



MINUTES FOR ORDINARY COUNCIL MEETING

TUESDAY, 28 June 2011

NOTICE IS HEREBY GIVEN pursuant to clause 7 of Council's Code of Meeting Practice that the Ordinary Council Meeting of Walgett Shire Council will be held in the **Walgett Shire Council Chambers** on **Tuesday 28 June 2011**, commencing at 10.00am to discuss the items listed in the Agenda.

NOTE: Prior to the Council Meeting, there will be a Citizenship ceremony for two (2) candidates.

ADOPTED: 26 July 2011

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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**MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL HELD AT WALGETT COUNCIL CHAMBERS ON TUESDAY 28 JUNE 2011 COMMENCING AT 10:19AM**

**PRESENT**

Clr B Murray (Deputy Mayor) (Chairperson)  
Clr L Walford  
Clr J Keir  
Clr R Greenaway  
Clr K Smith  
Clr G Colless  
Clr M Martinez  
Clr D Lane  
Don Ramsland (General Manager)  
Mr P Kc (Acting Director, Urban Infrastructure Services)  
Mr R Ranjit (Director Engineering Services)  
Mr G Warren (Acting Director Corporate Services)  
Mr A Wilson (Acting Director Planning & Regulatory Services) - arrived at 11:02am  
Mrs S Jones (Finance Manager) - arrived at 11:03am  
Mrs J Campbell (Minute Secretary)

**Welcome to Visitors**

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

**Apologies**

**6/11/1 Apologies – 28 June 2011**

**Resolution:**

1. That apology from Councillor Woodcock be received and leave of absence be granted.

**Moved:** Clr Colless

**Seconded:** Clr Walford

**CARRIED**

**Public Forum Presentations**

Nil

**Declaration of Pecuniary/Non Pecuniary Interests**

- Clr Colless declared a Pecuniary Interest in item 24 – North West Weight of Loads Committee – Agreement as he is a heavy transport operator.
- Clr Martinez declared a Pecuniary Interest in item 18 Development and Complying Development Certificate Application as he has submitted as Development Application.

## **Confirmation of Minutes/Matters Arising**

6/11/2 Minutes of Council meeting – 24 May 2011

**Motion:**

That the minutes of the Council meeting held 24 May 2011 be confirmed.

**Moved:** Clr Lane

**Seconded:** Clr Smith

**CARRIED**

## **Reserve Trust Management Committee Reports**

Nil

## **Mayoral Minutes**

Nil

## **Motions of which Notice has been given**

Nil

## **Presentation of Petitions**

N/A

## **Councillors Questions From Last Meeting**

### **Clr Smith**

**QUESTION 1: BAD POTHoles ON CAMERON'S LANE NEAR ROWENA TURNOFF**

At the Rowena Turnoff on Cameron's lane, there are 2 really bad potholes.

**RESPONSE:**

The Director Engineering Services advises that he is currently investigating the issue and will inspect the location over the next couple of weeks.

**QUESTION 2: FLOOD DAMAGE – COLLY TO MUNGINDI ROAD**

On the Collarenebri to Mungindi road, the flood damage is getting very bad and needs attention.

**RESPONSE:**

The Director Engineering Services advises that he is currently investigating the issue and will inspect the location over the next couple of weeks.

**QUESTION 3: BACK LANE BEHIND WILSON STREET, COLLARENEBRI**

Has the back lane been fixed behind Wilson street, Collarenebri (west side)?

**RESPONSE:**

The Acting Director Urban Infrastructure Services advises that the road has been graded and compacted. He further advised that due to the wet weather the sealing has been delayed.

**Clr Smith - Lane has been completed.**

**QUESTION 4: DUST STRIPS ON MUNGINDI TO COLLARENEBRI ROAD**

The Sealed strips on the Collarenebri to Mungindi Road near Longswamp and Mogil Mogil needs attention.

**RESPONSE:**

The Director Engineering Services advises that he is currently investigating the issue and will inspect the location over the next couple of weeks.

**Clr Keir**

**QUESTION 1: REPORT ON FUNDS SPENT ON SR7716**

No report has been received in relation to where the funds were allocated to the SR7716 upgrade feasibility study. \$30,000 was spent.

