



MINUTES FOR ORDINARY COUNCIL MEETING

26th November, 2013

NOTICE IS HEREBY GIVEN pursuant to clause 7 of Council's Code of Meeting Practice that the Ordinary Council Meeting of Walgett Shire Council was held at the **Burren Junction RSL**, on **26 November 2013** commencing at 10:06 am to discuss the items listed in the Agenda.

ADOPTED: 17 December 2013

Don Ramsland
GENERAL MANAGER

CONFLICT OF INTERESTS

What is a "Conflict of Interests" – A conflict of interests can be two types:

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

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

Remoteness

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

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

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

Relatives, Partners

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

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

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

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

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

No Interest in the Matter

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

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

Disclosure and participation in meetings

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

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

Participation in Meetings despite Pecuniary Interest (S452 Act)

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

Non-Pecuniary Interest – Must be disclosed in meetings.

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

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

Disclosure to be Recorded (S453 Act)

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

MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL HELD AT BURREN JUNCTION RSL ON TUESDAY 26th NOVEMBER, 2013 AT 10:06 AM

PRESENT

Clr G Murray (Mayor)
Clr D Cooper
Clr R Greenaway
Clr J Keir
Clr D Lane
Clr L Walford
Clr M Taylor
Clr I Woodcock
Clr M Martinez
Don Ramsland (General Manager)
Stephen Holland (Director Corporate Services)
Andrew Wilson (Acting Director Planning & Regulatory Services)
Raju Ranjit (Director Engineering Services)
Prafulla K.C (Acting Director Urban Infrastructure Services)
Victoria Renshaw (Minute Secretary)

Welcome to Visitors

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

Public Forum Presentations

Ms Sonya Marshall discussed the following;

- A community survey has recently been done in the Shire regarding coal seam gas.
- Residents living along designated roads who were over 16 years old and living in the area for at least 3 months were invited to participate.
- Both landholders and tenants were invited to participate.
- An area of 340,000 hectares in the Walgett Shire was included in the survey.
- Survey results determine that a very high number of residents are opposed to coal seam gas.
- For example, in Burren Junction 99% of those surveyed would like the area to be gas free.
- The Mayor was presented with declarations from residents of a number of Shire roads who declare that the roads be gas field free.

Mr Phillip Powel discussed the following;

- Concerns about the speed limit on the highway east of Burren Junction.
- A Highway Patrol Officer sits just outside the 80km zone.
- Mr Powel requested that this sign is moved closer to town.
- Bucklebone Road is experiencing gravel breaking away badly on the edges.
- When the Cap & Pipe scheme was in operation along the road Council declined to have the roadside drain filled in. Mr Powel requested that the drain is filled in.
- Mr Powel asked if there is any more funding available for roads near Burren Junction.
- The General Manager advised that at this stage the Mungindi-Coonabarabran Road is a priority for our federal member Kevin Humphries MP.

Ms Denise O'Brien discussed the following;

- Ms O'Brien and her husband Gerard have Regional Road 426 running through their property "Neirbo Plains".
- Over time the amount of traffic and trucks using the road has increased.
- There are 4 single grids along the road.
- Ms O'Brien requested that RR 426 be fenced out and the four grids on the road be removed.
- Ms O'Brien proposed that if this occurs and the grids are removed they are prepared to provide gates provided that Council provides the fencing.
- Estimated length of road to be fenced is 7km (both sides) at an estimated cost of \$3,000 per kilometre.

Mr Josh Baker discussed the following;

- Mr Baker discussed his concerns for a DA made in Burren Junction for a 24 hour fuel station near the Burren Junction Hotel.
- Mr Baker runs the café and is planning on providing fuel in the future at the café premises.
- Mr Baker will submit a DA for this in the near future once issues with the diesel tanks are resolved.
- The café are currently running at a \$15,000 loss as they do not currently have fuel services.
- Mr Baker expressed that while it is a slow process, he is hopeful that they will be able to have diesel available before Christmas.

Declaration of Pecuniary/Non Pecuniary Interests

Clrs Keir and Martinez declared a Pecuniary Interest in item 29 - Monthly Flood Works from Director Engineering Services as their families are currently operating plants.

