risk Assessment and Mitigation Package (E-RAMP)

MOTION:

That Walgett Shire Council resolve to:

1. Use the E – RAMP tool to assess which areas need attention and measures required to meet sound waste management decisions in its small landfills.
2. Apply for appropriate funding.
3. Use E-Ramp tool in developing the Solid Waste Management Plan.
4. Provide financial matching funds when formulating its 2009-2010 budget.

Moved: Clr Martinez
Seconded: Clr Greenaway

CARRIED

Clr Lane rejoined the meeting at 4.38pm

281/08 Effluent at Oxidation Ponds in Walgett

MOTION:

That:

1. Council continue its negotiation with Mr Shelton regarding his future wastewater drawings from ponds.
2. Council consider funding implementation of treatment plant rehabilitation and/or up-grading when formulating its 2009 - 2010 budget.
3. The Director, Urban Infrastructure Services develop a strategic plan for 'recycling' wastewater for use in parks and reserves and include this strategy in formulating its 2009 - 2010 budget.

Moved: Clr Lane
Seconded: Clr Murray

CARRIED

Clr Greenaway and Clr Keir left the meeting at 4.45pm

282/08 Tenders – Plant Hire

MOTION:

That Council accept tenders from the following businesses for E08007 Request for Standing Offers: Casual Plant Hire Walgett Shire NSW –

- a. AusRoad Pty Ltd
- b. Bell Equipment Pty Ltd

Moved: Clr Murray
Seconded: Clr Lane

CARRIED

Clr Greenaway and Clr Keir rejoined the meeting at 4.46pm

283/08 North West Weight of Loads Group

MOTION:

That Council:

1. Note the report outlining the benefits of membership of the North West Weight of Loads Group.
2. Authorise Council's delegates to attend the meeting of NWWOLG and seek a change in policies as follows:
 - a) Allow a 5% leeway on weight on axles during harvest season
 - b) Require that court hearings in respect of infringement notices issued in Walgett Shire be heard at Walgett Court without the defendant being required to bear the cost of the groups solicitor attending at Walgett.

Moved: Clr Lane
Seconded: Clr Murray

CARRIED

284/08 Walgett Local Area Traffic Committee

MOTION:

1. That Council note and adopts the recommendations of the meeting of the Local Area Traffic Committee on 18 November 2008.

Moved: Clr Murray
Seconded: Clr Colless

CARRIED

Questions without notice from Councillors

Clr Murray

1. Referring to a Councillor minute from the Director Planning & Regulatory Services dated 8 December 2008 regarding opal mining and prospecting (distributed to Councillors previous to this meeting), the councillor queried is there any reason why Council can't move a motion at today's meeting without adopting the Growth Management Strategy?

Response

The Director Planning & Regulatory Services advised Clr Murray that it would be preferable to wait until after the Growth Management Study & Strategy is adopted and endorsed by Council and then endorsed by the Department of Planning.

Clr Colless

1. Why do we have water restrictions in Walgett Shire Council?

Response:

The Director, Urban Infrastructure Services indicated that Council is in the process of changing the restrictions. He also indicated that there are many houses watering their lawns early in the morning and it is becoming increasingly difficult to monitor. The Director has had discussions with his staff and the changes should be in place next week.

Clr Greenaway

Councillor Greenaway indicated that he would like to see the water restrictions lifted for Walgett and Collarenebri.

Response:

The Director, Urban Infrastructure Services indicated that as previously mentioned there will changes to the water restrictions as of next week.

Clr Martinez

1. The bus service in Lightning Ridge is still unable to pull in straight at the bus stop. There is a post there but there is no sign indicating no parking.

Response:

The Director Rural Infrastructure & Support Services indicated that he had been out and checked the signage in the vicinity of the bus stop and it all seemed to be ok. The Director also indicated that he will be glad to take another look.

Clr Woodcock indicated that it might be a good idea for the Councillors and Directors to have a look on Thursday evening before the Mayoral dinner.

Clr Keir

1. Referring to a councillor minute from the Director Planning & Regulatory Services dated 3 December 2008 regarding a proposal to sell plants in Fox street, Walgett, the Councillor queried whether it is more appropriate to sell on the footpath or private land.

Response:

The Director Planning & Regulatory Services indicated that Council staff do not make recommendations on sites to intending applicants. Applicants will need to make their own decisions based on their circumstances including public liability insurance, type of operation etc.

2. The entrance to GrainCorp – Walgett Silo is not sealed, windscreens have been broken, why is the driveway out of the silo not sealed?

Response:

The Director Rural Infrastructure & Support Services indicated that the responsibility for this area is that of the Grain Corp and RTA, not Council. Both the Director Planning & Regulatory Services and the Director Rural Infrastructure & Support Services indicated that they will prepare a combined report for the next Council meeting.

3. In response to the letter from the Tourist Association, there is a lot of debris on the Walford Tracker Walkway and it is very messy.

