



MINUTES FOR ORDINARY COUNCIL MEETING

22 August 2017

ADOPTED: 26th September 2017

Don Ramsland
GENERAL MANAGER

MINUTES OF THE ORDINARY MEETING OF THE WALGETT SHIRE COUNCIL HELD AT THE ROWENA HALL ON TUESDAY 22 AUGUST 2017 AT 10:05AM

PRESENT

Clr Ian Woodcock (Mayor)
 Clr M Martinez (Deputy Mayor)
 Clr L Walford
 Clr G Murray
 Clr R Turnbull
 Clr T Cameron
 Clr J Keir
 Clr M Taylor
 Don Ramsland (General Manager)
 Jess McDonald (Director Environmental Services)
 Sylvester Otieno (Director Engineering/Technical Services)
 Bronte Kerr (Minute Secretary)

Declaration of Pecuniary/Non Pecuniary Interests

| Staff/Councillor | Item No. | Pecuniary/Non-Pecuniary | Reason |
|------------------|----------|-------------------------|--|
| Keir | 11.4.2 | Pec | Related to field of work/ family business |
| | 11.4.3 | Pec | |
| Martinez | 11.4.6 | Pec | Relationship to Clr Turnbull |
| Turnbull | 11.4.6 | Pec | Family property borders the new road along fence line. |

8/2017/2 Minutes of Ordinary Council Meeting – 25 July 2017

Resolved:

That the minutes of the Ordinary Council meeting held 25 July 2017, having been circulated be confirmed as a true and accurate record of that meeting.

Moved: Clr Smith
Seconded: Clr Turnbull
CARRIED

8/2017/3 Minutes of the Traffic Committee Meeting – 3rd August 2017

Resolved:

That the minutes of the Traffic Committee Meeting held 3rd August 2017, having been circulated be received and noted and the recommendations contained therein are adopted as resolutions of Council.

Moved: Clr Walford
Seconded: Clr Taylor
CARRIED

8/2017/4 Minutes of the Traffic Committee Meeting – 9th August 2017

Resolved:

That the minutes of the Plant Committee Meeting held 9th August 2017, having been circulated be received and noted and the recommendations contained therein are adopted as resolutions of Council.

Moved: Clr Turnbull

Seconded: Clr Taylor

CARRIED

8/2017/5 Council's Decision Action Report August 2017

Resolved:

That the Resolution Register for August 2017 be received and noted.

Moved: Clr Keir

Seconded: Clr Smith

CARRIED

8/2017/6 Weekly's received from the Local Government NSW

Resolved:

That the information contained in the weekly circulars numbers 28-30 from the Local Government NSW be received and noted. Encroachment

Moved: Clr Turnbull

Seconded: Clr Walford

CARRIED

8/2017/7 Circulars Received From the NSW Office of Local Government

Resolved:

That the information contained in the following Departmental circulars No 21-23 from the Local Government Division Department of Premier and Cabinet be received and noted.

Moved: Clr Turnbull

Seconded: Clr Walford

CARRIED

7/2017/8 Monthly Calendar August – October 2017

Resolved:

That Council receive & note the regular monthly calendar for the period August -October 2017.

Moved: Clr Keir

Seconded: Clr Murray

CARRIED

8/2017/9 Tourism Development – Information Only**Resolved:**

That the matters listed by the Senior Visitor Information Officer for information is received, noted and endorsed.

Moved: Clr Keir
Seconded: Clr Turnbull
CARRIED

8/2017/10 Stronger Countries Communities Fund – Priorities**Resolved:**

Allocate each project a priority accordingly (1-3);

1. Upgrade of the Walgett Cemetery
2. Enhancement of parks and playgrounds within the Shire.
3. Lightning Ridge Main Street Beautification Project.

Moved: Clr Keir
Seconded: Clr Murray
CARRIED

8/2017/11 Rail Infrastructure Initiative Study – Grower Cooperative Limited**Resolved:**

That Council make a contribution of \$10,000 towards the cost of the “Fit for Purpose Infrastructure Study” being undertaken by the Moree based Grower Cooperative Limited provided that MPSC, Narrabri Shire Council, Gwydir Shire Council and CRDC make a matched contribution to the study .

