



MINUTES FOR EXTRA-ORDINARY COUNCIL MEETING

28th June, 2013

NOTICE IS HEREBY GIVEN pursuant to clause 7 of Council's Code of Meeting Practice that the Extra-ordinary Council Meeting of Walgett Shire Council was held in the **Walgett Council Chambers, 2013** commencing at 1:26 pm to discuss the items listed in the Agenda.

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.

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WALGETT SHIRE COUNCIL MINUTES

**MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL HELD AT WALGETT COUNCIL CHAMBERS ON FRIDAY 28<sup>TH</sup> JUNE, 2013 AT 1:26 PM**

**PRESENT**

Clr B Murray (Mayor)  
Clr R Greenaway  
Clr J Keir  
Clr D Lane  
Clr M Martinez  
Clr L Walford  
Clr I Woodcock  
Don Ramsland (General Manager)  
Stephen Holland (Director Corporate Services)  
Raju Ranjit (Director Engineering Services)  
Prafulla Bahadur K.C (Acting Director Urban & Infrastructure Services)  
Bradley Pascoe (Finance Manager)  
Bronwyn Newton (Minute Secretary)

**Welcome to Visitors**

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

**6/2013/1 APOLOGIES – 28<sup>TH</sup> May 2013**

**Resolved:**

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

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

**CARRIED**

**6/2013/2 Walgett Shire Operational Plan and Budget for 2013/14 and supporting documentation**

**Resolved:**

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

**Moved: Clr Greenaway**  
**Seconded: Clr Woodcock**

**CARRIED**

**6/2013/3 Walgett Shire Ten (10) Year Community Strategic Plan**

**Resolved:**

1. That the Council having considered any submissions received, formally adopt the Draft Walgett Shire Ten (10) Year Community Strategic Plan including the Resource Strategy comprising the Long Term Financial Plan, Workforce Plan and Asset Management Plan and that the Plans be submitted to the Division of Local Government for endorsement

**Moved: Clr Walford**

**Seconded: Clr Keir**

**CARRIED**

**6/2013/4 Delivery Program, Operational Plan, Long Term Financial Plan Including Schedule of Fees and Charges**

**Resolved:**

That Council having considered the various submissions received:

1. Adopts the 2013/2014 Operational Plan and Budget, 2013/2017 Delivery Program and Long Term Ten (10) Year Financial Plan incorporating any late changes:
2. Adopts the Schedule of Fees and Charges 2013/2014 with Council reserving the right to vary fees and charges of a commercial nature as circumstances require.
3. Makes the annual charge for the provision of domestic waste management services for each parcel of rateable land for which the service is available in accordance with section 496 of the Local Government Act (1993) as set out in the Schedule of Fees and Charges for 2013/2014.
4. Adopts the Water/Sewer Pricing Structure as set out in the Schedule of Fees and Charges 2013/2014.
5. No capital projects over \$20,000 will be commenced without a detailed project cost and funding summary and supporting documentation being available.
6. Sets the charge on overdue rates and charges for 2013/14 Pursuant to Section 566 (3) of the Local Government Act 1993 at 9% per annum.
7. Note the change in the Operating Results table for the before depreciation figure.

**Moved: Clr Walford**

**Seconded: Clr Lane**

**CARRIED**

**WALGETT SHIRE COUNCIL MINUTES**

**6/2013/5 Making of the Ordinary Rates for the 2013/2014 year**

**Resolved:**

That Council:

1. Resolves in accordance with Section 566 of the Local Government Act 1993, to make the rate of interest to charge on overdue rates and charges at 9% pa calculated daily for 2013 / 2014.
2. Resolves in accordance with Section 563 of the Local Government Act 1993, to make the discount 3.6% for payment in full of total rates and charges (less any rebates) for ratepayers whose payments are received in full on or before the 31 August 2013.
3. Resolves to make the Ordinary Rates for the 2013 / 2014 year as set out below on the land value for all ratable land within each category and sub-category specified, including each base amount and percentage of the total amount payable the base amount produces in conformity with section 500 of the Local Government Act 1993.

