



# **MINUTES FOR ORDINARY COUNCIL MEETING**

## **25 October, 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 **25 October 2011**, commencing at 10.00am to discuss the items listed in the Agenda.

*ADOPTED: 22 November 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 IN THE WALGETT SHIRE COUNCIL CHAMBERS ON TUESDAY 25 OCTOBER 2011 AT 10:09AM**

**PRESENT**

Clr B Murray (Mayor)  
Clr D Lane (Deputy Mayor)  
Clr L Walford  
Clr J Keir  
Clr R Greenaway  
Clr K Smith  
Clr G Colless  
Clr I Woodcock  
Don Ramsland (General Manager)  
Mr Raju Ranjit (Director Engineering Services)  
Mr Fred Coralde (Director Urban Infrastructure Services)  
Mr Matthew Goodwin (Director planning & Regulatory Services)  
Mr Ed Wlodarczyk (Acting Finance Manager)  
Mrs J Campbell (Minute Secretary)

**Welcome to Visitors**

The Mayor, Clr Bill Murray welcomed all visitors to the meeting and acknowledged the traditional owners of the land.

**Apologies**

**10/2011/1 Apologies**

**Resolution:**

That the apology from Clr Martinez be received and a leave of absence be granted.

**Moved:** Clr Greenaway

**Seconded:** Clr Smith

**CARRIED**

**Public Forum Presentations**

**Jillian Kilby from JL Kilby**

Jill made a presentation to Council on the following issues:

- Engineering sustainability
- Barwon Roads Project

**Cameron Rowntree - President of Walgett Showground Committee**

Cameron spoke to Council regarding the following issues:

- The funding that Council has supplied for the Showground. There seems to be a misunderstanding on the correct amount.

## WALGETT SHIRE COUNCIL MINUTES

- State of the Environment Report, particularly reference to clearing of land. He suggested that the reference should be to what is developed/cleared areas and what areas can be developed.
- Suggested that a Regional Plan be put in place for clearing of land.

### **Declaration of Pecuniary/Non Pecuniary Interests**

Clr Greenaway declared a non pecuniary interest in item 2 - Committee of Council – Plant Committee Minutes in the closed section of the meeting because of an interest in a water carting business.

Clr Colless declared a non pecuniary interest in item 30 - Monthly Report from Director Engineering Services – October 2011 regarding any discussions relating Shire Road 64 Wimbledon Road because, as a transport operator, he has a vested interest in this road being sealed.

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

#### **10/2011/2 Minutes of Council meeting –22 September 2011**

**Resolution:**

That the minutes of the Council meeting held 22 September 2011 be confirmed.

**Moved:** Clr Woodcock

**Seconded:** Clr Walford

**CARRIED**

### **Reserve Trust Management Committee Reports**

Nil

### **Mayoral Minutes**

Nil

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

#### **10/2011/3 Motion of Notice – Representation on the Local Community Working Parties**

**Resolution:**

That Council has a discussion on our representation to the Local Community Working Parties and the general operations of these bodies.

**Moved:** Clr Greenaway

**Seconded:** Clr Keir

**CARRIED**

A discussion was held on the operations of each of the community working parties in Walgett Shire.

**Representation on the Local Community Working Parties**

**Motion:**

Council cease to be represented at all its local community working party meetings.

**Moved:** Clr Greenaway

**Seconded:** Clr Smith

**MOTION WITHDRAWN**

**10/2011/4 Representation on the Local Community Working Parties**

**Resolution:**

That Council ceases to be represented at the various Community Working Parties as little benefit seems to be gained by Council for the broader community.

**Moved:** Clr Keir

**Seconded:** Clr Colless

**CARRIED**

**10/2011/5 Representation on the Local Community Working Parties – Letter to Local Member**

That Council write to the local member Kevin Humphries asking him to make representations to Department of Premier and Cabinet to re-institute the Interagency meetings chaired and administered by Premiers and Cabinet Department on a quarterly basis.

**Moved:** Clr Lane

**Seconded:** Clr Greenaway

**CARRIED**

**Presentation of Petitions**

N/A

## **Councillors Questions From Last Meeting**

### **Clr Woodcock**

**Question 1:**

I sent an email in this morning regarding a lady in the Ridge whose yard is continually flooded.

**Response:**

The General Manager advised that he saw the email and will contact Clr Woodcock later in relation to the matter.

The Director Urban Infrastructure Services advised that he has investigated and found out that the lady complainant lives on a block of land that is lower than her neighbour/s. From her side of the fence, the ground was wet. Her lady neighbour has a large garden with trees and shrubs planted along the fence which is being watered daily. Our Team Leader at Lightning Ridge suggested the alleged offending neighbour not to water her trees and shrubs for a couple of days and let the ground dry out before watering again and not to saturate the ground causing water to run off onto her neighbour's land who lives in a lower block of land. We have advised the owner that her trees and shrubs are big enough to go without water for a longer period without being stressed. The owner agreed. We have received no complaints since then.

### **Clr Smith**

**Question 1:**

When could the trees be planted and guards put in, in the main street, Collarenebri?

**Response:**

The Director Urban Infrastructure Services advised that work started on 13 October 2011 and should be completed within 3-4 days.

### **Clr Colless**

**Question 1:**

Where did we get the money for the grandstand at No1 oval and what is the costing and progress?

**Response:**

The Director Urban Infrastructure Services advised that Council allocated \$35,000 from the Round 3 Regional Projects grant. The procurement cost is \$34,000 for the supply and installation of a 5-tier fixed grandstand. He further advised that an engineer's certificate is required and consultation with Council's Planning section prior for delivery/installation.

### **Clr Greenaway**

I would like to advise Council to have a public meeting in relation to the Coal Seam Gas issues, so that the public can show their backing for Council's actions in relation to the issue.

