



WALGETT SHIRE COUNCIL

MINUTES

26 May 2009

CAROLE MEDCALF
Acting General Manager

MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL HELD AT THE WALGETT COUNCIL CHAMBERS ON TUESDAY 26 MAY 2009 COMMENCING AT 10:18 am

PRESENT

Clr I Woodcock (Mayor)
Clr G Colless (Deputy Mayor)
Clr R Greenaway
Clr J Keir
Clr M Martinez
Clr K Smith
Clr L Walford
Clr G Murray
Ms C Medcalf (Acting General Manager)
Mr M Goodwin (Director, Planning and Regulatory Services)
Mr I Taylor (Director, Rural Infrastructure & Support Services)
Mr F Coralde (Director, Urban Infrastructure Services)
Miss H Lovegrove (Minute Secretary)
Mrs D Parker (Minute Secretary)

Apologies

The Mayor lodged an apology on behalf of Councillor Lane

151/09 Apologies

Resolution:

1. That Councillor Keir's apology be noted and that she be granted leave of absence from the August 2009 Meeting of Council.
2. That Councillor Lane's apology be noted and the he be granted leave of absence from the May 2009 Meeting of Council

Moved: Clr Walford

Seconded: Clr Keir

CARRIED

Public Forum Presentations

Mr Jack Baker spoke on the following

- The traffic committee should consider more appropriate options for patrons of the IGA who wish to turn south bound
- Requested that Council follow up with the Department of Local Government in regards to differential rating
- The rating of irrigable farmland, when a irrigation licence exists the whole property is rated as irrigable farmland, this is unfair if the irrigation licence only covers a small amount of the property and the rating of farmland should be investigated
- Why are Council employees contacting ratepayers who have a Stock and Domestic Water Licences
- He has had no response to his letter dated 13 April 2009 can Council please look into it

Declaration of Pecuniary/Non Pecuniary Interests

- Clr Keir declared a pecuniary interest in item 13, Tenders Plant Hire
- Clr Murray declared a non pecuniary interest in item 12, Motor Vehicle Procedure
- Clr Greenaway declared a pecuniary interest in item 13, Tenders Plant Hire
- Clr Colless declared a pecuniary interest in the Mayoral Minute on the Walgett Saleyards

152/09 Confirmation of Minutes

Resolution:

That the minutes of the Council Meeting held on 12 May be confirmed.

Moved: Clr Greenaway

Seconded: Clr Walford

CARRIED

Questions without Notice

Councillor Keir

Question 1:

Can we have another tap near the middle of the Walgett Cemetery near the roses?

Response:

The Director Urban Infrastructure Services indicated that another tap could be installed

Question 2:

Has the Come – By – Chance sign been located and when erected could it go at the entrance to the town on Colless St?

Response:

The Director of Urban Infrastructure Services advised he would look into it.

Councillor Colless

Advised that he asked the Roads and Traffic Authority to address the intersection between Wareena and Fox Streets

Councillor Smith

Question 1:

Can the quotes for the skate park in Collarenebri be provided.

Response:

The Acting General Manager indicated they would be provided.

Reserve Trust Management Committee Reports

Nil

Mayoral Minute

Clr Colless declared an interest and left the meeting at 10.37am

153/09	Walgett Saleyards
<p>Resolution:</p> <p>That:</p> <ol style="list-style-type: none">1. The scales at the Walgett Saleyards be repaired and the cost be funded from the Saleyards Maintenance Account (\$4,924) and increased expenditure in the General Fund for 2008/09 of \$2,550.2. The new expenditure proposal for 2009/10 of \$15,000 for repair of the scales and maintenance work on the entry driveway to the Saleyards be reduced by \$7,500 <p>Moved: Mayor Woodcock Seconded: Clr Murray</p> <p>CARRIED</p>	

Clr Colless returned to the meeting at 10:40am

Motions of which Notice has been given

154/09 Rating of Irrigable Farmland

Resolution:

That the Director Corporate and Community Services prepare a report for Council regarding the irrigable rates, which are not fair and equitable, according to the size of the actual irrigation on the entire property (Rate Notice).