Confirmation of Minutes

11/2013/1 Minutes of Council meeting – 22 October 2013

Resolved:

1. That the minutes of the Council meeting held 22 October 2013, having been circulated be confirmed as a true and accurate record of that meeting.

Moved: Clr Walford

Seconded: Clr Lane

CARRIED

Reserve Trust Management Committee Reports

11/2013/2 Roads and Maritime Services – Part of Crown Reserve R85180

Resolved:

1. That a licence for a period of three (3) years be granted to the Roads and Maritime Services (RMS) for use of part Lot 8, Section 15, DP759036 for use as the Walgett Motor Registry.
2. That the rent fee be \$27,526.87 per annum plus GST, subject to annual CPI adjustment.
3. That the Mayor and General Manager be authorised to sign the licence.

Moved: Clr Greenaway

Seconded: Clr Keir

CARRIED

11/2013/3 Rural Financial Counselling Service NSW – Part of Crown Reserve R85180

Resolved:

1. That a licence for a period of one (1) year be granted to the RFCS for use of part Lot 8, Section 15, DP759036 for use as the Rural Financial Counselling Service NSW, with an option term of two (2) years.
2. That the rent fee be \$6,918.19 per annum plus GST, subject to annual CPI adjustment.
3. That the Mayor and General Manager be authorised to sign the licence.

Moved: Clr Keir

Seconded: Clr Cooper

CARRIED

Mayoral Minutes

11/2013/4 Matters for Brief Mention or Information Only from Mayor

Resolved:

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

Moved: Clr Woodcock

Seconded: Clr Keir

CARRIED

Motions Of Which Notice Has Been Given

11/2013/5 Cubbaroo Camp draft Club Amenities Block

Resolved:

1. That the Cubbaroo Camp Draft Club be given permission to erect an amenities block consisting of 5 toilets, 3 showers and 1 urinal on the area next to the existing amenities block.
2. This is subject to the Club agreeing to the following conditions at the Club's expense;
 - (a) Installation of an additional 4 thousand litre holding tank;
 - (b) Connection of water, gas and electricity by a qualified tradesperson;
 - (c) Installation of access steps;
 - (d) Minor repairs and painting.
3. The Club agrees to maintain the building whilst it is in their use. Should the Club cease to operate the building and foundations will be removed at the Club's expense.
4. That the project be subject to the usual DA/building processes.

Moved: Clr Greenaway

Seconded: Clr Lane

CARRIED

11/2013/6 Walgett Shire Council LEP

Resolved:

1. That Council write to Kevin Humphries requesting a meeting with Kevin Humphries MP, representatives of the Department of Planning, Crown Lands, DPI Resources & Energy and Council. The aim of the meeting is to discuss the Walgett Shire Council LEP and planning matters in relation to the preserved fields. The General Manager is to liaise with Kevin Humphries Office to arrange a suitable date for the meeting.

Moved: Clr Lane

Seconded: Clr Martinez

CARRIED

11/2013/7 Walgett Shire Council Water & Sewer Funds Reports

Resolved:

1. That Council staff provide a report on all Council's accumulated physical assets and any outstanding loans from these accounts. The report is to also provide any explanation for the difference between the accumulated and actual surpluses, other than assets and loans.

Moved: Clr Lane

Seconded: Clr Walford

CARRIED

Councillors Questions From Last Meeting

Clr Taylor

Question 1

During a recent game of netball at the Lightning Ridge netball courts the lights were turned off mid-game. Why did this occur?

Response

The Director Corporate Services advised that he is aware of this happening and it was due to the light operator mistakenly believing that the game was finished. There are available lights on the soccer grounds that have been turned around but at this stage they are not a permanent solution. Funds were used out of the Health Communities budget to fund turning the lights around. Council is planning on submitting a grant application to Sport and Rec to update lighting at the courts.

Question 2

Has Council received Gerard O'Brien's complaint regarding causeways?

Response

The General Manager advised that Council has received the complaint and a report will be prepared for the November Council Meeting.