**RESPONSE:**

The Finance Manager advises that the Shire was always going to spend \$60k – out of this \$30k has been removed to other Shires so the final expense is only \$30k for Walgett Shire Council. This was discussed at the Council Budget meeting.

**QUESTION 2: RURAL ROADS MEETING – 7 JUNE 2011**

Councillors were emailed about the Rural Roads meeting on Tuesday 7 June, this is the same day as the Budget Workshop, but it is probably important that Council has a representative attend.

**RESPONSE:**

No response required.

**Clr Murray**

**QUESTION 1: CULVERTS ON CARINDA TO WALGETT ROAD**

On the Walgett to Carinda road, when are the culverts going to be fixed?

**RESPONSE:**

The Director Engineering Services advises that he is currently investigating the issue and will inspect the location over the next couple of weeks.

**QUESTION 2: LETTER OF SUPPORT FROM COUNCIL - COOPERA**

Can Council write a letter of Support for the CoOpera group from Adelaide as they are no longer able to come out to Walgett with their shows?

**RESPONSE:**

The General Manager advised that an appropriate letter of Support is being drafted.

**QUESTION 3: ITEMS FROM BURREN JUNCTION BUDGET MEETING**

Can Council please give us an update on the following items as to whether they can be completed?

1. Burren Junction Road outcome (all Muddy) – needs grading
2. At the turn near the Silo from Burren Junction to Pilliga – a mess
3. Bugilbone Crossroad – needs repair
4. Tareela Lane two (2) dangerous corners on road – possible clearing. One is a blind corner and the other is near the Tareela Homestead.
5. Tareela Lane causeway needs work
6. North side of the Namoi River Bridge to Pilliga needs resealing with gravel for 3000 metres between Ridge and Bitumen – (Could use gravel from Bugilbone Gravel Pit)
7. Nunkeri causeway – South of Namoi River on road to Pilliga needs resealing.

**RESPONSE:**

The Director Engineering Services advises that he is currently investigating.

Clr Murray advised Council that the Shire graders have been out on Tareela Lane over the past few weeks and have graded the road.

Clr Keir in relation to question 1, she asked for an explanation of the response that was given. She further advised that she was not sure what it meant that \$30k had been removed to other Shires.

Clr Keir wanted to congratulate Council on the Laser bucket that is on SR7716, she advised that the appropriate signs have been erected and it is going along well. She further advised that there is one problem; red dirt has been put on the approaches of the Goangra bridge which has made it worse than before. The red dirt is now in the river because of the rain and asked why council did not use the white Yarradool rock that is nearby.

The General Manager advised that he will have our new Director Engineering Services look into the matter.

**Reports of Delegates and Representatives**

**6/11/3 Western Division Seminar - Minutes**

**Recommendation:**

1. That the minutes of the 2011 Western Division Seminar be received.

**Moved:** Clr Lane

**Seconded:** Clr Walford

**CARRIED**

## WALGETT SHIRE COUNCIL MINUTES

### 6/11/4 Barwon Darling Alliance Committee – Minutes of Meeting

**Recommendation:**

1. That Council receive and note the minutes of the Meeting of the Barwon Darling Alliance held on 31 May 2011 and endorse action being take to wind up the Barwon Darling Alliance with any surplus funds being donated to Stewart House.

**Moved:** Clr Lane  
**Seconded:** Clr Smith

**CARRIED**

### 6/11/5 Orana Regional Organisation of Council's – Minutes of meeting

**Recommendation:**

1. That Council receive and note the minutes of the Orana Regional Organisation of Councils held on 4 March 2011 and 20 May 2011.

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

**CARRIED**

### 6/11/6 Outback Regional Tourism Organisation – Minutes of Meeting

**Recommendation:**

1. The Minutes of the Outback Regional Tourism Organisation held 10 June 2011 be received and noted and Council seek to join the Inland Tourism Organisation immediately.

