



MINUTES FOR ORDINARY COUNCIL MEETING

28th July, 2015

ADOPTED:

Don Ramsland
GENERAL MANAGER

MINUTES OF THE ORDINARY MEETING OF THE WALGETT SHIRE COUNCIL HELD AT THE ROWENA HALL ON TUESDAY 28 JULY, 2015 AT 10:25 AM

PRESENT

Clr Lane (Mayor)
Clr Keir
Clr Woodcock
Clr Greenaway
Clr Walford
Clr Cooper
Clr Taylor
Clr Martinez
Don Ramsland (General Manager)
Stephen Holland (Director Corporate Services)
Matthew Goodwin (Director Planning & Regulatory Services)
Raju Ranjit (Director Engineering Services)
Prafulla K.C (Acting Director Urban Infrastructure Services)
Bronte Kerr (Minute Secretary)

Apologies

6/2015/1 Apologies

Resolved:

That apologies from Clr Murray for non-attendance and Clr Cooper for late arrival be accepted and leave of absence granted.

Moved: Clr Greenaway

Seconded: Clr Keir

CARRIED

Public Forum Presentations – Nil

Declaration of Pecuniary Interests

Clr Keir declared a Pecuniary Interest in item 10 on page 25 – Notice of Motion by Clr Greenaway and page 177 – Roads maintenance work program 2015/16.

Clr Martinez declared a Pecuniary Interest – page 177 - Roads maintenance work program 2015/16.

Confirmation of Minutes

6/2015/2 Minutes of Ordinary Council Meeting – 23 June 2015

Resolved:

That the minutes of the Ordinary Council Meeting held 23 June 2015, having been circulated be confirmed as a true and accurate record of that meeting.

Moved: Clr Keir

Seconded: Clr Taylor

CARRIED

Mayoral Minutes

6/2015/3 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 Lane
Seconded: Clr Woodcock

CARRIED

Clr Keir left the meeting at 10.35am

Notice of which Notice has been given

6/2015/4 MAINTENANCE OF UNSEALED ROADS

Recommendation:

1. That prior to arranging the grading of unsealed roads in the rural area a full road inspection be carried out to determine the exact level and location of any maintenance grading required.
2. Council investigate the options of grading twice a year for the identified roads and also prepare a report on the classifying of unsealed roads into three categories - 1. Well used, 2. Used, 3. Low use, for road maintenance purposes.
3. Closed road signs – utilise the shape of option 2 and the wording in option 1 based on the draft document and the concept be referred to the Local Traffic Committee for comment.

Moved: Clr Greenaway
Seconded: Clr Woodcock

CARRIED

Clr Keir returned to the meeting at 10:55am

Reports of Committees/Delegates

6/2015/5 Minutes of the Work Health & Safety Committee 24 June 2015

Recommendation:

That the minutes of the Work Health and Safety Committee meeting held 24 June 2015, having been circulated be confirmed as a true and accurate record of that meeting.

Moved: Clr Woodcock
Seconded: Clr Walford

CARRIED

6/2015/6 Minutes of the Plant Committee – 9 July 2015

Recommendation:

That the minutes of the Local Area Traffic Committee meeting held 9 July 2015, having been circulated be confirmed as a true and accurate record of that meeting.

Moved: Clr Greenaway
Seconded: Clr Keir

CARRIED

Clr Cooper entered the meeting

Reports from Officers

6/2015/7 Council's Decision Action Report – July 2015

Recommendation:

That the Resolution Register for July 2015 be received and noted and a report be prepared for the next meeting in respect of any resolutions more than 12 months old awaiting for finalisation.

Moved: Clr Cooper
Seconded: Clr Keir

CARRIED

6/2015/8 Circulars Received from the Local Government NSW

Recommendation:

That the information contained in the weekly circulars numbers 23-27 from the Local Government NSW be received and noted.

Moved: Clr Walford
Seconded: Clr Greenaway

CARRIED

6/2015/9 Circulars Received from the NSW Office of Local Government

Recommendation:

That the information contained in the following Departmental circulars 15-22 /15-27 from the Local Government Division Department of Premier and Cabinet be received and noted.

Moved: Clr Cooper
Seconded: Clr Keir

CARRIED

6/2015/10 Monthly Calendar July 2015 – September 2015

Recommendation:

That Council receive and note the regular monthly calendar for the period July 2015 – September 2015.