Moved: Clr Taylor
Seconded: Clr Murray
CARRIED

8/2017/12 Matters for Brief Mention or Information Only**Resolved:**

That the above matters listed for brief mention or information only provided by the General Manager be received and noted.

Moved: Clr Murray
Seconded: Clr Turnbull
CARRIED

8/2017/13 Lightning Ridge Improvement and Beautification 355 Committee Applications

Resolved:

1. That the General Manager's report be received and noted.
2. That Council formally agree to the membership of Peter Birt, Margaret Mansfield, Gladys Collins and Debbie Scott to the Lightning Ridge improvement and Beautification 355 Committee.

Moved: Clr Martinez
Seconded: Clr Walford
CARRIED

8/2017/14 Cash and Investment Report as at 31st July 2017

Resolved:

That the Investment report as at 31st July 2017 be received and noted.

Moved: Clr Keir
Seconded: Clr Martinez
CARRIED

8/2017/15 Monthly Outstanding Rates Report – July 2017

Resolved:

The July 2017 outstanding rates report be received and noted.

Moved: Clr Taylor
Seconded: Clr Walford
CARRIED

8/2017/16 Fourth Quarter Operational Plan & Year End Delivery Program 16/17

Resolved:

That the content of the report be noted and Council accept the progress made on the 2016/2017 Operational Plan and Delivery Program as at 30th June 2017.

Moved: Clr Cameron
Seconded: Clr Turnbull
CARRIED

8/2017/17 Community Assistance Scheme Donations – Round 1 2017/2018 Applications

Resolved:

That the following applicants be granted financial assistance under Section 356 of the Local Government Act 1993 for the first round of 2017/2018;

| Organisation | Project | Recommended Amount |
|--|---|--------------------|
| St John's Anglican Church, Carinda | Paint interior of St. John's Anglican Church, Carinda | \$500.00 |
| The Carinda Comment | Produce a local newspaper to be circulated to community members 4 times per year, highlighting community events | \$500.0 |
| Walgett Quilters | Host a Foundation Piecing Workshop for local community members and quilters | \$500.00 |
| David Bowie Tribute Committee | Hold a tribute festival, incorporating arts and boosting local business economy | \$500.00 |
| Coolibah Kids (Walgett Preschool & Long Day care Centre) | Celebration of 10yr milestone servicing the Walgett Community, to raise fund for new outdoor playground | \$500.00 |
| Lightning Ridge Community Radio | Purchase a new CD player to help broadcast music to the local listening area | \$400.00 |
| Growing Independence for Tomorrow (G.I.F.T) | Facilitate community project focused on improving educational outcomes for local youth | \$0.00 |

Moved: Clr Murray

Seconded: Clr Keir

CARRIED

8/2017/18 Matters Generally for Brief Mention or Information Only – From CFO

Resolved:

That the matters generally for brief mention or information only from the Chief Financial Officer be received and noted.

Moved: Clr Walford

Seconded: Clr Turnbull

CARRIED

8/2017/19 Western Slopes Pipeline - Walgett

Resolved:

That Council:

- a) Note the proposed APA gas pipeline is designated State Significant Infrastructure;
- b) Council is not the consent authority, but the Minister for Planning and Environment;
- c) Council make comment and a submission once the proposal is exhibited.
- d) Council ensure residents of the Shire are aware of the opportunity to make submissions in regard to the proposal.

Moved: Clr Cameron

Seconded: Clr Keir

CARRIED

8/2017/20 Lease over unapproved business on Opal Fields

Resolved:

That Walgett Shire Council resolve to endorse in principle a Planning Proposal to have the large depot / workshop behind 35 Gem Street in Lightning Ridge (Lot 3 Section 22 DP 758612) classified as an Additional Permitted Use under the Walgett Local Environmental Plan 2013, should one be lodged by Gary Douglas Stone.