**Moved:** Clr Lane  
**Seconded:** Clr Smith

Clr Smith raised a concern that there are 4 errors in the new Tourism booklet. He further advised that the errors were:

- Collarenebri was not mentioned in the Services section even though they are the third largest town in the Shire.
- The Race Track picture for Collarenebri must be an old picture because Collarenebri is praised for its lovely green race track.
- There is only one function in the events calendar for Collarenebri and it is listed under the wrong month – Collarenebri Rodeo
- Next to the picture of the scared trees at Collarenebri, there is a picture of a man from Walgett and not a local man from Collarenebri.

### **Reservation of items for Debate**

Nil

## Reports of Officers

### **6/11/7 Council decisions Action Report – 24.05.11**

**Motion:**

1. That the report be received.

**Moved:** Clr Walford

**Seconded:** Clr Greenaway

**CARRIED**

Clr Keir asked whether a meeting had been set up in relation to the Regional Library Agreement as yet, as she has not heard anything.

### **6/11/8 Circulars received from the NSW Local Government and Shires Association of NSW – June 2011**

**Motion:**

That:

1. The information contained in the weekly circulars from the NSW Local Government and Shires Association be received and noted.
2. Council nominate 3 Councillors (Clr Woodcock, Clr Murray, and Clr Keir) and the General Manager to attend the Local Government Reform Funding Workshops in Dubbo on Wednesday 13 July 2011.

**Moved:** Clr Smith

**Seconded:** Clr Keir

**CARRIED**

### **6/11/9 Circulars received from the Local Government – Department of Premier and Cabinet – June 2011**

**Motion:**

1. That the information contained in the Departmental circulars 11-07 to 11-09 from the Local Government Division Department of Premier and Cabinet be received and noted.

**Moved:** Clr Keir

**Seconded:** Clr Lane

**CARRIED**



WALGETT SHIRE COUNCIL MINUTES

**6/11/10 Monthly Calendar – June 2011**

**Motion:**

1. That Council receive and note the regular monthly calendar for the period June to August 2011.

**Moved:** Clr Smith

**Seconded:** Clr Keir

**CARRIED**

**6/11/11 Payment of Expenses and Provision of Facilities for Councillors Policy**

**Motion:**

1. That following public exhibition and in view of the fact that no submissions were received: Council 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.

**Moved:** Clr Lane

**Seconded:** Clr Keir

**CARRIED**

**6/11/12 Review of Code of Conduct – Personal Benefit**

**Motion:**

1. That, in accordance with the requirements of the Local Government Act 1993 (as amended) and following the proposed amendments being on public exhibition for 28 days and in view of the fact no Public submissions were received with 42 days of the commencement of Public exhibition, Council's Code of Conduct be amended by inserting the following words shown in bold type:

## WALGETT SHIRE COUNCIL MINUTES

### 8 PERSONAL BENEFIT

For the purposes of this section, a reference to a gift or benefit does not include a political donation or contribution to an election fund that is subject to the provisions of the relevant election funding legislation.

#### Token gifts, **Gift cards** and benefits

- 8.1 Generally speaking, token gifts, **gift cards** and benefits include:
- a. free or subsidised meals, beverages or refreshments provided in conjunction with:
    - i) the discussion of official business
    - ii) council work related events such as training, education sessions, workshops
    - iii) conferences
    - iv) council functions or events
    - v) social functions organised by groups, such as council committees and community organisations.
  - b) invitations to and attendance at local social, cultural or sporting events
  - c) gifts of single bottles of reasonably priced alcohol to individual council officials at end of year functions, public occasions or in recognition of work done (such as providing a lecture/training session/address)
  - d) ties, scarves, coasters, tie pins, diaries, chocolates or flowers.
  - e) Goods, products or services provided to all attendees at a conference/meeting where attendance by an official has been authorised.

