



# **MINUTES FOR ORDINARY COUNCIL MEETING**

**27<sup>th</sup> August, 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 in the **Walgett Council Chambers, 2013** commencing at 10:18 am to discuss the items listed in the Agenda.

**ADOPTED:**

Don Ramsland  
**GENERAL MANAGER**

## WALGETT SHIRE COUNCIL MINUTES

### CONFLICT OF INTERESTS

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

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

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

#### **Remoteness**

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

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

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

#### **Relatives, Partners**

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

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

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

- (a) The parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descends or adopted child of the person or of the person's spouse.
- (b) The spouse or de facto partners of the person or of a person referred to in paragraph (a)

#### **No Interest in the Matter**

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

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

#### **Disclosure and participation in meetings**

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

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

#### **Participation in Meetings despite Pecuniary Interest (S452 Act)**

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

**Non-Pecuniary Interest** – Must be disclosed in meetings.

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

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

#### **Disclosure to be Recorded (S453 Act)**

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

**MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL HELD AT WALGETT COUNCIL CHAMBERS ON TUESDAY 27<sup>TH</sup> AUGUST, 2013 AT 10:18 AM**

**PRESENT**

Clr B Murray (Mayor)  
Clr D Cooper  
Clr R Greenaway  
Clr J Keir  
Clr D Lane  
Clr M Martinez  
Clr L Walford  
Clr M Taylor  
Don Ramsland (General Manager)  
Stephen Holland (Director Corporate Services)  
Matthew Goodwin (Director Planning & Regulatory Services)  
Raju Ranjit (Director Engineering Services)  
Victoria Renshaw (Minute Secretary)

**Welcome to Visitors**

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

**8/2013/1 APOLOGIES – 27<sup>th</sup> August 2013**

**Resolved:**

That apologies received from Clr Woodcock be accepted and leave of absence granted.

**Moved: Clr Walford**

**Seconded: Clr Keir**

**CARRIED**

**Public Forum Presentations**

**Mr Roger Ley discussed the following:**

- Burren Junction is experiencing noise, dust and associated issues from Graham Wilson's truck operation in town.
- What is Council's position regarding banning trucks.
- Issue is increased during harvest times.

**Mr Graham Wilson discussed the following:**

- Notes that complaints have been made regarding his trucks.
- Has prepared a 20 year history of his business for Council.

*Steve Holland left the meeting at 10:22am.*

*Steve Holland returned to the meeting at 10:25am.*

*Roger Ley and Graham Wilson left the meeting at 10:59am.*

The Regional Director of Planning and Infrastructure Mr Ashley Aubrey discussed the following:

- Summarised correspondence regarding the Local Environmental Plan.
- Noted an administrative error caused incorrect historical flood levels. This has been resolved.
- Explained the 400ha minimum holding lot size. It is not commonly used in this state and is administratively difficult to deal with.
- The five year sunset clause – means that in first five years after purchasing property you may lodge DA to subdivide. Must commence building in the five years after this.
- May be beneficial to Council to add an intensive agricultural clause. Regional Director of Planning and Infrastructure is to look at adding this clause to the LEP.
- Worker's accommodation is included in the LEP, as is a dual occupancy clause.
- Decision can be reviewed, Regional Director recommended Council get a political decision
- Regional Director is to review the flood clause to be more in line with the Bourke and Brewarrina Council's flood clauses.
- Issue regarding camps on claims – Regional Director to investigate and report back to Council.

*Regional Director of Planning and Infrastructure left the meeting at 11:15am.*

*Meeting adjourned at 11:15am for morning tea.*

*Meeting resumed at 11:37am with all previously present again present.*

#### **Declaration of Pecuniary/Non Pecuniary Interests**

Clr Martinez declared a Pecuniary Interest in item 37 - Monthly Flood works report from Director Engineering Services and item 43 RFQ 12021– Provision of Tenders for Hired Plant and Minor Works on a Casual Basis as his family is currently operating contract plant.

Clr Keir declared a Pecuniary Interest in item 37 - Monthly Flood works report from Director Engineering Services and item 43 RFQ 12021 – Provision of Tenders for Hired Plant and Minor Works on a Casual Basis as her family is currently operating contract plant.