| Ordinary Rates - Depicting 6.4% Rates Pegging and Special Variation Increase |             |            |             |         |                    |                |                 |                  |                |                    |
|------------------------------------------------------------------------------|-------------|------------|-------------|---------|--------------------|----------------|-----------------|------------------|----------------|--------------------|
| Description                                                                  | No. Assess  | Rate in \$ | Base Amount | Minimum | 2013/14 Ad Valorum | 2013/14 Base   | 2013/14 Minimum | 2013/14 Total    | 2013/14 Base % | Avg Per Assessment |
| Walgett Residential                                                          | 657         | 0.03364394 | 185.64      | 0.00    | 182,951.36         | 121,965.48     |                 | 304,916.84       | 40%            | 464.10             |
| l/Ridge Residential                                                          | 654         | 0.01418714 | 149.26      | 0.00    | 227,765.96         | 97,616.04      |                 | 325,382.00       | 30%            | 497.53             |
| Collarenebri Residential                                                     | 202         | 0.11595285 | 150.83      | 0.00    | 51,876.14          | 30,467.66      |                 | 82,343.80        | 37%            | 407.64             |
| B/Junction Residential                                                       | 95          | 0.03579982 | 141.89      | 0.00    | 22,951.26          | 13,479.55      |                 | 36,430.81        | 37%            | 383.48             |
| Carinda Residential                                                          | 68          | 0.06621144 | 77.50       | 0.00    | 6,707.22           | 5,270.00       |                 | 11,977.22        | 44%            | 176.14             |
| Cumbarah Residential                                                         | 55          | 0.0053819  | 73.50       | 0.00    | 4,940.59           | 4,042.50       |                 | 8,983.09         | 45%            | 163.33             |
| Rowena/CBC Residential                                                       | 38          | 0.36421822 | 75.65       | 0.00    | 3,114.07           | 2,874.70       |                 | 5,988.77         | 48%            | 157.60             |
| Residential - Preserved Opal Fields                                          | 1773        | 0.0417733  | 123.03      | 0.00    | 245,981.25         | 218,132.19     |                 | 464,113.44       | 47%            | 261.77             |
| Residential - Other                                                          | 96          | 0.00658473 | 135.52      | 0.00    | 26,414.66          | 13,009.92      |                 | 39,424.58        | 33%            | 410.67             |
| Walgett Business                                                             | 124         | 0.04066126 | 255.60      | 0.00    | 77,597.13          | 31,694.40      |                 | 109,291.53       | 29%            | 881.38             |
| l/Ridge Business                                                             | 108         | 0.00861465 | 404.60      | 0.00    | 55,614.02          | 43,696.80      |                 | 99,310.82        | 44%            | 919.54             |
| Collarenebri Business                                                        | 31          | 0.12872106 | 214.59      | 0.00    | 14,806.78          | 6,652.29       |                 | 21,459.07        | 31%            | 692.23             |
| B/Junction Business                                                          | 19          | 0.03513518 | 198.04      | 0.00    | 9,212.44           | 3,762.76       |                 | 12,975.20        | 29%            | 682.91             |
| Carinda Business                                                             | 20          | 0.02135531 | 97.31       | 0.00    | 3,044.20           | 1,946.20       |                 | 4,990.40         | 39%            | 249.52             |
| Rowena/CBC/Cumbarah Business                                                 | 8           | 0.26961608 | 119.77      | 0.00    | 1,038.02           | 958.16         |                 | 1,996.18         | 48%            | 249.52             |
| Business - Preserved Opal Fields                                             | 55          | 0.05182432 | 195.99      | 0.00    | 16,169.19          | 10,779.45      |                 | 26,948.64        | 40%            | 489.98             |
| Business - Other                                                             | 110         | 0.00835099 | 158.61      | 0.00    | 20,480.97          | 17,447.10      |                 | 37,928.07        | 46%            | 344.80             |
| Rural (Farmland)                                                             | 728         | 0.00285578 | 0.00        | 193.30  | 2,661,101.00       | 0.00           | 8,311.90        | 2,669,412.90     | 0%             | 3666.78            |
| Rural Irrigable                                                              | 86          | 0.00285578 | 0.00        | 193.30  | 725,231.00         | 0.00           | 386.60          | 725,617.60       | 0%             | 8437.41            |
| <b>Total Ordinary Rates</b>                                                  | <b>4927</b> |            |             |         | <b>4,356,997</b>   | <b>623,795</b> | <b>8,699</b>    | <b>4,989,491</b> |                |                    |
|                                                                              |             |            |             |         |                    |                |                 | 4,690,310        |                |                    |
|                                                                              |             |            |             |         |                    |                |                 | 300,180          |                |                    |
|                                                                              |             |            |             |         |                    |                |                 | <b>4,990,490</b> |                |                    |

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

**CARRIED**

**Close of Meeting**

The meeting closed at 2:40pm

To be confirmed at the meeting of Council to be held on 23<sup>rd</sup> July 2013.

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 Mayor

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 General Manager