#### Gifts and benefits of value

- 8.2 Notwithstanding clause 8.1, gifts, **gift cards** and benefits that have more than a token value include, but are not limited to, tickets to major sporting events (such as state or international cricket matches or matches in other national sporting codes (including the NRL, AFL, FFA, NBL)), corporate hospitality at a corporate facility at major sporting events, discounted products for personal use, the frequent use of

facilities such as gyms, use of holiday homes, free or discounted travel, **social tipping contests and the like.**

#### Gifts and benefits

- 8.3 You must not:
- a) seek or accept a bribe or other improper inducement
  - b) seek gifts, **gift cards** or benefits of any kind
  - c) accept any gift, **gift cards** or benefit that may create a sense of obligation on your part or may be perceived to be intended or likely to influence you in carrying out your public duty
  - d) accept any gift, **gift cards** or benefit of more than token value
  - e) accept an offer of money, regardless of the amount.
- 8.4 Where you receive a gift, **gift cards** or benefit of more than token value that cannot reasonably be refused or returned, this must be disclosed promptly to your supervisor, the Mayor or the general manager. The recipient, supervisor, Mayor or general manager must ensure that any gifts, **gift cards** or benefits of more than token value that are received are recorded in a Gifts Register. The gift, **gift cards** or benefit must be surrendered to council, unless the nature of the gift, **gift cards** or benefit makes this impractical.
- 8.5 You must avoid situations giving rise to the appearance that a person or body, through the provision of gifts, **gift cards** benefits or hospitality of any kind, is attempting to secure favourable treatment from you or from the council.
- 8.5 (a) "No council official shall accept a gift, **gift cards** or benefit of any kind, regardless of value, from persons seeking the exercise of a council's decision making discretion or who have sought the exercise of the council's decision making discretion within the previous 12 months".
- 8.6 No Council official shall accept a gift, **gift cards** or benefit of any kind, regardless of value, from persons seeking the exercise of a council's decision making discretion or who have sought the exercise of the council's decision making discretion within the previous 12 months.

**Moved:** Clr Lane  
**Seconded:** Clr Walford

**CARRIED**

WALGETT SHIRE COUNCIL MINUTES

**6/11/13 Draft Management Plan 2011-2015 and Budget 2011-2012 Report**

**Motion:**

That Council:

1. Adopts Fees and Charges 2011/2012 as listed in the 2011-2015 Management Plan with Council reserving the right to vary fees and charges of a commercial nature as circumstances require.
2. 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 be 9% for 2011/2012.
3. 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 29 August 2011.
4. Adopts a 2.8% increase in the total levy for General Fund Rates.
5. Adopt a 10% increase on Sewerage and Domestic Waste charges.
6. Adopt a 10% increase on Water charges in all areas except Lightning Ridge, where the increase is 7%.
7. Resolves to make the rates and charges for Ordinary Rates, Water, Sewer and Waste as set out in the 2011-2015 Management Plan.
8. Adopt the 2011/2012 Income and Expenditure Statement as set out in the 2011-2015 Management Plan.
9. Adopt the 2011/2015 Management Plan as presented incorporating any changes adopted.

**Moved:** Clr Colless

**Seconded:** Clr Lane

**CARRIED**

**6/11/14 Rural Fire District Service Agreement – North West Zone**

**Motion:**

1. That the Rural Fire District Service Agreement North West Zone commencing 1 September be executed under seal of Council.

**Moved:** Clr Lane

**Seconded:** Clr Keir

**CARRIED**

11:29am Clr Walford left the meeting

11:31am Clr Walford returned to the meeting

WALGETT SHIRE COUNCIL MINUTES

**6/11/15 Matters Generally for Brief Mention or Information only from General Manager – June 2011**

**Motion:**

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

**Moved:** Clr Keir

**Seconded:** Clr Lane

**CARRIED**

**6/11/16 Human Services Funding 2011/2012**

**Motion:**

That Walgett Shire Council resolve to:

1. Authorise the Mayor and General Manager to sign and affix the Council seal to two copies of the Community Services, Department of Human Services NSW Service Agreement.

**Moved:** Clr Lane

**Seconded:** Clr Colless

**CARRIED**

**6/11/17 Multicultural Policies and Services Program Plan 2011 -2014**

**Motion:**

That Walgett Shire Council:

1. Adopts the Multicultural Policies and Services Program Plan 2011- 2014 as presented with any adopted changes.

**Moved:** Clr Lane

**Seconded:** Clr Martinez

**CARRIED**

WALGETT SHIRE COUNCIL MINUTES

**6/11/18 Funding Application Domestic Violence Prevention**

**Motion:**

1. That the Department of Families, Housing, Community Services and Indigenous Affairs funding application in the amount of \$250,000, for the employment of a Community Development Worker, be received and noted.