Moved: Clr Murray

Seconded: Clr Greenaway

CARRIED

155/09 Date for September Council Meeting

Resolution:

That:

1. The September 2009 Council meeting be held in Carinda on Tuesday 29th commencing at 10.00 am.
2. The new meeting date be publicly notified.

Moved: Clr Keir

Seconded: Clr Colless

CARRIED

Council agreed to the following Item being taped

156/09 Lightning Ridge Precinct Committee – Minutes of Meeting

Resolution

That the Minutes of the April meeting of the Lightning Ridge Precinct Committee be noted.

Moved: Clr Walford

Seconded: Clr Martinez

CARRIED

157/09 Proposed Lodgement of Grant Applications

Resolution:

That Council endorses the lodgement of the grant applications as outlined.

Moved: Clr Greenaway

Seconded: Clr Murray

For: Clr Keir, Clr Murray, Clr Colless, Clr Martinez, Clr Smith, Clr Walford

Against: Clr Greenaway

CARRIED

158/09 Investment Report as at 30 April 2009

Resolution

That the investment report as at 30 April 2009 be received.

Moved: Clr Martinez

Seconded: Clr Murray

CARRIED

159/09 Report on Youth Development and Services February – April 2009

Resolution:

That the report on Youth Development and Services for the period February 2009 – April 2009 be noted.

Moved: Clr Martinez

Seconded: Clr Walford

CARRIED

160/09 2008-2009 Heritage Strategy Annual Report

Resolution:

That Council:

1. Endorse and adopt the 2008-2009 Heritage Strategy Annual Report for Walgett Shire, as prepared by Walgett Shire Council's Heritage Advisor, Ray Christison.
2. Submit the 2008-2009 Heritage Strategy Annual Report for Walgett Shire to the Heritage Office of the Department of Planning.

Moved: Clr Keir

Seconded: Clr Murray

CARRIED

161/09 Development and Complying Development Certificate Applications

Resolution:

That Council note the Development and Complying Development Certificate applications dealt with under delegated authority by the Director Planning and Regulatory Services and General Manager during April 2009.

Moved: Clr Greenaway

Seconded: Clr Martinez

CARRIED

162/09 Policy Reserve near the Lightning Ridge Airport

Resolution:

That Walgett Shire Council:

1. Write to the Department of Primary Industries and state that it wishes to amend the request made in a letter dated 30 September 1992, that opal mining and prospecting be excluded from an area located near the 3 Mile Road and the Lightning Ridge airport, as follows:
 - (a) Area A is not required for urban expansion because it is located within 500m of the airport, hence Walgett Shire Council believes that it should be made available for opal prospecting and mining.
 - (b) Area B is not required for urban expansion because it has been identified as vulnerable to stormwater inundation and includes a large silt dam associated with an opal dirt puddling operation, hence Walgett Shire Council believes that it should be made available for opal prospecting and mining.
 - (c) Area C is not required for urban redevelopment for the foreseeable future, hence Walgett Shire Council believes that it should be made available for opal prospecting and mining, provided that:
 - (i) Mining titles are only granted for opal prospecting or mining. Titles should not be granted for new mining purposes or other uses, to reduce the potential for any subsequent unnecessary land use conflict.
 - (ii) Rehabilitation of mine workings occurs to the standards presently applied to new opal fields. That is, all mine shafts and drill holes are to be backfilled upon completion, and all excess mullock removed from the site.
 - (iii) There is an understanding that at some stage in the medium to long term, Walgett Shire Council expects to request the Department of Primary Industries not to grant new opal prospecting or mining titles in the area when the land is required for urban expansion.
 - (d) The 26 hectare area adjoining Fantasia Street is needed for impending urban residential expansion and Council requests that it be retained as a policy reserve to exclude opal mining and prospecting titles.
2. Send the Lightning Ridge Miners Association a copy of the letter which is sent to the Department of Primary Industries.

Moved: Clr Walford

Seconded: Clr Keir

CARRIED

163/09 Delay of item 9

Resolution:

That item nine be delayed until the presenter from GHD arrives.