Moved: Clr Woodcock
Seconded: Clr Walford

CARRIED

6/2015/11 Payment of expenses and provision of facilities for councillors

Recommendation:

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 Greenaway
Seconded: Clr Woodcock

CARRIED

6/2015/12 Review of pesticides use notification plan

Recommendation:

That Council adopt the revised Pesticides Use Notification Plan in principle and place it on public exhibition and invite public comment

Moved: Clr Woodcock
Seconded: Clr Cooper

CARRIED

6/2015/13 Drought relief employment schemes

Recommendation:

That Council receive and note the General Manager's report, endorse the action being taken, and delegate authority to vary Council's Organisational Structure should the need arise to engage additional staff.

Moved: Clr Greenaway
Seconded: Clr Taylor

CARRIED

6/2015/14 Establishment of a drought recovery and resilience plan for Walgett shire

Recommendation:

That the General Manager's Report be received and noted, and work on the development of the Drought Recovery and Resilience Plan continue as a matter of priority drawing on stakeholder resources and those members of the community who participated in the workshop be thanked for their input and making their time available to participate in the process.

Moved: Clr Taylor
Seconded: Clr Keir

CARRIED

6/2015/15 Matters for brief mention or information only from General Manager

Recommendation:

That the following matters listed for brief mention or information only

- Letter received 25th June, 2015 from General The Honourable David Hurley AC DSC (Ret'd)
- Copy of the Letter sent to Mark Coulton - 11th June, 2015 from The Hon. Barnaby Joyce MP
- Media Release – Regional Achievement and Community Awards
- NSW Farmers – Farmers welcome commitment to regional infrastructure
- NSW Farmers – StandUpForFarmers Campaign takes out National Awards
- LGNSW: Local Government Awards Evening 2015
- Email received from Jenny Frank 23rd June, 2015 Senior Consultant from Morrison Low
- Email received 14th July, 2015 from Jeremy Hutton Private Secretary/Adviser from the Office of the Hon. Adrian Piccoli MP in regards to meeting arrangements with the Minister.
- NSW Farmers - Media Release – Local Lands Services lacking
- President's Message - 17 July 2015 LGNSW

be received and noted and response from Minister for Education be given appropriate publicity.

Moved: Clr Keir
Seconded: Clr Martinez

CARRIED

6/2015/16 Cash on hand and investment report as at 30 June 2015

Recommendation:

That the cash on hand and investment report as at 30 June 2015 be received.

Moved: Clr Cooper
Seconded: Clr Woodcock

CARRIED

6/2015/17 Quarterly rates report & end of financial year – June 2015

Recommendation:

Council note the improved outstanding rates percentage and ongoing commitment to improve this key performance indicator.

Moved: Clr Greenaway

Seconded: Clr Taylor

CARRIED

6/2015/18 356 donations to local churches and other organisations

Recommendation:

That the applications from eligible non-profit organisations totalling \$16,775.86 as per the attached list be approved and the rebates on annual service charges as detailed therein be granted.

Moved: Clr Greenaway

Seconded: Clr Woodcock

CARRIED

6/2015/19 Community development report April – June 2015

Recommendation:

That the report for Community Development for April – June 2015 be received and noted.

Moved: Clr Woodcock

Seconded: Clr Keir

CARRIED

6/2015/20 Lease of premises old council chambers and masonic lodge

Recommendation:

1. That Council enter into a lease with the Walgett Historical Society Incorporated over the old council chambers for a term of 5 (five) years commencing 1 July 2015 on the basis as outlined in this report.
2. That Council enter into a lease with the Walgett Historical Society Incorporated over the Masonic Lodge for a term of 5 (five) years commencing 1 July 2015 on the basis as outlined in this report.

Moved: Clr Keir

Seconded: Clr Greenaway

CARRIED

6/2015/21 Council insurance renewals – 2014 / 2015

Recommendation:

That the report be received and noted

Moved: **Clr Greenaway**
Seconded: **Clr Cooper**

CARRIED

6/2015/22 Stock take variance financial year 2014

Recommendation:

That Council approve the write on of stock with a total value of \$50,010.63 to the stores ledger and control account and the adjustments to the Stores Ledger as per the schedule of stock items attached.

Moved: **Clr Keir**
Seconded: **Clr Martinez**

CARRIED

6/2015/23 Matters generally for brief mention– Late Item - from Director Corporate Services – July 2015

Recommendation

That the report be received and noted.