**Moved:** Clr Lane  
**Seconded:** Clr Colless

**CARRIED**

**6/11/19 External funding received – NAIDOC 2011**

**Motion:**

That Walgett Shire Council resolve to:

1. Authorise the Mayor and General Manager to sign and affix the Council seal to two copies of the Department of Families, Housing, Community Services and Indigenous Affairs *Standard Funding Agreement* for the NAIDOC grant in the amount of \$800.

**Moved:** Clr Walford  
**Seconded:** Clr Lane

**CARRIED**

11:45am Clr Smith left the Meeting

**6/11/20 Cash on Hand and Investment Report as at 31 May 2011**

**Motion:**

1. That the cash on hand and investment report as at 31 May 2011 be received.

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

**CARRIED**

11:46am Clr Smith returned to the meeting

## WALGETT SHIRE COUNCIL MINUTES

### 6/11/21 Interim Financial Audit Management Letter Report for the 2010/2011 financial year

**Motion:**

1. That the Audit Management Letter from Hills Rogers Spencer Steer be received and noted.
2. That details of action taken in respect of issues raised be reported to Council's October 2011 Council Meeting.

**Moved:** Clr Colless

**Seconded:** Clr Keir

**CARRIED**

11:53am Clr Martinez declared a pecuniary interest in the following item as he has submitted a Development Application and left the meeting.

### 6/11/22 Development and Complying Development Certificate Applications

**Motion:**

That Walgett Shire Council resolve to:

1. Receive and note the report on Development and Complying Development Certificate applications dealt with by Council staff under delegated authority during May 2011.

**Moved:** Clr Colless

**Seconded:** Clr Keir

**CARRIED**

11:54am Clr Martinez returned to the meeting

### 6/11/23 Growth Strategy & Local Environmental Plan

**Motion:**

That Walgett Shire Council resolve to:

1. Receive and note the letter dated 18 May 2011 from the Director General, Department of Planning & Infrastructure which conditionally endorses the November 2010 version of the Walgett Shire Growth Management Study and Strategy.
2. Adopt and endorse the June 2011 version Walgett Shire Growth Management Study and Strategy which includes the changes requested by the Department of Planning & Infrastructure in point 5 of the Director General's letter dated 18 May 2011.

**Moved:** Clr Keir

**Seconded:** Clr Lane

**CARRIED**

**6/11/24 Heritage Activities and Reporting 2010-2011**

**Motion:**

That Walgett Shire Council resolve to:

1. Receive and note the report on the activities of Walgett Shire Council's Heritage Advisor, Ray Christison, during 2010-2011.
2. Endorse and adopt the following documents, as prepared by Walgett Shire Council's Heritage Advisor, Ray Christison:
  - (a) The Walgett Shire Heritage Strategy Annual Report 2010-2011.
  - (b) The Walgett Shire Summary Local Heritage Fund Annual Report 2010-2011.
  - (c) The Walgett Shire Council Heritage Strategic Plan 2011-2014.
3. Endorse the submission of the documents to the Office of Environment and Heritage by Council's Director of Planning & Regulatory Services via e-mail on 15 June 2011.

**Moved:** Clr Lane  
**Seconded:** Clr Walford

**CARRIED**

**6/11/25 Alcohol Free Zones**

**Motion:**

That Walgett Shire Council resolve to:

1. Receive and note the letters dated 31 May 2011 from the Walgett RSL Memorial Club Ltd and 30 March from the Dharriwaa Elders Group regarding the proposed re-establishment of Alcohol Free Zones.
2. Establish alcohol free zones in Walgett, Collarenebri and Lightning Ridge for four years, over the same areas as the existing zones.
3. Inform the following parties that alcohol free zones have been established in Walgett, Collarenebri and Lightning Ridge for four years, over the same areas as the existing zones, via:
  - (a) A public notice in the Walgett Spectator and Lightning Ridge News.
  - (b) A public notice on the Walgett Shire Council web site.
  - (c) Notification letters to the officers in charge of the Walgett, Lightning Ridge and Collarenebri police stations.
  - (d) A notification letter to the NSW Anti-Discrimination Board.
  - (e) A notification letter to all liquor licensees within or adjoining the proposed alcohol free zones.
  - (f) A notification letter to all identifiable Aboriginal or ethnic groups.
4. Update alcohol free zone signage in Walgett, Collarenebri and Lightning Ridge in accordance with the Ministerial Guidelines on Alcohol Free Zones issued by the Department of Local Government, February 2009.
5. That Council take action to include the Earl Park (Truck Stop area) at Collarenebri as an additional alcohol free zone area.