Moved: Clr Greenaway

Seconded: Clr Colless

CARRIED

164/09 Memorandum of Understanding – Water Utilities Sharing Group

Resolution:

That

1. This report be received.
2. Council adopts the Memorandum of Agreement in principle.
3. Council authorises the General Manager to continue negotiations with other participating Councils regarding the future of the Water Utilities Sharing Group
4. Council authorises the General Manager to officially inform the Minister of Water and Energy regarding the formation of Water Utilities Sharing Group.
5. That Council notify Moree Plains Shire Council that the alterations notified to Walgett Shire Council as presented in the MOU have been accepted

Moved: Clr Murray

Seconded: Clr Greenaway

CARRIED

165/09 Maintenance of Tracks on Opal Fields

Resolution:

That Council

1. Only provide road maintenance services on specifically designated and named 'public roads' on opal fields in Walgett Shire;
2. The specifically designated 'public roads' shall be those named by Council in its Rural and Urban Road Addressing Maps as published from time to time and for which Council is the Road Authority; and
3. That this statement be made a Policy of Council for consideration and adoption at its next general meeting.
4. That council write a letter to the Old Angeldool Rd Committee stating that the road is not Council's responsibility. That the letter include details of Council's responsibility and what is covered by their rates.

Moved: Clr Martinez

Seconded: Clr Smith

CARRIED

12.05pm Presentation from Filip Czyzewski of GHD on Lightning Ridge Diving Pool Heating System commenced

12.35pm Presentation concluded

166/09 Status of Lightning Ridge Diving Pool Heating System

Resolution:

That:

1. Council receives this report.
2. A Complete report be presented to Council at its June Ordinary Meeting.

Moved: Clr Greenaway

Seconded: Clr Colless

CARRIED

167/09 Council Procedure AFM – Motor Vehicle

Resolution:

1. That Council note the amended Procedure AFM - Motor Vehicle.
2. That a letter be written to the ladies required to use their own vehicles whilst assisting Council, stating that the policy has changed and the situation will not arise again

Moved: Clr Martinez

Seconded: Clr Smith

CARRIED

Clr Keir and Clr Greenaway declared an interest and left the meeting at 12.40pm

168/09 Tenders – Plant Hire

Resolution:

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

KJ Sherar
Sherrin Rental
Bows Sand & Gravel
PR & JA Cochrane
Rollers Australia
W&J Chapman Farming
Robert Rubie
Batterline Earthmoving
Christopher Underwood
Doncorp
Wax grading
Wintergreen Investment Pty Ltd

Moved: Clr Smith

Seconded: Clr Murray

CARRIED

Clr Keir and Greenaway returned to the meeting at 12.45pm

169/09 Closed Council Meeting

Resolution:

1. That the public be excluded from the meeting pursuant to Sections 10A (2)(c) of the Local Government Act 1993 on the basis that the items deal with:
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

Moved: Clr Greenaway

Seconded: Clr Colless

CARRIED

170/09 Former Mineral Claim 9701

Resolution:

That:

1. The Mayor and the General Manager negotiate to resolve issues associated with the offer of sale of land made by Walgett Shire Council to Beno William Divko on 23-7-1993, in the following context:
 - (a) Offer a cash settlement of \$25 000 up to \$30 000 having regard to the actuarial calculation appended.
 - (b) Offering to pay all costs associated with surveying and establishing a lot over the area of former Mineral Claim 9701.
 - (c) Not offering to pay any additional costs associated with Mr Divko obtaining a Western Lands Lease.
 - (d) The offers are made on the basis that they represent final and complete settlement of all issues associated with the proposed land sale detailed in a letter dated 12-7-1993 from Walgett Shire Council's General Manager.
 - (e) That the offer is accepted in writing.
2. Expenses incurred in the settlement are funded from the expected budget surplus for 2008-2009.
3. Council Advise the Team Leader, Tenure Administration, Western Region at the Department of Lands in Dubbo of Council's resolution.