Clr Lane declared a Pecuniary Interest in item 32 – Development Application 2013/016 as he is the Applicant and item 51 – Management and Operation of the Walgett and Lightning Ridge Waste Management Facilities as his family have submitted a tender.

Clr Greenaway declared a Pecuniary Interest item 43 – RFQ 12021 – Provision of Tenders for Hired Plant and Minor Works on a Casual Basis as his family is currently operating contract plant and item 25 – Collarenebri CWA – Provision of Library Service as his partner is a member of the CWA Collarenebri branch.

#### **Confirmation of Minutes**

##### **8/2013/2 Minutes of Council meeting – 23<sup>rd</sup> July 2013**

##### **Resolved:**

That the minutes of the Council meeting held 23 July 2013, have been circulated be confirmed as a true and accurate record of that meeting.

**Moved:**            Clr Greenaway

**Seconded:**      Clr Lane

**CARRIED**

**8/2013/3 Walgett Shire Council Health & Safety Committee Minutes - 4 July 2013**

**Resolved:**

That the minutes of the Walgett Shire Council Health & Safety Committee Meeting held on 4 July 2013 be received and noted.

**Moved: Clr Keir**  
**Seconded: Clr Lane**

**CARRIED**

**8/2013/4 Walgett Shire Council Consultative Committee Minutes - 18 July 2013**

**Resolved:**

That the minutes of the Walgett Shire Council Consultative Committee Meeting held on 18 July 2013 be received and noted.

**Moved: Clr Keir**  
**Seconded: Clr Lane**

**CARRIED**

**8/2013/5 Walgett Shire Council Health & Safety Committee Minutes – 1 August 2013**

**Resolved:**

That the minutes of the Walgett Shire Council Consultative Committee Meeting held on 1 August 2013 be received and noted.

**Moved: Clr Lane**  
**Seconded: Clr Cooper**

**CARRIED**

**Mayoral Minutes**

**8/2013/6 Matters Generally for Brief Mention or Information only from Mayor**

**Resolved:**

That the Matters listed by the Mayor for brief mention or information only be received and noted.

**Moved: Clr Walford**

**Seconded: Clr Greenaway**

**CARRIED**

**Councillors Questions From Last Meeting**

**Clr Cooper**

**Question 1**

Can the Tender of the Harris Bridge on the Brewon Road be included in the Tender for the Baroka Overflow Bridge (B67) and Big Baroka (B66) Bridges on the Brewon Road?

**Response:**

Director of Engineering Services has advised that only (B66) and (B67) have been included on the 2013/2014 program, but Councillor Cooper's suggestion is being further investigated.

**Question 2**

Has the level of assistance that Council will provide to the Sporting Club been determined?

**Response:**

The General Manager advised that Council is awaiting formal application from the new Sporting Club Committee.

**Clr Martinez**

**Question 1**

Can Council investigate acquiring the Lightning Ridge Bowling Club Greens surface and use on the Lightning Ridge Netball Courts?

**Response:**

Council Staff have requested to talk with the Manager of the Bowling Club regarding the bowling green surface.

**Clr Greenaway**

**Question 1**

Does the Collarenebri School and Hospital pay general rates?

**Response:**

The Director of Corporate Services advises that both are exempt from general rates but pay water, sewerage and waste charges.

**Clr Keir**

**Question 1**

Can a letter be written to Telstra from Walgett Shire Council with regards complaint regarding the state of communication service to customers from the Berkley Downs Tower East of Walgett?

**Response:**

The General Manager advises that the matter was raised with the member for Parkes, Mark Coulton during his visit to Walgett on Wednesday 14 August, 2013 to see if it could be included in the Communication Black Spots Programme. A letter has also been sent to Telstra.

**Reports of Officers**

**8/2013/7 Council Decisions Action Report – July 2013**

**Resolved:**

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

**Moved:**       Clr Lane  
**Seconded:**   Clr Cooper

**CARRIED**

**8/2013/8 Circulars Received from the Local Government NSW**

**Resolved:**

That the information contained in the weekly circulars numbers 29 -33 from the Local Government NSW be received and noted.