**Moved:** Clr Smith

**Seconded:** Clr Greenaway

**CARRIED**



## WALGETT SHIRE COUNCIL MINUTES

### 6/11/26 Liquor License Application

**Motion:**

That Walgett Shire Council resolve to:

1. Receive and note the application for a single function liquor licence on behalf of the Lightning Ridge Miners Association for the 7th National Opal Symposium Dinner on 26 July 2011 at the Lightning Ridge Diving Pool.

**Moved:** Clr Smith

**Seconded:** Clr Lane

**CARRIED**

### 6/11/27 Matters Generally for Brief Mention or Information only from Director of Planning & Regulatory Services

**Motion:**

1. That the report by the Director of Planning & Regulatory Services on matters for brief mention, or information only, be received and noted.

**Moved:** Clr Lane

**Seconded:** Clr Walford

**CARRIED**

12:41pm Clr Colless declared a Pecuniary Interest in the following item as he is a stakeholder of this committee and left the meeting.

### 6/11/28 North West Weight of Loads Committee - Agreement

**Motion:**

1. That the North West Weight of Loads Inter-Council Memorandum of Agreement 2011-2016 be executed under seal of Council; and
2. That the North West Weight of Loads Authority Schedule be executed under seal of Council.

**Moved:** Clr Keir

**Seconded:** Clr Smith

**CARRIED**

12:43pm Clr Colless returned to the meeting

**6/2011/29 RFQ11016 – Feasibility Study & Site Selection for the redevelopment of the Walgett Works Depot – Draft for Information**

**Motion:**

1. Council receive and note the draft Brief for RFQ11016 - Feasibility Study & Site Selection for the Redevelopment of the Walgett Works Depot; and
2. Council endorse the *strategic* direction of this project.

**Moved:** Clr Lane

**Seconded:** Clr Colless

**CARRIED**

**Reports of Committees**

Nil

**Questions for the next Meeting**

**Clr Smith -**

**Question 1:**

Skate Parks in the Shire could we have them swept more often?

**Question 2:**

Tree guards in Main Street of Collarenebri, could we have them put in so trees can be put in come spring?

**Clr Keir**

**Question 1:**

Following up on the closure of beds in the Walgett hospital, was the Mayor and General Manager able to talk with Kevin Humphries?

Clr Keir thanked Council for the allocation of funds to upgrade the Come By Chance Hall.

**Clr Greenaway**

Clr Greenaway asked that a notice of motion and a policy be created and forward to the next Council meeting.

**Notice of Motion**

1. The Walgett Shire Council imposes a moratorium of sixty days on any future seismic surveys, drilling or exploration for Coal Seam Gas on property under the ownership of care, control and management of the Walgett Shire Council.
2. The Walgett Shire Council requests that the relevant State Government Agency fund and undertake a full assessment of the impact of Coal Seam Gas Extraction on the sustainability of agricultural production within the shire area during this period.

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3. That the sixty day period be extended if the report is incomplete at the conclusion of this period.

### **Policy Creation**

Move that we formulate a policy 'That all applications for seismic surveys must come before Council for consideration and cannot be dealt with under delegation'

### **Clr Martinez**

#### **Question1:**

In relation to landholders in the Shire and their gravel pits, can Council approach the local landholders and ask for permission to use the gravel from their pits instead of carting them from the other side of the Shire?

#### **Response:**

The General Manager advised that yes Council can approach the local landholders but only if they have established pits (DA authorised) and there are no problems with accessing them.