Moved: Clr Smith

Seconded: Clr Keir

CARRIED

DIVISION

For

Clr Cameron
 Clr Ian Woodcock
 Clr M Martinez
 Clr L Walford
 Clr G Murray
 Clr R Turnbull
 Clr T Cameron
 Clr M Taylor
 Clr Smith

Against

Nil

Absent

Nil

8/2017/21 proposed gazettal of the Three Mile Track

Resolved:

That Walgett Shire Council resolve to formally refuse the 25 July 2017 Department of Industry offer to have any of the Three Mile Track gazetted as a road unless due provision is made to the funding of any upgrade and sealing of the proposed road.

Moved: Clr Smith

Seconded: Clr Cameron

CARRIED

8/2017/22 Rural Residential Land Use Strategy

Resolved:

That Walgett Shire Council resolve to formally request the Department of Planning and Environment to endorse the Rural Residential Land Use Strategy adopted 26 May 2016, with the exception of the identified preferred subdivision site in Lightning Ridge now being Lots 1-73 DP 838673 as this land is no longer unsuitable due to being potentially opal bearing.

Moved: Clr Martinez

Seconded: Clr Turnbull

CARRIED

DIVISION

For

Clr Cameron
 Clr Ian Woodcock
 Clr M Martinez
 Clr L Walford
 Clr G Murray
 Clr R Turnbull
 Clr T Cameron
 Clr M Taylor
 Clr Smith

Against

Nil

Absent

Nil

The meeting adjourned for lunch at 11:50am

The meeting resumed at 1:09pm

8/2017/23 Monthly RMCC Works Report

Resolved:

That Council receive and note the monthly RMCC works report for July 2017.

Moved: Clr Turnbull

Seconded: Clr Cameron

CARRIED

Clr Keir, Martinez and Clr Turnbull left the meeting at 11:59am

8/2017/24 Monthly Service Progress Report from Director Technical / Engineering Services

Resolved:

That Council receive and note the monthly maintenance grading works report for July 2017.

Moved: Clr Taylor

Seconded: Clr Turnbull

CARRIED

Clr Keir left the meeting room at 1:10pm

8/2017/25 Monthly Maintenance Grading Report from Director Technical / Engineering Services

Resolved:

That Council receive and note the monthly maintenance grading works report for July 2017.

Moved: Clr Cameron

Seconded: Clr Martinez

CARRIED

Clr Keir returned to the meeting room at 1:15pm

8/2017/26 O'Neils Road Corridor Running through Freehold land - Item deferred to September 2017 Meeting

Resolved:

That the following report be deferred to the September 2017 Meeting; O'Neils Road Corridor Running through Freehold land

Moved: Clr Murray

Seconded: Clr Keir

CARRIED

8/2017/27 Pedestrian Active Movement Plan for Walgett, Collarenebri and Lightning Ridge Towns

Resolved:

1. That Council receives and notes the Pedestrian Active Movement Plan prepared by ROSS Consultants, and
2. That Council submits any further comments to ROSS Consultants so that the report can be finalised.
3. Report on the high priority work to the next Council meeting.
4. Circulate the plan with a map attached.

Moved: Clr Smith

Seconded: Clr Walford

CARRIED

8/2017/28 Rural Residential Planning Proposal

Resolved:

Council formally request the Department of Planning and Environment for a Gateway Determination for the Rural Residential Planning Proposal.

Moved: Clr Cameron

Seconded: Clr Walford

CARRIED

Clr Martinez and Clr Turnbull left the meeting room at 1:25pm

8/2017/29 Resolution to Authorise Acquisition by Compulsory Process

Resolved:

1. Council negotiate with owners (Lees) of Tipperary and Ringwood and if no agreement can be reached;
2. That Council then resolves to authorise acquisition by compulsory process, of the proposed road corridor through Lot 3169 DP765374, Lot 3170 DP765375, Lot 6220 DP769072, Lot 3588 DP765940 and Lot 6221 DP769073.
3. That Council also resolves to make an application to the Minister to approve the compulsory acquisition process.

Moved: Clr Smith

Seconded: Clr Taylor

CARRIED

Clr Martinez and Clr Turnbull returned to the meeting room at 1:40pm

8/2017/30 Provision of Filtered Water to a Rural Property as Compensation for the Acquisition of Part of Lot 120 DP 750291 for Purposes of Levee Construction

Resolved:

1. Council offer compensation at market value for the land (Lot 120 DP 750291, approx. 860m²) required for construction of a flood levy bank.
2. Council seek legal advice relating to swapping of land for access to filtered water.
3. Council express concerns over the long term maintenance of water quality for this type of water mains extension.

