



MINUTES FOR ORDINARY COUNCIL MEETING

15th December, 2015

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 at the **Walgett Shire Council Chambers** on **15th December 2015** commencing at 8:00am to discuss the items listed in the Agenda.

ADOPTED: 9th February 2016

Don Ramsland
GENERAL MANAGER

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 ORDINARY MEETING OF THE WALGETT SHIRE COUNCIL HELD AT THE WALGETT SHIRE COUNCIL CHAMBERS ON TUESDAY 9 DECEMBER, 2015 AT 8:00 AM

PRESENT

Clr D Lane (Mayor)
Clr J Keir
Clr D Cooper
Clr G Murray
Clr R Greenaway
Clr M Martinez
Clr L Walford
Clr M Taylor
Clr I Woodcock
Don Ramsland (General Manager)
Stephen Holland (Director Corporate Services)
Matthew Goodwin (Director Planning and Regulatory Services)
Prafulla KC (Acting Deputy Director Engineering/Technical Services)
Bronte Kerr (Minute Secretary)

Apologies – Nil

Move into Closed Session at 8:10am

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 Cooper

Seconded: Clr Murray

CARRIED

Senior Staff Vacancies – Appointments

Recommendation:

That Council's Council note the appointment of Michael Urquhart to the position of Chief Financial Officer and M/s Jessica McDonald as Director of Environmental Services.

Moved: Clr Murray

Seconded: Clr Keir

CARRIED

General Manager's Performance Agreement – Major Projects

Recommendation:

That Council submit the 15 projects listed for inclusion in the General Manager's performance agreement.

Moved: Clr Keir
Seconded: Clr Cooper

CARRIED

Expression of Interest in the development/exchange/purchase of Council Land

Recommendation:

That the General Manager refer to draft MOU now received to Council's solicitors for comment and advice.

Moved: Clr Murray
Seconded: Clr Cooper

CARRIED

Local Government Reform – The Way Forward

Recommendation:

That Council receive and note the General Manager's report on the Far West Initiative Advisory Committee held on 7 December, 2015.

Moved: Clr Keir
Seconded: Clr Murray

CARRIED

Administration Building Air Conditioning

Recommendation:

That the Council resolve to accept the tender from LRE dated 29/04/14 in the sum of \$167,313.64 and that a contract be developed on the following basis;

- Final tender price to be negotiated to include cost escalations given the length of time since the tender was submitted

-A revised price for the supply of a mechanical services switch board is supplied.

-A revised price for a new electrical switch board is supplied.

-A revised price for new improved roof top access and servicing walk way and platforms to comply with WH&S requirements are supplied.

-The General Manager be delegated authority to negotiate the final contract price with LRE and that the outcome be confirmed by Council at the February 2016 meeting.

Moved: Clr Taylor
Seconded: Clr Keir

CARRIED

Walgett Levee Rehabilitation Stage 4 - Update

Recommendation:

That Council receive and note the report and endorse the action being taken by Council's staff and including a detailed list of the defects to be addressed by the contractor.

Moved: Clr Cooper
Seconded: Clr Taylor

CARRIED

Walgett Weir 11A Raising and Fishway: Project Status

Recommendation:

1. That Council receive and note the report.
2. That Council endorse General Manager's action to accept the fee proposal of \$189,760 excluding GST submitted by NSW Public Works.
3. That Council appeal to the Minister to waive the asset ownership transfer fee \$696,845 proposed by Water NSW.
4. That the action taken to consent to the transfer of the unconstructed Crown Road as detailed be endorsed.
5. The Walgett Local Aboriginal Land Council be approached to allow easement to be establishes over relevant land claims.

Moved: Clr Murray
Seconded: Clr Martinez

CARRIED

Return to Open Session at 9:36am

Resolved:

That Council return to open session.

Moved: Clr Murray
Seconded: Clr Keir

CARRIED

Adoption of Closed Session Reports

Resolved:

That Council adopt the recommendations of the Closed Committee Reports.

- Senior Staff Vacancies – Appointments
- General Manager’s Performance Agreement – Major Projects
- Expression of Interest in the development/exchange/purchase of Council Land
- Local Government Reform – The Way Forward
- Administration Building Air Conditioning
- Walgett Levee Rehabilitation Stage 4 – Update
- Walgett Weir 11A Raising and Fishway: Project Status

Moved: Clr Keir
Seconded: Clr Murray

CARRIED

Declaration of Pecuniary/Non Pecuniary Interests

Jane Keir and Manuel Martinez declared a pecuniary interest.

Confirmation of Minutes

Minutes of Ordinary Council Meeting – 24 November 2015

Recommendation:

That the minutes of the Ordinary Council meeting held 24 November 2015, having been circulated be confirmed as a true and accurate record of that meeting.