Question 3

Footpath edges in Opal Street, Lightning Ridge have become damaged due to erosion. Council may be liable if an accident occurs. Can we attempt to resolve this so to decrease our liability?

Response

The Director Corporate Services advised of Council's general exemption from liability.

Question 4

Have water connection issues at Lightning Ridge Race Course to the property of George Moulder been resolved?

Response

The General Manager advised that Council have previously approached to Mr Moulder regarding this and the matter will again be followed up. The Acting Director Urban Infrastructure Services advised that a letter has been sent to Mr Moulder giving him until 15 December 2013 to fix the issue.

Question 5

I would like to commend the General Manager and Mayor for their emergency response to the grocery supply issue.

Response

Noted.

Clr Lane

Question 1

Dean Schellmegger has requested a letter of support regarding registration of his equipment. Can Council assist with this?

Response

The General Manager advised that he cannot see why Council would not give a letter of support. Clr Keir and the Director of Engineering Services are to liase with Dean to offer assistance. After discussion the following motion was resolved;

10/2013/31 Letter of Support for Dean Schellmegger

Resolved:

1. That Council write a letter of support on behalf of Dean Schellmegger.

Moved: Cllr Walford

Seconded: Cllr Lane

CARRIED

Cllr Cooper

Question 1

Drainage problems are being experienced in Peel Street, between Arthur & Euroka Streets on the Western side. Can this be investigated?

Response

The Acting Director Planning & Regulatory Services advised that a site inspection will be undertaken and outcome circulated to Councillors.

Question 2

Work is currently going on at the Northern Gateway on the road between Walgett and Lightning Ridge. What is the extent of this work and is it being undertaken by Council?

Response

The General Manager advised that Council's staff are tidying up the northern approach to Walgett to make it easier to maintain in the future.

Question 3

What is happening regarding the depot break-ins?

Response

The General Manager advised that a couple of break-ins have occurred this year. Council is working with police to identify the offenders. Offenders have attempted to start light vehicles and one has been driven through the depot fence. Doors have been damaged and keys and security cameras have been taken. Council is currently preparing a proposal for CCTV to cover the whole depot area.

Cllr Greenaway

Question 1

What is happening regarding the bank house repairs?

Response

General Manager advises that grounds maintenance is currently being undertaken and temporary staff are being engaged to undertake repairs in-house.

Question 2

What is happening regarding the Collarenebri water supply?

Response

Acting Director Urban Infrastructure Services advises that upgrading investigations are continuing and a further report will be prepared shortly.

Question 3

Is Council planning on replacing the pavers in the main street in Collarenebri?

Response

The General Manager advised that this work was included in the Main Street Beautification Program for 2013/14.

Question 4

Can Council write to the LHPA requesting that the following ramps are removed?

- Shire Road 5, 1km from State Highway 12
- West of Merrywinebone Silo, Shire Road 2.

Response

Director Engineering Services advised that a letter will be emailed to Cllr Greenaway to bring to the attention of the LHPA at their meeting scheduled for 28 November 2013. Director Engineering Services also advised that he has contacted Heidi at the LHPA who is currently investigating this proposal.

Question 5

Can Council investigate the regional road 329 crossroads out of Rowena (2 causeways with levee banks each side)?

Response

Director Engineering Services to investigate.

Cllr Keir**Question 1**

Will recycling still continue at the Walgett tip under the new contractors?

Response

Acting Director Urban Infrastructure Services to investigate.

Cllr Woodcock**Question 1**

Can Council prepare a test of the bore water in Lightning Ridge from both the new and old bores?

Response

The General Manager noted that we need to take specific samples from both bores for chemical analysis.

Question 2

What is happening with the Lightning Ridge Racetrack?

Response

The General Manager advised that recent work done at the racetrack was not undertaken by Council staff, nor with Council's knowledge. If an issue occurs while work is being undertaken by anyone at the racetrack both those individuals and Council may be liable. The General Manager advised that anyone who undertakes work without prior notification to Council will be issued with a formal warning.

Reports of Committees/Delegates

11/2013/8 Minutes of OROC Meeting – 18 October 2013

Resolved:

1. That the minutes of the OROC Meeting held 18 October 2013, having been circulated be confirmed as a true and accurate record of that meeting.