**Moved:**       Clr Lane  
**Seconded:**   Clr Martinez

**CARRIED**

**8/2013/9 Circulars Received from the Division of Local Government – August 2013**

**Resolved:**

That the information contained in the following Departmental circulars 13-32 to 13-37 from the Local Government Division Department of Premier and Cabinet be received and noted.

**Moved:**       Clr Keir  
**Seconded:**   Clr Cooper

**CARRIED**

**8/2013/10 Monthly Calendar – August to October 2013**

**Resolved:**

That Council receive and note the regular monthly calendar for the period August to October 2013.

**Moved: Clr Walford**  
**Seconded: Clr Taylor**

**CARRIED**

**8/2013/11 Payment of Expenses and Provision of Facilities for Councillors**

**Resolved:**

1. That Council give notice of its intention to adopt the Draft Policy for the Payment of Expenses and Provision of Facilities to Councillors, in accordance with Section 253 of the Local Government Act.

2. Consider updating the various expenditure limits.

3. And that the Draft Payment of Expenses and Provision of Facilities for Councillors Policy then be placed on public exhibition and public submissions invited.

**Moved: Clr Lane**  
**Seconded: Clr Martinez**

**CARRIED**

**8/2013/12 Burren Junction Sports Ground Amenities Block**

**Resolved:**

That Walgett Shire Council resolve to:

1. Refuse Cubbaroo Campdraft Club's request to install an additional amenities block on Lot 7001 DP 1032424

2. Investigate the various alternative options including a mobile ablutions trailer and provide a report to Council including plans and costings.

3. General Manager is to investigate if sewerage funds can be utilised for this project.

**Moved: Clr Martinez**  
**Seconded: Clr Cooper**

**CARRIED**



**8/2013/13 Local Government Reform Process – Update**

**Resolved:**

That Council:

1. Formally adopt the draft “*Barwon Darling Co-ordination Group*” agreement; and
2. Establish a joint committee as outlined in the agreement under section 355 of the Local Government Act 1993
3. Authorise the Mayor and General Manager to take appropriate action in conjunction with the Shire of Bourke and Brewarrina to implement the terms of the agreement
4. Advise the Independent Local Government Review Panel, Minister for Local Government, Local Member for Barwon Hon. Kevin Humphries, relevant unions and state and federal departments of the action being taken in terms of the agreement.
5. Advise the local community and Council staff by way of public forums and newsletters of the adoption of the agreement and establishment of the Section 355 Committee.

**Moved: Clr Keir**

**Seconded: Clr Greenaway**

**CARRIED**

**8/2013/14 Supplementary Reports – General Manager**

**Resolved:**

1. That Council receive and consider the following late reports;
  - a) Establishing a Memorandum of Understanding with the Local Aboriginal Land Councils
  - b) PCYC Concept – Progress with Co-Sharing Concept
  - c) Betterment Funding Programme – Lobbying of State and Federal Agencies

**Moved: Clr Lane**

**Seconded: Clr Taylor**

**CARRIED**

**8/2013/15 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 Keir**

**Seconded: Clr Taylor**

**CARRIED**

**8/2013/16 Establishing a memorandum of understanding**

**Resolved:**

That Council

1. Seek support/facilitation from DAA to prepare draft MOUs between Council and the Local Aboriginal Land Councils from Collarenebri, Lightning Ridge and Walgett; and
2. Forward letters to each LALC detailing local issues/projects that could be taken into consideration when each LALC is preparing its Community Land and Business Plan.

**Moved: Clr Walford**

**Seconded: Clr Keir**

**CARRIED**

**8/2013/17 PCYC Progress with Co-sharing Concept**

**Resolved:**

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

**Moved: Clr Walford**

**Seconded: Clr Cooper**

**CARRIED**

**8/2013/18 Betterment Funding Programme – Lobbying State/Federal Agencies**

**Resolved:**

1. For Council's information.

**Moved: Clr Cooper**

**Seconded: Clr Taylor**

**CARRIED**

*Meeting adjourned for lunch at 12:26pm.*

*Meeting resumed at 1:07pm with all previously present again present.*

*Bradley Pascoe attended meeting at 1:10pm*

**8/2013/19 Cash On Hand and Investment Report as at 31 July 2013**

**Resolved:**

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

**Moved: Clr Greenaway**  
**Seconded: Clr Taylor**

**CARRIED**

*Bradley Pascoe left meeting at 1:20pm.*

**8/2013/20 Community Assistance Scheme Donations – Round 2 2012/2013 Applications**

**Resolved:**

1. That the following applicants be granted financial assistance under Section 356 of the Local Government Act 1993 for the first round of 2013/2014;