Response:

The Director Urban Infrastructure Services indicated that he will check on this issue.

Clr Lane

1. Why does Lightning Ridge have water restrictions when we don't rely on river water?

Response:

The Director Urban Infrastructure Services indicated that our water restrictions were applied to the whole of the Shire. He also indicated that there are water restrictions on because of the pressure on the water pumps. The Director also indicated that as of next week there will be some changes to the restrictions.

Clr Walford

1. At Pandora Street near the fire station there use to be a log to stop people flying down the road. Can the log be placed back?

Clr Woodcock added that another street in Lightning Ridge named 'Fireball' also had something similar and this has also been removed.

Response:

The Director Urban Infrastructure Services indicated that he will look into it.

Clr Smith

Clr Smith asked that next time Councillors are in Collarenebri, can they have a look at the racecourse guttering and the grandstand? Can we make provision in the next budget for repairs?

1. What is the chance of putting some stop signs at Denyers corner and Walgett street. We have give way signs but would like to place some stop signs?

Response:

The Director Rural Infrastructure & Support Services indicated that he will need to refer the request to the local traffic committee.

2. Can we move the trucks that come down Walgett Street, and bypass them away from the main street?

Response:

The Director Rural Infrastructure & Support Services indicated that the money spent on the road previously was from the RTA. The Director also indicated we could pursue with the RTA the possibility of changing the route.

3. Can we have a look at a walkway from the bridge to Wali reserve ?

Response:

The General Manager replied that could be considered in the formulation of 2009/10 budget.

4. Do we do road runs with the hot mix, patch ups? Can we patch up some of the potholes from Collarenebri to Walgett?

Response:

The Director Rural Infrastructure & Support Services indicated that this service will be slightly different as of next year as we have been very busy with State highways at the moment. From January we are dedicating some time and a truck to this issue. We have one truck working three days before Christmas on some of this as well.

Clr Martinez

1 If the funds allocated in the budget are not used, where do they go?

Response:

The Director Corporate & Community Services indicated that Council can identify them to be restricted if the project is not completed. Or they can be put back into surplus and reallocated.

The General Manager advised that if a project is not committed or commenced at the end of a financial year that the funds for the project need to be revoted for inclusion in the following years budget.

2. If we have the money in the budget, why aren't we doing the skate park?

Response:

The Director Corporate & Community Services indicated that we can't commence everything in July - it depends on human resource management. Each Director has a list of projects scheduled for the coming year and each councillor will be provided with a compete list. The Director also indicated that Council may need to have a look at reprogramming some of our works.

Clr Murray

The plane service that finishes for Walgett and Lightning Ridge - have we heard anything about this?

Response:

The General Manager indicated that he will be having a meeting with Kevin Humphries on Wednesday and this is one of the items to be discussed.

Clr Walford left the meeting at 5.30pm

Clr Walford returned to the Meeting at 5.32pm.

285/08 Proposal to Name Sporting Facilities in Walgett

MOTION:

That:

1. Council note the letters from Mrs Walford.
2. That Council only propose names for features and facilities in the Shire after a public call has been made for proposals.

Moved: Clr Colless

Seconded: Clr Murray

CARRIED

Clr Keir left the meeting at 5.37pm

Clr Keir returned to the meeting at 5.40pm

286/08 Closed Council

MOTION:

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

- (b) the personal hardship of any resident or ratepayer, and
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.

Moved: Clr Greenaway
Seconded: Clr Murray

CARRIED

287/08 Debt Recovery update - Gallagher

MOTION:

That Council continues with the amendment of the Statement of Claim and apply for judgement. Once judgement obtained continue with Bankruptcy proceedings as soon as possible

Moved: Clr Greenaway
Seconded: Clr Keir

CARRIED

288/08 Write Off of Debtor Account 268.16

MOTION:

That the amount of \$1923.93 be written off debtor account 268.16 against Provision for Doubtful debts.

Moved: Clr Colless
Seconded: Clr Keir

CARRIED

289/08 Debt Recovery update – Coleman/Walgett Spectator

MOTION:

That this report be held over to the next Council meeting to allow for the Deputy Mayor to consult with Mr Coleman.

Moved: Clr Murray

Seconded: Clr Keir

CARRIED

290/08 Debt Recovery update – John Cividin

MOTION:

That the report be recieved.

Moved: Clr Lane

Seconded: Clr Walford

CARRIED

291/08 Return to Open Session

MOTION:

That Council return to open session.

Moved: Clr Greenaway

Seconded: Clr Murray

CARRIED

292/08 Disclosure of Interest in Written Returns

The General Manager tabled returns pursuant to Section 449 (1) of the Local Government Act 1993 from the following councillors:

- Clr Lane
- Clr Colless
- Clr Smith
- Clr Keir

Clr Walford left the meeting 6:04pm

The meeting closed at 6:10 pm

To be confirmed by Council at its ordinary meeting to be held on Tuesday, 24th February 2009.

Mayor

General Manager