Moved: Clr Walford
Seconded: Clr Taylor

CARRIED

Mayoral Minutes

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 Keir
Seconded: Clr Taylor

CARRIED

Motion of which Notice has been given

Clr Martinez declared a pecuniary interest in the following item and left the meeting at 9:30 am

Letter to Ambulance Service NSW

Recommendation:

That Council write to Ambulance Service NSW in regards to the staffing levels for rural communities.

Moved: Clr Keir
Seconded: Clr Greenaway

CARRIED

Clr Martinez returned to the meeting at 9:42 am

Reports of Committees/Delegates

Minutes of Work Health and Safety Committee Meeting – 26th November 2015

Recommendation:

That the minutes of the Work Health and Safety Committee meeting held 26 November 2015, having been received and noted.

Moved: Clr Walford
Seconded: Clr Keir

CARRIED

Reports from Officers

Council's Decision Action Report – December 2015

Resolved:

That the Resolution Register for December 2015 be received and noted.

Moved: Clr Taylor
Seconded: Clr Greenaway

CARRIED

Circulars Received from the Local Government NSW

Resolved:

That the information contained in the weekly circulars numbers 45 – 47 from the Local Government NSW be received and noted.

Moved: Clr Cooper
Seconded: Clr Greenaway

CARRIED

Circulars Received from the NSW Office of Local Government

Resolved:

That the information contained in the following Departmental circular 39 from the Local Government Division Department of Premier and Cabinet be received and noted.

Moved: Clr Keir
Seconded: Clr Murray

CARRIED

Monthly Calendar December 2015 - February 2016

Resolved:

That Council receive and note the regular monthly calendar for the period December 2015 to February 2016.

Moved: Clr Martinez
Seconded: Clr Walford

CARRIED

Matters for brief mention or information only from General Manager – Rate Pegging

Recommendation:

That the above listed matter listed for brief mention or information only be received and noted and Council raise the issue at the Western Division meeting in February 2016.

Moved: Clr Cooper
Seconded: Clr Walford

CARRIED

Matters for brief mention or information only from General Manager

Recommendation:

That the above listed matters be received and noted.

Moved: Clr Martinez
Seconded: Clr Greenaway

CARRIED

Cash on Hand and Investment Report as at 30 November 2015

Resolved:

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

Moved: Clr Keir
Seconded: Clr Woodcock

CARRIED

Development and Complying Development Certificate applications September – November 2015

Recommendation:

It is recommended that Walgett Shire Council resolve to:

Note the report on Development and Complying Development Certificate applications dealt with by Council staff under delegated authority for September -November 2015.

Moved: Clr Keir
Seconded: Clr Walford

CARRIED

The meeting adjourned for morning tea at 9:58am

The meeting resumed at 10:10 am with all those previously present in attendance again present.

Public Forum Presentations

Far West Initiative Presentation –presented by:
Alison Morgan – Regional Coordinator from Department of Premier and Cabinet
Karen Legge – Relationship Manager from Office of Local Government
A copy of the address is attached to these minutes.

Clr Keir and Clr Murray left the meeting at 11:45 am

Bin Replacement – Walgett CBD Upgrade

Recommendation:

That Walgett Shire Council resolve to:

Council trial having the bins painted by the local community members as part of a community project.

Moved: Clr Greenaway
Seconded: Clr Taylor

CARRIED

Purchase of high pressure water cleaner

Recommendation:

That Walgett Shire Council resolve to:

Defer and investigate further the purchase of a new pressure water cleaner.

Moved: Clr Woodcock
Seconded: Clr Taylor

CARRIED

Monthly Rural Infrastructure and Support Service Progress report from Acting Director Engineering Services

Recommendation:

That Council receive and note the Engineering Services monthly works progress report for November 2015.

Moved: Clr Woodcock

Seconded: Clr Walford

CARRIED

Monthly RMCC Works Report – November 2015

Recommendation:

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

Moved: Clr Woodcock

Seconded: Clr Walford

CARRIED

Monthly Maintenance Grading Report from Acting Director Engineering Services

Recommendation:

That Council receive and note the monthly maintenance grading works report for November 2015

Moved: Clr Woodcock

Seconded: Clr Taylor

CARRIED

Cameron's Lane Rowena: Maintenance Grading Work

Recommendation:

That Council receive and note the report and an appropriate response be forwarded to the Rowena CWA.

Moved: Clr Greenaway

Seconded: Clr Cooper

CARRIED

QUESTIONS

Clr Woodcock

Question 1

Can Council's investigate the high salt content in the bore water affecting air-conditioning systems in Lightning Ridge?

Response

The Director Engineering/ Technical Services to investigate and report accordingly.

Question 2

Can Council provide an update on the drought relief projects?

Response

The General Manager to report to the February meeting.

Clr Greenaway

Question 1

Can Council inspect the gutter located at the entrance to the Collarenebri club for repairs?

Response

The Director of Engineering/Technical Services will investigate and take appropriate action.