Organisation	Project	Recommended Amount
Collarenebri Jockey Club	Cover mandatory ambulance fees for an annual race meeting	\$500.00
Lighting Ridge Community Radio	Picnic in the Park to celebrate 17 <sup>th</sup> Birthday and promote talent in Shire	\$500.00
Lightning Ridge IBC	Maintain and improve the IBC Gem Gardens by installing new watering system and assistance with insurance fees	\$500.00
Lightning Ridge Neighbourhood Centre	Provides office space, electricity, paper and printing through the NILS program – No Interest Loan Scheme	\$500.00
Walgett Men's Shed Inc	To purchase furniture and fittings. Provides a location where men can meet, socialise and utilize the tools and work benches to make or repair articles.	\$1,000.00
Lightning Ridge Junior Rugby League Club	Purchase kitchen equipment for canteen (pie warmer, bay Marie etc)	\$500.00
Carinda Race Club	Cover costs associated with providing portable units on the day of the race event	\$2,800.00

**Moved: Clr Lane**  
**Seconded: Clr Walford**

**CARRIED**

**8/2013/21 356 Donations to Local Churches and Other Organisations**

**Resolved:**

1. That the applications from eligible non-profit organisations as per the attached list except for 35/37 Wilson Street Collarenebri be approved and the rebates on annual service charges as detailed therein be granted.

**Moved: Clr Greenaway**

**Seconded: Clr Lane**

**CARRIED**

**8/2013/22 Sale of Land for Unpaid Rates – 13 April 2013**

**Resolved:**

1. That Council approve the rates and charges written off totalling \$104,738.32 as detailed on the attached schedule in relation to the sale of land for unpaid rates on 13<sup>th</sup> April 2013.
2. That Council approve the write off of non-recoverable sales cost totalling \$3,229.81 as detailed on the attached schedule.

**Moved: Clr Cooper**

**Seconded: Clr Lane**

**CARRIED**

**8/2013/23 Stocktake Variance 2013 Financial Year**

**Resolved:**

1. That Council approve the write off of stock with a total value of \$21,276.53 to the stores ledger and control account and the adjustments to the Stores Ledger as per the schedule of stock items attached

**Moved: Clr Lane**

**Seconded: Clr Taylor**

**CARRIED**

**8/2013/24 Council Policy Review 2013**

**Resolved:**

1. That the Council confirm the Policies and associated Procedures as at 8 September 2012 on the attached schedule as current policies of the Council and, that a review of these Policies and Procedures be undertaken on a priority basis.

**Moved: Clr Keir**

**Seconded: Clr Lane**

**CARRIED**

## WALGETT SHIRE COUNCIL MINUTES

*Clr Greenaway declared a Pecuniary interest in the following item and left the meeting at 1:35pm*

### 8/2013/25 Collarenebri CWA – Provision of Library Service

**Resolved:**

1. That the annual donation equivalent to 25% of Water and Sewer charges and 50% of Waste charges be made to the Collarenebri CWA in recognition of the provision of a library service to the residents of Collarenebri and District and that it be applied directly to the rate assessment.
2. That the Collarenebri CWA be thanked for continuing to provide this service.

**Moved: Clr Lane**  
**Seconded: Clr Keir**

*Clr Greenaway returned to the meeting at 1:42pm.*

### 8/2013/26 Annual Financial Statements 2012/2013 Refer to Audit

**Resolved:**

1. The Draft Annual Financial Reports for 2012/2013 be referred to Council's Auditor.
2. The Mayor, another Councillor, the General Manager and 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 Auditor's report and the Financial Statements be presented to the public.
5. Subject to any material amendments, public notice be given of the meeting date for formal presentation of the audited Annual Financial Reports for 2012/2013 at the October Council meeting