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

CARRIED

6/2015/24 Matters generally for brief mention or information only – from Director Corporate Services

Recommendation:

That a donation equivalent to the hire fee of \$18 and Temporary Licence fee of \$150 (Total \$168) be made to the Collarenebri Bulldogs Rugby League (B/L 11.01010.1405 Community Contributions)

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

CARRIED

6/2015/25 Development application 2015/013 – Milan Popovic

Recommendation:

That Walgett Shire Council resolve to:

1. Note the objection received from Janet Town dated 25 May 2015.
2. Note the objection received from Macquarie Law dated 27 May 2015.
3. Approve Development Application DA2015/013 by Milan Popovic for bellcote on Lot 1 DP 846336 subject to the recommended conditions of development consent.

Moved: Clr Keir

Seconded: Clr Martinez

CARRIED

PLANNING DIVISION:

For: Clr Lane

Clr Walford

Clr Cooper

Clr Keir

Clr Taylor

Clr Woodcock

Clr Martinez

Clr Greenaway

Against: Nil

Absent: Clr Murray

6/2015/26 Mining camp addressing

Recommendation:

That Walgett Shire Council resolve to:

1. Note the report on mining camp addressing on opal fields within the Walgett Shire.
2. Invite the following government authorities to attend a meeting to discuss Council's proposal to establish location based addressing for mining camp dwellings on opal fields within the shire;
 - NSW Land and Property Information (LPI)
 - Geographic Names Board of NSW
 - NSW Crown Land
 - NSW Trade and Investment, Department of Resources and Energy
 - NSW Roads and Maritime Service
3. Note that the proposed agenda for the meeting includes:
 - (a) Outline of location based addressing concepts.
 - (b) Proposed process to establish location based addressing for mining camp dwellings on the opal fields
 - (c) Identifying potential sources of funding for the project.
 - (d) Identifying resources each agency could use to support the project.
 - (e) Planned course of action.

4. Request that a further report be provided to council regarding mining camp addressing on opal fields at the conclusion of the proposed government authority meeting.

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

CARRIED

6/2015/27 Mining camp western lands leases

Walgett Shire Council resolve to:

1. Note the letter from the Glengarry, Grawin, Sheeppark Miners Association dated 15 June 2015 requesting Council to pursue the conversion of residential Mineral Claims to Western Lands Leases in the Glengarry Grawin area.

2. Write to the NSW Minister for Primary Industries, Lands and Water to:

(a) Indicate that it is concerned that the "Camps on Claims Scheme" which the NSW Government previously committed itself to appears to have stalled.

Since 8 June 2012 when NSW Crown Lands acquired lot 1, DP 1145840, which includes most of the Grawin opal fields, no significant resources have been applied to the conversion of residential Mineral Claims to Western Lands Leases within Crown Reserve 1024168.

(b) Request that the Minister ensure:

(i) A time table is provided for converting residential Mineral Claims to Western Lands Leases within Crown Reserve 1024168 at the Lightning Ridge and Grawin Opal Fields localities.

(ii) A time table is provided for further acquisitions, on a voluntary sale basis, of the remaining Western Lands leases which form part of the 'preserved' opal fields and the incorporation of those areas into Crown Reserve 1024168.

(iii) A time table is provided for the preparation of a plan of management for Crown Reserve 1024168, so that the community can participate and understand the government's intentions regarding the management of the land.

(iv) Information is provided on the status of the "Camps on Claims Scheme" fund. Council was advised in December 2009, at a Camps on Claims Working Group meeting, that the fund contained a residue of about \$331,000. It is Council's understanding that:

- These funds came from fees paid by 'residential' Mineral Claim holders.
- The NSW Government had provided a commitment that the funds would be used exclusively for the Camps on Claims Scheme.
- Significant additional fees have been paid since 2009, hence the balance of the fund must have increased.
- It appears that the funds have not been used for the purpose for which they were collected since 2009.

3. Send a copy of the letter to the Glengarry, Grawin, Sheeppark Miners Association.

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

CARRIED

6/2015/28 Matters generally for brief mention or information only from Director of Planning & Regulatory Services

Recommendation:

That Walgett Shire Council resolve to:

Receive and note the report by the Director of Planning & Regulatory Services on matters for brief mention, or information only.

Moved: Clr Greenaway

Seconded: Clr Taylor

CARRIED

6/2015/29 Monthly rural infrastructure and support service progress report from Director Engineering Services

Recommendation:

That Council receive and note the Engineering Services Division monthly work progress report for June 2015.

Moved: Clr Greenaway

Seconded: Clr Woodcock

CARRIED

Meeting adjourned at 1:04pm for lunch

The meeting resumed at 1:40pm with all those previously present again present.