### **Clr Lane**

Clr Lane advised that he attended the first Lightning Ridge Advisory Board Meeting; advised that there is still an issue with people building camps on the preserved opal fields in Lightning Ridge. He suggested that Council not get involved in this issue as it could cost Council thousands of dollars

## **Confidential Reports/Closed Council meeting**

### **6/2011/30 Move into Closed Session at 1.14pm**

#### **Resolution:**

That the public be excluded from the meeting pursuant to Sections 10A (2)(a) of the Local Government Act 1993 on the basis that the items deal with:

- (a) personnel matters concerning particular individuals (other than councillors)

**Moved:** Clr Greenaway

**Seconded:** Clr Lane

**CARRIED**

1:14pm Clr Colless declared an interest as he may be purchasing some of the land described in the report and left the meeting.

**WALGETT SHIRE COUNCIL MINUTES**

**6/2011/31 Section 713 Sale by Auction – November 2011**

**Recommendation:**

1. That the land detailed in the following table be submitted for sale at public auction on Friday 18<sup>th</sup> November 2011 at 10am at the Council Chambers, 77 Fox Street Walgett 2832, as per sections 713 – 726 of the Local Government Act 1993.

| <b>Ass Number</b> | <b>Owner Surname</b> | <b>Property Address</b>           | <b>Lot/Sec/DP</b>                                      | <b>VG Land Value</b> |
|-------------------|----------------------|-----------------------------------|--------------------------------------------------------|----------------------|
| 3269              | Hobbs                | Fox Street, Walgett               | Lot 36 DP 595705                                       | \$4,000              |
| 6692              | Chapman              | 7 Warrena Street, Walgett         | Lot A DP 157836                                        | \$11,800             |
| 7856              | Frost                | Balaclava Street, Burren Junction | Lot 9 Sec 8 DP<br>758199                               | \$4,500              |
| 8029              | Key                  | Balaclava Street, Burren Junction | Lot 5 Sec 4 DP<br>758199                               | \$4,500              |
| 9191              | Bressington          | Oliver Street, Carinda            | Lot 2 Sec 14 DP<br>758227                              | \$400                |
| 11684             | Cridge               | Wilson Street, Collarenebri       | Lot 1 DP 186099<br>Lot A DP 189513<br>Lot 4 DP 1098080 | \$4,750              |
| 11791             | Adams                | Wilson Street, Collarenebri       | Lot 4 Sec 18 DP<br>758262                              | \$2,590              |
| 16808             | Liu                  | 6 Morilla Street, Lightning Ridge | Lot 3 Sec 16 DP<br>758612                              | \$31,400             |
| 53520             | Houlton              | Narran Street, Collarenebri       | Lot 34 & 35 DP<br>238593                               | \$1,000              |

2. That authorisation is given to carry out searches pertaining property information and persons having an interest in the land.
3. That each person ascertained as having an interest in the land be notified of Councils intention to sell the land under Section 713 of the Local Government Act 1993.
4. That the proposed sale of land be advertised in the Government Gazette not more than 6 months and not less than 3 months before the date of sale; and that the sale be advertised in at least 1 local newspaper.
5. That the auction sale be conducted by a licensed auctioneer and should any lots be unsold following the sale that they be listed for sale by private treaty.
6. Council authorises the execution of contracts and transfer documents under its Common Seal.
7. Invite expression of interest from local auctioneers to conduct the sale.
8. That deposits must be paid on the day of sale. The balance must be paid in full within 14 days.
9. That each bidder will need to be registered.

**Moved:** Clr Lane  
**Seconded:** Clr Smith

**CARRIED**

**6/2011/32 Return to Open Session at 1.25pm**

**Resolution:**

That Council return to Open Session.

**Moved:** Clr Walford

**Seconded:** Clr Keir

**CARRIED**

**6/2011/33 Adoption of Closed Session Reports**

**Resolution:**

That Council adopt the following resolutions of the Closed Committee:

1. Section 713 Sale by Auction – November 2011

**Moved:** Clr Greenaway

**Seconded:** Clr Walford

**CARRIED**

**Close of Meeting**

The meeting closed at 1.28pm

To be confirmed at the meeting of Council to be held on Tuesday 26 July 2011

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Mayor

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General Manager