**Moved: Clr Lane**  
**Seconded: Clr Cooper**

**CARRIED**

### 8/2013/27 Water and Sewer Services Review

**Resolved:**

1. That the report be received and noted.

**Moved: Clr Lane**  
**Seconded: Clr Keir**

**CARRIED**

**8/2013/28 Matters Generally for Brief Mention or Information Only – Director Corporate Services**

**Resolved:**

1. That the report be received and noted.

**Moved: Clr Lane**  
**Seconded: Clr Walford**

**CARRIED**

**8/2013/29 Lightning Ridge New Town Bore Cost Summary**

**Resolved:**

1. That Council receive and note the cost summary for the Lightning Ridge New Town Water Supply Bore Project.

**Moved: Clr Lane**  
**Seconded: Clr Keir**

**CARRIED**

**8/2013/30 Draft Swimming Pool Inspection Program**

**Resolved:**

1. Council publicly exhibit the draft Swimming Pool Inspection Program for a period of thirty days.

**Moved: Clr Lane**  
**Seconded: Clr Martinez**

**CARRIED**

**8/2013/31 Development and Complying Development Certificate Applications**

**Resolved:**

1. That Council resolve to note the report on Development and Complying Development Certificate applications dealt with by Council staff under delegated authority during June and July 2013

**Moved: Clr Martinez**  
**Seconded: Clr Cooper**

**CARRIED**

Clr Lane declared a Pecuniary Interest in the following item and left the meeting at 2:05pm.

Matt Clarkson – Town Planner addressed Council in relation to this item.

**8/2013/32 Review of Development Determination 2013/016 – David Lane**

**Resolved:**

That Walgett Shire Council resolve to:

1. Approve Development Application DA2013/016 by David Lane for a Primitive campground, café & 2 neighbourhood shops on Lot 6824 DP 46195.
2. Approval of the Development Application is subject to the inclusion of conditions as per the assessment report.

**Moved: Clr Keir**

**Seconded: Clr Walford**

**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

Against

Nil

Absent

Clr I Woodcock

Clr Lane returned to the meeting at 2:18pm.

**8/2013/33 Development Application, Change of Use**

**Resolved:**

That Walgett Shire Council resolve to:

1. Approve Development Application 2013/004 by Graham Wilson for a truck depot on Lots 21, 22 & 23 DP 15645 at Burren Junctions with the following conditions;
  - a) Operating hours of 6:00am to 9:00pm during off peak season times;
  - b) Operating hours of 6:00am to midnight during peak season times;
  - c) That the operator provides a plan for the mitigation of environmental disturbances including noise, light and dust that is satisfactory to the General Manager;
  - d) A speed limit of 10km/h is to be applied in the access lanes between the site and the Kamilaroi Highway;
  - e) Council's generic standard conditions.

**Moved: Clr Lane**

**Seconded: Clr Greenaway**

**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 D Lane

Against

Nil

Absent

Clr I Woodcock



**8/2013/34 Matters Generally for Brief Mention or Information only from Director of Planning & Regulatory Services**

**Resolved:**

That Walgett Shire Council resolves to:

1. Receive and note the report by the Director of Planning & Regulatory Services on matters for brief mention, or information only, regarding:
  - Pound dog rehoming.
  - Differential GPS
  - LIDAR data acquisition
  - Rural residential strategy quotes
  - Grawin Opal Fields locality proposal
  - Draft Local Approvals Policy
  - Local Government NSW & Draft Planning Bill.

**Moved: Clr Greenaway**

**Seconded: Clr Lane**

**CARRIED**

*Matt Clarkson left meeting at 2:24pm.*

**8/2013/35 Improvement of Morilla Street between Brilliant and Opal Street – Black Spot Programme –August 2013 from Director Engineering Services**

**Resolved:**

1. That Council accept and recommend the project.

**Moved: Clr Martinez**

**Seconded: Clr Lane**

**CARRIED**

**8/2013/36 Monthly RMCC works Report from Director Engineering Services – August 2013**

**Resolved:**

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

**Moved: Clr Cooper**

**Seconded: Clr Lane**

**CARRIED**

## WALGETT SHIRE COUNCIL MINUTES

*Meeting adjourned at 3:22pm.*

*Meeting resumed at 3:35pm with all previously present again present.*

*Clr Martinez and Clr Keir declared a Pecuniary Interest in the following item and left the meeting at 3:35pm.*