6/2015/30 Monthly RMCC works report from Director Engineering Services –June 2015

Recommendation:

That Council receive and note the monthly RMCC works report for June 2015.

Moved: Clr Walford

Seconded: Clr Greenaway

CARRIED

6/2015/31 Crushing the shincracker and Cumborah quarry material to use on Roads

Recommendation:

That Council note and accept the quote of Johnstone Concrete Pty which is \$4.80 per tonne and an establishment cost of \$ 13,000 to crush the shincracker and Cumborah Quarry material.

Moved: Clr Woodcock

Seconded: Clr Walford

CARRIED

6/2015/32 Purchase of shincracker gravel to use on roads

Recommendation:

That Council note and accept purchase of raw shincracker (estimated quantity of 10,874 m³ or 14,136 tonne) or measured quantity after process \$ 3.75 per tonne from the stockpiled on AOC construction site

Moved: Clr Cooper
Seconded: Clr Martinez

CARRIED

Clr Keir and Clr Martinez left the meeting at 1:50pm

6/2015/33 2015/2016 Roads maintenance work program

Recommendation:

That Walgett Shire Council endorse the Roads Maintenance work program for 2015/2016 and note that the works will be based on the attached schedule and subject to further report.

Moved: Clr Woodcock
Seconded: Clr Taylor

CARRIED

Clr Keir and Clr Martinez returned to the meeting at 1:54pm

6/2015/34 Matters generally for brief mention or information only from Director Engineering Services - July 2015

Recommendation:

That the matters listed by the Director of Engineering Services for brief mention or information be received and noted.

Moved: Clr Woodcock
Seconded: Clr Taylor

CARRIED

6/2015/35 Lightning ridge butterfly Avenue Park: motorbike problem

Recommendation:

1. That the report be received and noted.
2. That Council approve management investigations for purchasing and installing an appropriate fence
3. That Local police again be contacted, preferably through the Walgett LAC office, to enforce the required cessation of bike activities in the area.

Moved: Clr Keir
Seconded: Clr Walford

CARRIED

6/2015/36 Matters generally for brief mention or information only – Acting Director Urban Infrastructure Services

Recommendation:

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

Moved: Clr Greenaway
Seconded: Clr Keir

CARRIED

Questions for Next Meeting

Clr Taylor

Question 1

Can Council provide an update on the progress of eradication of Hudson Pear?

Response

The General Manager to prepare update report for August Meeting.

Question 2

Can the Director Planning and Regulatory Services include the statistics in regards to issuing fines for illegal dumping in the brief mentions report?

Response

The Director Planning and Regulatory Services will incorporate appropriate statistics each month.

Clr Walford - Nil

Clr Martinez

Question 1

Can Council arrange for staff to tidy up Lightning Ridge Main Street for the Opal Festival?

Response

The Acting Director Urban Infrastructure Services to take appropriate action prior to weekend using staff from Walgett if necessary.

Question2

Is there any problem with water pipes bursting in Lightning Ridge?

Response

The Acting Director of Urban Services is to investigate and advise of any issues.

Clr Keir

Question 1

Drew attention to water meters not being read because of the location in backyards in Walgett.

Response

The Acting Director of Urban Services is to investigate and advise Clr Keir direct.

Clr Cooper

Question 1

Does Council currently have an impounding Officer who can arrange for the wandering dogs (4 sighted) in Walgett to be picked up?

Response

The Director Planning and Regulatory Services advises regular patrols are conducted and any offending animals located impounded.

Question 2

Can Council inspect and repair the washout located approx. 4km from the Cumborah intersection on the Kurrajong Road?

Response

The Director of Engineering Services to investigate and take appropriate action as a matter of urgency.

Clr Greenaway**Question 1**

Can Council install a sign on the corner of the services station in Collarenebri to indicate the location of the primitive camping area?

Response

The Acting Director Urban Infrastructure Services to arrange for erection of appropriate signage.

Question 2

Can Council investigate the pump used to clean storm water out of the Streets in Rowena and ensure it is in working condition?

Response

The Acting Director Urban Infrastructure Services to take appropriate action as soon as possible.

Question 3

Can Council arrange for a load of gravel to be placed in the gateway of the Rowena Hall?

Response

The Director of Engineering Services to arrange for gravel to be delivered and spread out as soon as possible.

Clr Woodcock**Question 1**

Can Council prepare an update on the progress of acquisition of land at Lightning Ridge Western Lands for a residential subdivision?