Moved: Clr Keir

Seconded: Clr Martinez

CARRIED

Clr Keir

Q1: Can Council be involved with the NSW outback division of General Practice in the new funding program for 'Prevention and management of Chorionic diseases' which has just been announced?

Clr Smith

Q1: Would Collarenebri Pony Club be eligible for funding under the Stronger Country Communities Grant Programme?

Q2: Has the Collarenebri golf club been covered under by insurance?

Q3: Has there been any more thought into putting a bore in at Collarenebri?

Q4: Could we have the Gundabloui Road up to the northern end line marked out please?

Clr Turnbull

Q1: Can Council go to a different tie company about Councillors ties?

Q2: Can Council talk to National Parks about the roo population?

Clr Martinez

Q1: Can the seat on Pandora Street be removed?

Clr Cameron

Q1: Could Council inspect the solar farm once it is completed?

Q2: If a cost/benefit analysis has been done in relation to solar panels on Council properties/assets, could we see it please?

Clr Murray

Q1: Can Council write to the RMS requesting for truck inspections to increase to 3 days per week prior to harvest?

8/2017/31 Move into Closed Session at 2:32pm

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 Martinez
Seconded: Clr Walford
CARRIED

8/2017/32 Performance Review Arrangements – General Manager Don Ramsland

Resolved:

1. That all Councillors of Walgett Shire Council be authorised to attend and participate in the General Manager's Performance Review.
2. That LG Solutions be appointed to facilitate the conduct of the General Managers Performance Review.
3. That the criteria for the performance review be *"an assessment as to whether the General Manager has satisfactorily performed each of the duties and carried out the functions itemised in Clause 6 of his contract of Employment and schedule B(if any)"*.
4. That the performance review be conducted at a time when the personnel of LG solutions are available being either the first two weeks of October or early November and that the General Manager be given 10 Days' notice in writing of the actual date for the review to be conducted.
5. LG Solutions provide training to all Councillors prior on the same day as the review.

Moved: Clr Keir
Seconded: Clr Murray
CARRIED

8/2017/33 Mayoral Report

Resolved:

That Council:

1. Adopt the Model Code of Conduct for Local Councils in NSW prescribed by Regulation 193(1) of the Local government (General) Regulation 2005 and published in the Gazette on 13 November 2015;
2. Adopt the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW prescribed by Regulation 193(2) of the Local Government (General) Regulation 2005 and published in the Gazette on 7 December 2012;

3. Delegate to the General Manager the authority to appoint a Complaints Coordinator as prescribed by the Model Procedure, and
4. Adopt the Orana Regional Organisation of Council's panel of Conduct Reviewers as Council's panel of Conduct Reviewers.
5. Provision be made in the 17/18 budget for \$10k to cover the cost of code of conduct reviews.

Moved: Clr Martinez

Seconded: Clr Murray

CARRIED

8/2017/34 Western Division Group of Councils Strategic Concept

Resolved:

That Council reaffirm its support of the Western Division Group of Councils strategic concept paper including a four year commitment to the concept and commit to paying a \$9000 (ex GST) membership fee providing State government funding for a secretariat is received.

Moved: Clr Walford

Seconded: Clr Martinez

CARRIED

8/2017/35 Collarenebri Town – Improvements prior to 150yr celebrations

Resolved:

Council allocate required resources to Collarenebri for the beautification of the town prior to the 150yr celebrations.

Moved: Clr Keir

Seconded: Clr Murray

CARRIED

8/2017/36 Return to Open Session at 3.30pm

Resolved:

That Council return to open session.

Moved: Clr Keir

Seconded: Clr Murray

CARRIED

8/2017/37 Adoption of Closed Session Reports

Resolved:

That Council adopt the recommendations of the Closed Committee Reports.

Moved: Clr Taylor

Seconded: Clr Smith

CAARRIED

Close of Meeting

The meeting closed at 3:31pm

To be confirmed at the meeting of Council to be held on 26th September 2017.

Mayor

General Manager