### 8/2013/37 Monthly flood works Report from Director Engineering Services

#### **Recommendation:**

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

**Moved: Clr Greenaway**

**Seconded: Clr Cooper**

**CARRIED**

*Clr Martinez and Clr Keir returned to the meeting at 3:40pm.*

### 8/2013/38 2013 Local Government National Local Roads and Transport Congress - Alice Springs, Northern Territory on 12-14 November 2013

#### **Resolved:**

That the Mayor, General Manager and Director of Engineering Services attend the National Local Roads and Transport Congress in Alice Springs between 12-14 November 2013 and that expenses be paid.

**Moved : Clr Cooper**

**Seconded: Clr Taylor**

**CARRIED**

#### **Questions for the next Meeting**

#### **Clr Greenaway**

##### **Question 1**

The Collarenebri School has built a roof over the two tennis courts in High Street. Water from the roof is being let run over the block. Shouldn't this water be drained into the street gutter instead.

##### **Response**

The Director Planning & Regulatory Services to investigate.

##### **Question 2**

Do the Council have any control over the opening in the fence in Wilson Street, Collarenebri? The fence has not been replaced since fire burnt down the nearby building.

##### **Response**

The Director Planning & Regulatory Services to investigate.

**Clr Cooper**

**Question 1**

The alleyway near Khans IGA in Lightning Ridge is full of rubbish. Can this be investigated?

**Response**

The Director Planning & Regulatory Services to investigate.

**Clr Keir**

**Question 1**

Have Council acknowledged letter received from the Walgett Historical Society regarding repairs to old Council Chambers and other matters?

**Response**

The General Manager to investigate.

**Question 2**

Will Council have the shade shelter erected at the Walgett pool prior to the swimming season?

**Response**

The General Manager advised that the smaller shade has been repaired and a larger shade has been purchased. Council is currently investigating whether existing shelter poles need to be replaced or not.

**Clr Martinez**

**Question 1**

The lane marking and pot holes on Morilla Street need attention.

**Response**

Director Engineering Services to investigate.

**Question 2**

How is the Beautification Program going?

**Response**

The General Manager advised that this program is underway. Plan is to do Collarenebri main street, then Walgett and lastly Lightning Ridge. Council is to inform communities of the project. The new concrete gang is to do the work.

**Question 3**

Can funds be accessed from the sewerage and water fund to be utilised for toilet block in the Len Cram Park, Lightning Ridge playground?

**Response**

The General Manager advised that the works program has been set for this financial year. This will be flagged as an item to be included in next year's budget.

**Clr Lane**

**Question 1**

Have the Lightning Ridge Library opening hours decreased?

**Response**

Director Corporate Services to investigate.

**Question 2**

Glen Peterson, a graduate town planner recently enquired about undertaking work experience with Council and was told that we do not provide work experience. Can this be investigated?

**Response**

General Manager to investigate.

**Clr Walford**

**Question 1**

Why wasn't a burst pipe near the IGA fixed until the next day?

**Response**

General Manager to investigate.

**Clr Taylor**

**Question 1**

Is the Lightning Ridge tip going to be extended out another 10 metres?

**Response**

General Manager to investigate in the absence of Director Urban Infrastructure.

**Question 2**

What is happening with the water connections to the camps?

**Response**

General Manager to advise.

**Question 3**

Can the rough areas and gravel issues in the road extension near the bore baths be investigated?

**Response**

General Manager to investigate.

**Question 4**

When can the tree planting program commence? Can a letter be written to the Health Department enquiring if there are issues with watering trees outside their office?

**Response**

General Manager to investigate.

**Question 5**

Stewarts have advised that the Lightning Ridge Race Club needs improvements, a race meeting may not take place this year if improvements are not made.

**Response**

General Manager advised that the race track issue has recently been investigated by Council.

**Question 6**

What is happening with the Lightning Ridge tourism committee?

**Response**

General Manager advised that Council is currently revising shire tourism strategies. General Manager to liase with Lightning Ridge tourism committee once drafted.

**Question 7**

Both Bins at Belmore Park are full and need to be emptied.