Response

The General Manager advised a formal application will be made to Western Lands.

Question 2

Again raised the issue of development of land at the intersection of the Castlereagh Highway and Bill O'Brien Way as a rural residential subdivision.

Response

The General Manager will arrange for previous reports in relation to rural residential subdivision at Lightning Ridge to be updated for the August Meeting.

Question 3

Have Notice of motion for the August meeting for an independent forensic audit of the Lightning Ridge Water Fund.

6/2015/37 Move into Closed Session at 2.25 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:

- (a) 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)
- (b) 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 Woodcock

CARRIED

6/2015/38 Organisational restructure progress

Recommendation:

That Council receive and note the General Manager's Report with regards the progress of the current Organisational Restructure proposed and adopt the draft organisational structure presented to the meeting.

Moved: Clr Walford

Seconded: Clr Cooper

CARRIED

6/2015/39 Non-urban water connections at Collarenebri

Recommendation:

That Walgett Shire Council resolve to:

1. Note the report on the status of non-urban water supply at Collarenebri.
2. Install water meters with back flow prevention devices at all non-metered water connections identified in Attachment A and on Council mains at the edge of the Collarenebri urban area
3. Levy access charges at all water connections identified in Attachment A.
4. Levy use charges on all water connections identified in Attachment A.
5. Undertake further investigations ensure that water access and use charges are levied on all unidentified users listed in Attachment A, including meters R96 13617 and WST2"-09-07061.

Moved: Clr Keir

Seconded: Clr Greenaway

CARRIED

6/2015/40 Non-urban water connections at Lightning Ridge

Recommendation:

That Walgett Shire Council resolve to:

1. Note the legal advice from Marsdens Law Group dated 23 October 2013 regarding non-urban water supply at Lightning Ridge.
2. Install water meters with back flow prevention devices at all non-metered water connections identified in Attachment A and on Council mains at the edge of the Lightning Ridge urban area.
3. Levy access charges at all water connections identified in Attachment A.
4. Levy use charges on all water connections identified in Attachment A.
5. Write to the holders of all known authorised non-urban water connections at Lightning Ridge identified in Attachment A and advise them that:
 - (a) Non-urban water mains are vulnerable to unauthorised connections within the opal fields.
 - (b) Council regards all unauthorised water connections and plumbing works on properties connected to Council mains as a serious public safety issue. As a result it will actively investigate such connections with a view to prosecuting and disconnecting offenders.
 - (c) Council cannot provide any assurance about water quality within mains passing through the opal fields because there is a significant risk that they could become contaminated by substandard plumbing work, unauthorised connections and mining disturbance.
 - (d) Given that Council cannot provide any assurance about water quality, it is recommended that any water sourced from their connection should be boiled prior to drinking to reduce the potential for microbiological contamination.
5. Request that a further report be provided to council regarding non-urban water connections at Lightning Ridge which compares water volumes passing through all master meters at the fringe of the Lightning Ridge urban area against end user meters over a period of at least six months.
6. Maintain the Walgett Shire Council Policy titled "Water supply in Non-urban Areas", adopted 27 April 2010 which states, amongst other things, that "*Council will not permit any new water connection for residential purposes outside of an urban zone*".

Moved: Clr Walford
Seconded: Clr Taylor

CARRIED

6/2015/41 Warena Street, Walgett – kerb and gutter construction

Recommendation:

For Council's information.

Moved: Clr Greenaway
Seconded: Clr Keir

CARRIED

6/2015/42 Walgett levee rehabilitation stage 4- update

Recommendation:

That Council receive and note the report.

Moved: Clr Greenaway
Seconded: Clr Keir

CARRIED

6/2015/43 Return to Open Session at 3:33 pm

Resolved:

That Council return to open session.

Moved: Clr Greenaway
Seconded: Clr Taylor

CARRIED

6/2015/44 Adoption of Closed Session Reports

Resolved:

That Council adopt the following recommendation of the Closed Committee:

- 1) Organisational Restructure Progress
- 2) Non-urban water connections at Collarenebri
- 3) Non-urban water connections at Lightning Ridge
- 4) Warena Street, Walgett – kerb and gutter construction
- 5) Walgett levee rehabilitation stage 4- update

Moved: Clr Walford
Seconded: Clr Keir

CARRIED

Close of Meeting:

The meeting closed at 3.35 pm.

To be confirmed at the meeting of Council to be held on 25 August 2015 in Walgett.

Mayor

General Manager