Moved: Clr Lane

Seconded: Clr Woodcock

CARRIED

11/2013/9 Minutes of Western Division Councils of NSW Meeting – 1 October 2013

Resolved:

1. That the minutes of the Western Division Councils of NSW Meeting held 1 October 2013, having been circulated be confirmed as a true and accurate record of that meeting.

Moved: Clr Lane

Seconded: Clr Keir

CARRIED

11/2013/10 Minutes of Murray Darling Basin Committee Meeting – 23 October 2013

Resolved:

1. That the minutes of the Murray Darling Basin Committee Meeting held 23 October 2013, having been circulated be confirmed as a true and accurate record of that meeting.

Moved: Clr Lane

Seconded: Clr Taylor

CARRIED

11/2013/11 Local Area Traffic Committee – 10 October 2013

Resolved:

1. That the minutes of the Local Area Traffic Committee Meeting held 10 October 2013, having been circulated be confirmed as a true and accurate record of that meeting.

Moved: Clr Woodcock

Seconded: Clr Cooper

CARRIED

Reports of Officers

11/2013/12 Council's Decision Action Report – November 2013

Resolved:

That the Resolution Register for November 2013 be received and noted.

Moved: Clr Walford
Seconded: Clr Cooper

CARRIED

11/2013/13 Circulars Received from the Local Government NSW – November 2013

Resolved:

That the information contained in the weekly circulars numbers 42 - 46 from the Local Government NSW be received and noted.

Moved: Clr Cooper
Seconded: Clr Woodcock

CARRIED

11/2013/14 Circulars Received from the Division of Local Government –November 2013

Resolved:

That the information contained in the following Departmental circulars 13-47 to 13-48 from the Local Government Division Department of Premier and Cabinet be received and noted.

Moved: Clr Walford
Seconded: Clr Lane

CARRIED

11/2013/15 Monthly Calendar – November to January 2014

Resolved:

That Council receive and note the regular monthly calendar for the period November 2013 to January 2014.

Moved: Clr Woodcock
Seconded: Clr Taylor

CARRIED

11/2013/16 Walgett IGA Fire - Update

Resolved:

That the General Manager's Report be received and noted.

Moved: Clr Cooper
Seconded: Clr Walford

CARRIED

11/2013/17 Water Supply Request – Glengarry Grawin Sheeppark Miners Association Inc

Resolved:

That the Glengarry, Grawin Sheeppark Miners Association be advised that their request for advise has been referred to the State Member for Barwon seeking an indication of State funding sources available.

Moved: Clr Lane
Seconded: Clr Woodcock

CARRIED

11/2013/18 Matters for Brief Mention or Information Only – General Manager

Resolved:

That the General Manager's Report on matters for brief mention or information only be received and noted:

Moved: Clr Cooper
Seconded: Clr Taylor

CARRIED

11/2013/19 Cash on Hand and Investment Report as at 31 October 2013

Resolved:

1. That the cash on hand and investment report as at 31 October 2013 be received.

Moved: Clr Woodcock
Seconded: Clr Walford

CARRIED

11/2013/20 Community Assistance Scheme Round 1 2013 / 2014

A motion was moved by Clr Greenaway & Seconded by Clr Lane :

That the Council does confirm its previous advice in relation to the application from Goodooga – Lightning Ridge CWA and on being put to the vote was lost.

Resolved:

That Council donate \$500 towards the expenses of running the Goodooga Wool Day event by the Lightning Ridge – Goodooga CWA.

Moved: Clr Keir

Seconded: Clr Taylor

CARRIED

11/2013/21 Walgett library and Visitor Information Centre proposal for operational change of hours

Resolved:

1. That the opening hours for the Visitor Information Centre and Library be amended to exclude Saturday mornings for the period , December 7th 2013 – February 22nd 2014.
2. That the opening hours for the Walgett Library be extended to 6.pm on three (3) days per week.

Moved: Clr Keir

Seconded: Clr Lane

CARRIED

11/2013/22 Sponsorship Request

Resolved:

1. That Council not support the request for sponsorship from Ms Di Paolo for her book project titled “Fragile Black Heart”.