**Response**

General Manager is to investigate.

**Question 8**

Can the three outdoor cold water showers at the Lightning Ridge bore baths be connected to hot water from the bore head? Also water is slow to drain from the bathroom and showers are unclean.

**Response**

General Manager is to investigate.

**8/2013/39 Move into Closed Session At 4:37 PM**

**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 Greenaway**

**Seconded: Clr Walford**

**CARRIED**

**8/2013/40 Section 713 Sale of Properties for unpaid rates**

**Recommendation:**

1. That Council resolve to sell the properties as listed in appendix 1 of this report in accordance by public auction in accordance with the Sec 713 of the Local Government Act 1993
2. That the only payment arrangement acceptable to the Council be payment in full.
3. It is noted that the anticipated sale date is Saturday 14 December 2013.

**Moved: Clr Greenaway**

**Seconded: Clr Taylor**

**CARRIED**

**8/2013/41 Confidential Matters for Brief Mention or Information Only – Corporate Services**

**Recommendation:**

That the report be received and noted.

**Moved: Clr Cooper**

**Seconded: Clr Keir**

**8/2013/42 Collarenebri Water Treatment Plant Upgrade: Progress Report**

**Recommendation:**

1. That Council receive and note the Collarenebri Water Treatment Plant Upgrade Progress Report.
2. That Council resolve to adopt a Selective Tendering Process after calling for Expressions of Interest from interested suppliers.

**Moved: Clr Greenaway**

**Seconded: Clr Keir**

**CARRIED**

*Clr Martinez, Clr Greenaway and Clr Keir declared a pecuniary interest in the following item and left the meeting at 4:59pm.*

**8/2013/43 RFQ12021 – Provision of Tenders Hired Plant and Minor Works on a Casual basis**

**Recommendation:**

1. That Council accepts tender for RFQ12021 – Provision of Tenders Hired Plant and Minor Works on a casual basis.

**Moved: Clr Cooper**

**Seconded: Clr Walford**

**CARRIED**

## WALGETT SHIRE COUNCIL MINUTES

*Clr Martinez, Clr Greenaway and Clr Keir returned to the meeting at 5:08pm.*

### 8/2013/44 RFT13/005- Construction of Box Culvert in Old Burren Creek – Merrywinebone Road (RR329)

**Resolved:**

1. That Council call fresh tenders for RFT13/005 – Construction of Box Culvert in Old Burren Creek – Merrywinebone Road (RR329).
2. That tenderers who have previously submitted a tender are advised why fresh tenders are being called.

**Moved: Clr Greenaway**

**Seconded: Clr Lane**

**CARRIED**

*Clr Cooper declared a Pecuniary Interest in the following item and left the meeting at 5:10pm.*

### 8/2013/45 Industrial Land Sale - Walgett

**Recommendation:**

1. That Council accept the offer of \$50,000.00 for Lot 160 DP 882747 in Council's Industrial Subdivision and that any necessary documentation be executed under the Common Seal of Council.

**Moved: Clr Greenaway**

**Seconded: Clr Keir**

**CARRIED**

*Clr Cooper returned to the meeting at 5:12pm.*

### 8/2013/46 Walgett Weir Upgrading – Progress Report

**Recommendation:**

1. For Council's information.

**Moved: Clr Walford**

**Seconded: Clr Keir**

**CARRIED**

**8/2013/47 Review of Organisational Structure**

**Recommendation:**

1. That Council endorse the changes made to position descriptions and proposed to the Organisational Structure and those changes now be negotiated through the relevant award processes prior to implementation.

**Moved: Clr Lane**

**Seconded: Clr Cooper**

**CARRIED**

**8/2013/48 Tender for Management of Walgett and Collarenebri Swimming Pools**

**Recommendation:**

1. That the tender submitted by Riley Aquatic Management P/L for the management of the Walgett and Collarenebri swimming pools be rejected.
2. That the Mayor and General Manager be authorised to enter into negotiations with Riley Aquatic Management on the basis of extending the current contract arrangements for the 2013/2014 season or; Alternatively a revised price for a three year period commencing 2013/2014 on the basis of a revised scope for variable inclusions within the contract; and that the outcome of the negotiations be reported back to Council.