Question 2

Can Council provide an update on the bank house in Collarenebri?

Response

The General Manager advised that Council is in the process of seeking quotes for the works.

Clr Cooper – Nil

Clr Walford – Nil

Clr Taylor

Question 1

Can Council investigate the lights that are flickering at the bore baths in Lightning Ridge?

Response

The Director of Engineering/Technical Services will investigate and take action accordingly.

Question 2

Can Council ensure the trees in Lightning Ridge are being watered?

Response

The Director of Engineering/Technical Services to take appropriate action.

Question 3

Can Council provide an update on the air services to Lightning Ridge and Walgett?

Response

Mayor Lane stated that Kevin Humphries advised that there will be an announcement in the new year.

Question 4

When will the work commence in regards to the runway extension in Lightning Ridge as the grant has been approved?

Response

The General Manager advised that Council is yet to receive the contract for the grant.

Question 5

Can Council replace the hand rails in the disabled toilets at the Lightning Ridge bore baths?

Response

The Director of Engineering/ Technical Services to investigate and take appropriate action.

Question 6

Can Council investigate the road heading towards the bore baths, the bitumen needs resealing?

Response

The Director of Engineering/ Technical Services to investigate and take appropriate action.

Clr Martinez

Question 1

Can Council investigate the situation of the hearse in Lightning Ridge?

Response

The General Manager to investigate.

Clr Murray returned at 12:54 pm to the meeting

Clr Murray

Advised of having phone connection issues recently.

Note of Thanks

The Mayor and Councillors thanked the Director of Planning and Regulatory Services and the Director of Corporate Services for their work and wished them all the best in their future endeavours.

Close of Meeting

The meeting closed at 1:00pm

To be confirmed at the meeting of Council to be held on 9 February 2016.

Mayor

General Manager

Far West Initiative – Councils



Today's agenda

- Update you on progress since our last visit to your Council
- Give all Councillors and staff an opportunity to hear directly from us about progress on the Far West Initiative and an opportunity for us to hear directly from you
- We are undertaking the first round of community consultation in your LGA so we are in the neighbourhood and wanted to say hello and continue to build our working relationship with you

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Progress since our last visit

- February 2015 - we brought together representatives from local, State and Australian Governments to discuss the issues and opportunities for improving services delivery in the Far West
- June 2015 - we consulted a wide range of NGOs which deliver services in the Far West
- August 2015 - the Far West Initiative Advisory Committee was established, chaired by John Williams
- Ongoing work on the discussion paper, gathering the evidence base, research on models and options
- Developing the Stakeholder Engagement Strategy and commencing community consultations

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Consultation themes

The consultation uncovered the following themes:

- **Issues and barriers**
 - Long-term sustainability of local communities and councils - given current trends
 - High levels of social disadvantage in some communities
 - Economic development including skills development and employment opportunities
 - Duplication, inefficiency and inflexibility in service planning and delivery
 - Fragile environment and complex land management arrangements
- **Strengths and opportunities**
 - Strong sense of and commitment to local community
 - Clear understanding of local needs and challenges
 - Established local and regional networks and informal relationships between organisations
 - Commitment of government to support reform

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NSW Premier & Cabinet

Consultation themes

Designing the future

- Strong regional leadership
- Improved and evidence-based strategic and operational planning
- Greater coordination and collaboration across different levels of government
- Local engagement, design and delivery
- Supported by technology

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NSW Premier & Cabinet

Using this information to design the new model

Governance and service delivery reforms in Far West NSW should result in...	To achieve these outcomes, reform options must...
More sustainable and liveable communities:	Provide a long term vision for local communities and the region, to achieve governance and service delivery reform across all levels of government
	Provide financially sustainable government service delivery arrangements and maintain essential government functions and services
	Deliver greater local employment opportunities

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Councils involvement in the FWI

- Go to the website <https://www.nsw.gov.au/far-west-initiative> for information and an email link where you can provide feedback
- Through the FWI Advisory Committee
- The discussion paper will be made public in early 2016 and we will be back to have detailed discussions with you about it
- Far West Summit will be held after the discussion paper is made public with representatives from each Council
- We will form Technical Working Groups with Council representatives when we are developing and testing preferred model(s) – mid 2016.
- Email us at farwest@dpc.nsw.gov.au or at onestopshop@olg.nsw.gov.au
- Tell us how else you would like to communicate with us

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Questions?

Far West Initiative | Project Team

- Department of Premier and Cabinet, Level 9, 52 Martin Place, Sydney, GPO Box 5341, Sydney NSW 2001
- 02 9228 5121
- Go to the website and click on the link to email us
- <https://www.nsw.gov.au/far-west-initiative>
- Email enquiries to DPC at farwest@dpc.nsw.gov.au

Office of Local Government | Project support

- Email enquiries to OLG at onestopshop@olg.nsw.gov.au

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