Moved: Clr Greenaway

Seconded: Clr Keir

CARRIED

11/2013/23 Matters generally for Brief mention or Information Only

Resolved:

1. That the information be noted.

Moved: Cllr Cooper

Seconded: Cllr Greenaway

CARRIED

11/2013/24 Rural Residential Land Use Strategy Discussion Paper

Resolved:

That Walgett Shire Council resolves to:

1. Adopt and endorse the Walgett Shire Council Rural Residential Land Use Strategy Discussion Paper.
2. Undertake public consultation regarding the Walgett Shire Council Rural Residential Land Use Strategy Discussion Paper for a minimum of 60 days, including:
 - Letters to all relevant government agencies.
 - Letters to all landowners within a 5km radius of Walgett, Lightning Ridge and Collarenebri.
 - An information session hosted by GHD during the exhibition period.
 - Advertising public exhibition of the discussion paper and information session in the Walgett Spectator and Lightning Ridge News
 - Making the discussion paper available as a pdf file via Council's web site.
 - Providing a public display hard copy of the discussion paper at the Council office at Walgett, Walgett library, Lightning Ridge library and Council office at Collarenebri.

Moved: Cllr Lane

Seconded: Cllr Walford

CARRIED

11/2013/25 Walgett Shire Local Heritage Fund Grant Application – Tattersall's Hotel

Resolved:

That Walgett Shire Council resolves to:

1. Offer a grant of \$5,000 from the Walgett Shire Council Local Heritage Fund 2013-2014 to renovate the kitchen floor and paint the front building façade of the Tattersall's Hotel at Collarenebri, subject to the standard NSW Office of Environment and Heritage funding agreement.

Moved: Cllr Keir

Seconded: Cllr Lane

CARRIED

11/2013/26 Development Determination 2013/031 – Cumborah Community Hall

Resolved:

That Walgett Shire Council resolve to:

1. Approve Development Application 2013/031 in the name of Sylvester Otieno for a Community Hall at Cumborah St, Cumborah (Lot 3, DP 752679) subject to the recommended conditions of development consent.

Moved: Clr Lane

Seconded:

CARRIED

Planning Division

In favour

Clr G Murray

Clr D Cooper

Clr R Greenaway

Clr J Keir

Clr M Martinez

Clr L Walford

Clr M Taylor

Clr I Woodcock

Clr D Lane

Against

Nil

11/2013/27 Request for Monument on Lawn Grave

Resolved:

That Walgett Shire Council resolve to:

1. Note the requests from Clarence Ormsby, Dharrivaa Elders Group and Franny Little for Council to enable a monument on the grave of Jimmy and Marjorie Little within the Church of England lawn section of the Walgett cemetery.
2. Where possible, write to the next of kin of deceased buried in lawn cemetery plots adjoining the grave of Jimmy and Marjorie Little and inform them that Council is considering amending the boundary of the Church of England lawn and monumental sections so that the grave of Jimmy and Marjorie Little will fall within the Church of England monumental section.
3. If any issues or objections are received in writing within 28 days of the letters being sent to next of kin, then those submissions will be considered by Council prior to making any further decision on the matter.
4. If no adverse submissions are received in writing within 28 days of the letters being sent to next of kin, then:

(a) Write to Clarence Ormsby, Dharriwaa Elders Group and Franny Little and inform them that the boundary of the Church of England lawn and monumental sections has been amended so that the grave of Jimmy and Marjorie Little now falls within the Church of England monumental section, hence a monument consistent with the nature of existing monuments can now be erected on the grave.

(b) Amend all future Walgett Cemetery mapping so that the grave of Jimmy and Marjorie Little falls within the Church of England monumental section.

Moved: Clr Lane
Seconded: Clr Keir

CARRIED

The meeting adjourned for lunch at 12:27pm.

The meeting resumed at 1:00pm with all those previously in attendance again present.

11/2013/28 Monthly Flood Works Report from Director Engineering Services

Recommendation:

1. That Council receive and note the monthly flood restoration works report for November 2013.

Moved: Clr Greenaway
Seconded: Clr Lane

CARRIED

Clrs Keir & Martinez declared a Pecuniary Interest in the following item and left the meeting at 1:00pm.