**Moved: Clr Lane**

**Seconded: Clr Walford**

**CARRIED**

**8/2013/49 Quotes for Walgett Shire Rural Residential Strategy**

**Recommendation:**

That Walgett Shire Council resolve to:

1. Note the seven quotes provided for the preparation of a Walgett Shire Rural Residential Strategy.
2. Engage GHD to prepare the Walgett Shire Rural Residential Strategy for \$22,000.
3. Write to the respective unsuccessful firms notifying them of Council's resolution and thank them for submitting a quote.
4. If GHD declines the tender Edge Management are to be engaged instead.

**Moved: Clr Greenaway**

**Seconded: Clr Keir**

**CARRIED**

**Planning Division**

In favour



## WALGETT SHIRE COUNCIL MINUTES

Clr G Murray  
Clr D Cooper  
Clr R Greenaway  
Clr J Keir  
Clr M Martinez  
Clr L Walford  
Clr D Lane  
Clr M Taylor  
Against  
Nil  
Absent  
Clr I Woodcock

*Clr Lane declared a Pecuniary Interest in sub item 1 – Consultant Engagement for Environmental Monitoring & Licence Reporting and left the meeting at 5:20pm.*

### **8/2013/50 Confidential Matters Generally for Brief Mention or Information Only – Urban Infrastructure Services**

**Recommendation:**

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

**Moved: Clr Cooper**  
**Seconded: Clr Walford**

**CARRIED**

*Clr Lane returned to the meeting at 5:24pm.*  
*Clr Lane declared a Pecuniary Interest in the following item and left the meeting at 5:24pm.*

### **8/2013/51 Management & Operation of Walgett & Lightning Ridge Waste Management Facilities: Tender Recommendation**

**Recommendation:**

1. That Council adopt the tender recommendation to reject all tenders for the Management & Operation of the Walgett & Lightning Ridge Waste Management Facilities.
2. That Council authorise the General Manager to negotiate with the lowest tenderer D&G Lane Earthmoving.
3. That Council consider endorsing a proposal to change the Landfill operating hours for both Waste Management Facilities.

**Moved:**  
**Seconded:**

**CARRIED**

*Clr Lane returned to the meeting at 5:30pm.*

### **8/2013/52 Construction of Namoi Village Sewerage and Water Supply Pipeline**

**Recommendation:**

1. That Council endorse the NSW Public Works tender recommendation for Walgett Water and Sewerage Upgrade program.
2. That Council accept the revised tender price offer submitted by Milbant Constructions Pty Ltd of \$2,355,876.33 inclusive of GST.

**Moved: Clr Lane**  
**Seconded: Clr Taylor**

**CARRIED**

**8/2013/53 Return to Open Session at 5:35pm**

**Resolved:**

That Council return to open session.

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

**CARRIED**

**8/2013/54 Adoption of Closed Session Reports**

**Resolved:**

That Council adopt the following recommendation of the Closed Committee:

- 1) Section 713 Sale of Properties for unpaid rates
- 2) Confidential Matters for Brief Mention or Information Only – Corporate Services
- 3) Collarenebri Water Treatment Plant Upgrade: Progress Report
- 4) RFQ12021 – Provision of Tenders Hired Plant and Minor Works on a Casual basis
- 5) RFT13/005 – Construction of Box Culvert in Old Burren Creek
- 6) Industrial Land Sale - Walgett
- 7) Walgett Weir Upgrading – Progress Report
- 8) Review of Organisational Structure
- 9) Tender for Management of Walgett and Collarenebri Swimming Pools
- 10) Quotes for Walgett Shire Rural Residential Strategy
- 11) Confidential Matters Generally for Brief Mention or Information Only – Urban Infrastructure Services
- 12) Management and Operation of Walgett & Lightning Ridge Waste Management Facilities
- 13) Construction of Namoi Village Sewerage and Water Supply Pipeline

**Moved: Clr Walford**  
**Seconded: Clr Cooper**

**CARRIED**

**Close of Meeting**

WALGETT SHIRE COUNCIL MINUTES

The meeting closed at 5:40pm.

To be confirmed at the meeting of Council to be held on 24<sup>th</sup> September 2013.

---

Mayor

---

General Manager

DRAFT