Moved: Clr Martinez

Seconded: Clr Walford

CARRIED

171/09 Return to Open Session

Resolution:

That Council return to open session

Moved: Clr Martinez

Seconded: Clr Walford

CARRIED

Questions without Notice

Councillor Keir

Question 3

The Come-by-Chance tip is basically full and papers etc are blowing over the stock route, can it be cleaned up and it will need a new hole dug.

Response

Director Urban Infrastructure Services indicated he will advise staff to clean the area.

Question 4

An email has been received from Geoff Austin indicating it is 150 years since Walgett was first surveyed. Is it worth organising anything?

Response

The Acting General Manager advised she will look into it.

Councillor Murray

Question 1

Clr Murray received a letter from Mr Groenfeld of the Glengarry Hilton regarding the rebuilding of the Sheepyards Inn, what is the status of this building?

Response

The Director of Planning and Regulatory Services advised that he would send information relating to this issue to all Councillors. He has previously sent information to the other individual Councillors regarding the same request.

Questions 2

At the Lightning Ridge Mining Board meeting on Thursday what issues would Council like to raise and does Council want to levy rates on normal mineral claims.

Response

The Acting General Manager advised that what rates are levied is the Council's decision and that explaining the changes in the way we rate and clarifying the changes to the mining business rate classification may be items to raise at the meeting.

Question 3

Why were the papers faxed to council not distributed to Councillors as requested

Response

The Acting General Manager advised that they will be attached to the report that goes to the next meeting, now that the Notice of Motion has been voted on by Council.

Councillor Greenaway

Question 1

With the Rural Addressing road names, wasn't Rowena Road meant to be called Rowena Lane?

Response

The Director of Planning and Regulatory Services advised he will look into it and get back to Council

Question 2

When did the council decide to get a public facilities worker?

Response

The Acting General Manager suggested it may be a change of position title as no new positions have been added to the structure and that the Director of Urban Infrastructure Services will provide an answer to Council as the position is within that division

Question 3

Councillors received a letter from the General Manager stating that nine councillors will receive an allowance for phones calls but only 8 councillors will receive an internet allowance. Which Councillor misses out

Response

The Acting General Manager advised that the numbers were based on information provided to the General Manager and the Councillors can update that information if they wish and the allowances will be paid based on that information and in accordance with policy.

Councillor Colless

Question 1

Have we allocated \$300 000 for CCTV in Walgett?

Response

The Acting General Manager advised that the amount relates to grant funding and the result of the application is unknown at this point. The Acting General Manager will look into it and provide a minute to Councillors.

Councillor Martinez

Question 1

Enquired about the Stony's Road fishermans pathway

Response

The Director of Planning and Regulatory Services indicated he will look into the matter.

Councillor Smith

Question 1

Please explain why the Mungindi Rd is now the Gundabloui Rd?

Response

The Director of Planning and Regulatory Services advised that community consultation was undertaken throughout 2007 and 2008 on the rural addressing road names and he will provide information to Councillors on this road.

Mayor

Question 1

Raised LR residents concerns about why funding was moved from acquiring CCTV in Lightning Ridge to heating the Lightning Ridge Pool

Response

The Acting General Manager advised that in the draft budget from staff that goes to Council for consideration, there was money allocated for both. Council decided to allocate the money to the heating of the pool as stated in the minutes of the 12 May 2009 Council Meeting.

Councillor Murray

Question 1

Has received a wish list from the Walgett Show Society and some comments of the state of the showground during the Walgett Show. The Gordon Pavilion was a mess and hadn't been cleaned before the show, the ladies toilets were filthy and not enough garbage bins were provided. A quote to fix the electric control boards was also provided

Response

The Director of Urban Infrastructure Services advised that a lot has been done in relation to the electrics at the showground, there is more to be done depending on available budget. He takes the rest of the comments under advisement. The quote has been forwarded for inclusion in the June meeting prior to the adoption of the budget.

Councillor Smith

Question 2

Does the hot mix truck do certain jobs only or does it stop on the way to work on smaller jobs?

Response

The Director of Rural Infrastructure and Support Services advised that it varies and depends on the instructions given and which truck it is.

The meeting closed at 1:50

To be confirmed at the meeting of Council to be held on Tuesday 23rd June 2009.

Mayor

Acting General Manager