11/2013/29 Monthly RMCC works Report from Director Engineering Services – November 2013

Resolved:

That Council receive and note the monthly RMCC works report for November 2013.

Moved: Clr Cooper
Seconded: Clr Walford

CARRIED

Clrs Keir and Martinez returned to the meeting at 1:05pm.

11/2013/30 Gravel From Bulglebone Gravel Pit- Camp Site Pilliga Bore

Resolved:

That Council note and agree to the request from the Pilliga Bore Improvement Committee to waive the royalties of 20 truckloads of gravel (at 33 tons per load) from the Bulglebone Gravel Pit.

Moved: Clr Lane
Seconded: Clr Keir

CARRIED

11/2013/31 RMS Regional Roads Repair Program

Resolved:

That Council endorse the action taken to submit the applications for funding of the projects in the following order of priority:

1. Reconstruction and sealing with 200 mm thick road base overlay for 5 km in length x 7 m seal width on Gundabloui Road (RR457). The estimated total cost is \$ 844,134.
2. Rehabilitation of failed geotextile pavement (outer wheel path) by removing and replacing with 200 mm thick road base and sealing with two coats on Carinda Road (RR333). The proposed section is Ch 0+900 (Bait Street) km to 64+800 km and the estimated total cost is \$ 866,750.
3. Rehabilitation of failed geotextile pavement (outer wheel path) by removing and replacing with 200 mm thick road base and sealing with two coats on Gingi Road (RR402). The proposed section is Ch 15+090 km (SH29) km to 18+496 km and the estimated total cost is \$ 324,000.
4. Provision be made in Council's Roads to Recovery Programme for any funding short fall.

Moved: Clr Greenaway
Seconded: Clr Taylor

CARRIED

Questions for the next Meeting

Clr Walford

Question 1

A Working Party was held last week in Lightning Ridge. About 25 people attended, including representatives from Government Agencies. Some Government Agencies representatives noted that they do not know what will happen regarding their employment in the future.

Response

Noted.

Clr Taylor

Question 1

There are holes developing in the bitumen on the Castlereagh Highway near the property "Gowrie" that need attention.

Response

The Director of Engineering Services to take appropriate action to carry out repairs.

Question 2

What is the progress of recovery of unpaid rates for the Carinda Hotel?

Response

The Director Corporate Services advised that the matter is in the hands of Council's collection agent. More detail is to be provided in closed session.

Clr Lane

Question 1

What is the progress of Council upgrading previous Council Agendas and Minutes to the electronic system?

Response

The General Manager advised that a report will be prepared for a future Council meeting to discuss.

Clr Woodcock

Question 1

What is the progress of the Lightning Ridge water samples as previously requested? Clr Woodcock also commented that a new bore at Angledool appears to be having similar problems as the new bore at Lightning Ridge with regards to water quality and flow issues.

Response

The Acting Director Urban Infrastructure Services advised that the water samples have been completed and are available to Clr Woodcock on his iPad.

Clr Keir

Question 1

The Come-By-Chance main street program has been deferred four times. A stretch of bitumen is wearing away and will soon be non-existent.

Response

The Director Engineering Services advised that work is due to commence before Christmas.

Question 2

Have Council implemented a system for acknowledging incoming correspondence?

Response

The Director Corporate Services advised that a system is in place for the records staff to send an acknowledgement to all incoming correspondence. An acknowledgement is also sent to incoming emails.

Question 3

Has a request for support been received from the Walgett Sporting Club yet?

Response

The General Manager advised that the request has been received and will be the subject of a report to the December meeting.

11/2013/32 Move into Closed Session At 1:28PM**Resolved:**

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

- (c) that information that would, if disclosed confer a commercial advantage on a person with whom the Council is conducting business (or proposed to conduct business)
- (d) that the matter and information is commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Moved: Clr Walford

Seconded: Clr Greenaway

CARRIED

11/2013/33 Notice of Intention to Give Order - 6-8 Windlass Avenue**Resolved:**

That Walgett Shire Council resolve to:

1. Note the e-mail from Robert Sirasch on 6 November 2013, relating to 6 Windlass Ave, Lightning Ridge (Lot 1, DP 827710) requesting an unspecified extension of time to comply with Walgett Shire Council's notice of intention to issue an order under section 121B of the Environmental Planning and Assessment Act 1979 dated 9 August 2012.
2. Write to Robert Sirasch and George Mulder stating that Council has considered the request for an extension of time to but it is not prepared to agree to the request. Accordingly Council requests that the works proposed in the notice of intention to issue an order dated 9 August 2012 be completed by 16 December 2013, as specified in Council's letter dated 26 August 2013.

Moved: Clr Greenaway

Seconded: Clr Cooper

CARRIED

11/2013/34 Supply & Delivery of Hardware T04134 OROC and Supply & Delivery of Steel Reinforced Concrete Pipe T011314OROC - November 2013

Resolved:

1. That Council accepts the tender of Supply & Delivery of Hardware - T04134 OROC and Supply and Delivery of Concrete pipes - T 011314 OROC for the period of 1/01/2014 to 30/12/2015, and
- 2 That a provision be allowed for a 12 months extension based on satisfactory supplier performance which may take this contract through to 30/12/2016.

Moved: Clr Cooper
Seconded: Clr Lane

CARRIED

11/2013/35 RFT13/016- Construction of Big Baroka Over Flow Bridge – Brewon Road (SR112)

Resolved:

1. That Council does not accept any of the complying tenders for RFT13/016 - Construction of Big Baroka Overflow Bridge because of price and design issues.
2. That Council accept the alternative tender submitted by Mathews Civil and Asphalt Pty Ltd in the sum of \$269,000 (excluding GST) for RFT13/016-Construction of Big Baroka Over Flow Bridge as the bridge design concept will result in a better outcome from an infrastructure capital cost and maintenance expense point of view.

Moved: Clr Lane
Seconded: Clr Cooper

CARRIED

11/2013/36 Industrial Subdivision Enquiry - Walgett

Resolved:

1. That Council accept the offer of \$50,000 each for Lots 158 & 159 in Council's Industrial Subdivision and that any necessary documentation be executed under the Common Seal of Council.

Moved: Clr Greenaway
Seconded: Clr Walford

CARRIED

Late Issues

1. Carinda Hotel – Outstanding Rates

The Director of Corporate Services outlined the present position with regards to Council's collection agent following up outstanding rates payments.

2. Mr Jozef Stark-Strzelecki – Outstanding Rates

The Director of Corporate Services advised that in accordance with Council's previous resolution payment in full was the only way to resolve any outstanding rates and avoid sale of the property.

3. Mr John Crouch – Outstanding Hangar Fees

11/2013/37 John Crouch – Outstanding Hangar Fees

Resolved:

That the proposal for payment of outstanding hangar fees by John Crouch be varied to allow an initial payment by 31 January 2014 and the balance by 30 June 2014, subject to Mr Crouch signing an appropriate agreement with Council.

Moved: Cllr Lane

Seconded: Cllr Walford

CARRIED

11/2013/38 Return to Open Session at 2:13pm

Resolved:

1. That Council return to open session.

Moved: Cllr Keir

Seconded: Cllr Greenaway

CARRIED

10/2013/39 Adoption of Closed Session Reports

Resolved:

That Council adopt the following recommendation of the Closed Committee:

- 1) Notice of Intention to Give Order – 6-8 Windlass Avenue;
- 2) Supply & Delivery of Hardware T04134 OROC and Supply & Delivery of Steel Reinforced Concrete Pipe T011314OROC;
- 3) RFT13/016- Construction of Big Baroka Over Flow Bridge – Brewon Road (SR112);
- 4) Industrial Subdivision Enquiry – Walgett;
- 5) John Crouch – Outstanding Hangar Fees.

Moved: Cllr Lane

Seconded: Cllr Walford

CARRIED

Close of Meeting

The meeting closed at 2:13pm.

To be confirmed at the meeting of Council to be held on 17 December 2013 at Walgett.

Mayor

General Manager