**Response:**

No Action required.

## WALGETT SHIRE COUNCIL MINUTES

**Question 1:**

Is there a men's shed in Walgett?

**Response:**

Clr Keir advised that she suspected that the one with the AMS is still operational. She further advised that she will investigate.

The General Manager has advised that it has since been ascertained that it is not operational. A query has now been received concerning the establishment of a Walgett Men's Shed and a meeting is to be held shortly with interested parties.

A discussion was held on the status of the Mens Shed. Clr Keir informed the Council that it is not a Men's Shed rather a Men's Group that was running out of the Walgett hospital.

Clr Walford informed the Council that the Men's group is now defunct and that there is a car and computer and other valuables that have been taken back.

**Clr Martinez**

Clr Martinez advised that he will be an apology for next meeting as he will be away.

**Response:**

Noted

**Clr Murray****Question 1:**

There are four lights that need replacing in Wee Waa Street to Fox Street?

**Response:**

The General Manager advised that the matter has been referred to Essential Energy for attention.

A discussion was held on the replacing of lights by Essential Energy. The Director Urban Infrastructure Services informed the Council that Essential Energy will be scheduling the replacement of the lights and that he will inform Council of when this will be happening.

**Question 2:**

The light pole in front of Landmark in Fox Street, when is it going to be replaced?

**Response:**

The Director Urban Infrastructure Services advised that he has discussed with Essential Energy and they will inform Council when it is scheduled to be fixed.

**Question 3:**

Can we have a report on the residential and light industrial land available in Walgett and Lightning Ridge for possible development and or sale?

**Response:**

The Director Urban Infrastructure Services advised that he is currently discussing with the Land and Property Management Authority regarding the classification of the land. He further advised that a progress report will be provided at the next meeting.

**Question 4:**

Can the pot holes in the bitumen road to Namoi Reserve/George Sands Way be fixed?

**Response:**

The Director Engineering Services advised that staff have completed this request.

**Question 5:**

Can we grade the bitumen road from the Gingie Mission to Conrad Bolton irrigation channel as it is dangerous in parts?

**Response:**

The General Manager advised that the history of this road is being researched with a view to replacing a detailed report to the November Meeting.

**Question 6:**

Gravel be replaced on the bottom of the Barokaville Creek Bridge, (RTA Floodway) has this been done?

**Response:**

The Director Engineering Services advised that staff have completed this request.

**Reports of Delegates and Representatives**

11:17am Clr Walford and Clr Smith left the meeting

**10/2011/6 Award Consultative Committee Minutes**

**Resolution:**

1. That Council received and note the minutes of the Award Consultative Committee meeting for 20 September 2011.

**Moved:** Clr Lane

**Seconded:** Clr Greenaway

**CARRIED**

11:18am Clr Smith and Clr Walford returned to the meeting

11:21am Clr Keir left the meeting

11:22am Clr Keir returned to the meeting



**10/2011/7 OH&S Committee Minutes**

**Resolution:**

1. That Council received and note the minutes of the Occupational Health & Safety Committee meeting for 8 September 2011.
2. Council re-affirm its commitment to the attached OH&S policy and procedure statement.

**Moved:** Clr Woodcock  
**Seconded:** Clr Greenaway

**CARRIED**

**10/2011/8 OH&S Commitment – Notify users**

**Resolution:**

That Council advise local organisations of pending changes in legislation and request that they give Council advance notice whenever working bees are to be conducted on Council owned assets where volunteers will be in attendance.

**Moved** Clr Colless  
**Seconded:** Clr Keir

**CARRIED**

**10/2011/9 Orana Regional Organisation of Council (OROC) Minutes of meeting**

**Resolution:**

1. That Council receive and note the minutes of the Orana Regional Organisation of Councils held on 29 July 2011 and 7 October 2011.
2. Note Council's representatives' commitments in relation to:
  - a. Social reform initiatives.
  - b. Natural Disaster Relief Scheme review.

**Moved:** Clr Woodcock  
**Seconded:** Clr Walford

**CARRIED**

11:27 am Clr Greenaway left the meeting

**11/2011/10 Lightning Ridge & Surrounding Opal Fields Management Reserve Trust**

**Resolution:**

1. That the draft minutes of the Lightning Ridge & Surrounding Opal Fields Management Reserve Trust meeting held on 31 August 2011 be received and noted.

**Moved:** Clr Lane  
**Seconded:** Clr Woodcock

**CARRIED**

**10/2011/11 Netwaste Forum Meeting**

**Resolution:**

1. Council note the Netwaste Minutes of the meeting held at Gilgandra Library on 9 September 2011.
2. Council that Netwaste will hold the following events at Mudgee:
  - a. 1 December 2011 – Asbestos Management Workshop
  - b. 2 December 2011 – Netwaste Forum

**Moved:** Clr Woodcock  
**Seconded:** Clr Keir

**CARRIED**

**Reservation of items for Debate**

Nil

**Reports of Officers**

11:29am Clr Greenaway returned to the meeting

**10/2011/12 Council Quarterly decisions Action Report (July to September)**

**Resolution:**

That the action register be received and noted.

**Moved:** Clr Smith  
**Seconded:** Clr Woodcock

**CARRIED**

## WALGETT SHIRE COUNCIL MINUTES

### 10/2011/13 Circulars received from the Division of Local Government – October 2011

#### Resolution:

1. That the information contained in the following Departmental circulars 11-22 to 11-30 from the Local Government Division Department of Premier and Cabinet be received and noted.
  - Circular to Councils 11/22 - Guidelines for Council Administered Elections 2012
  - Circular to Councils 11/23 - GST Certificate - Revised Requirements
  - Circular to Councils 11/24 - Snapshot of NSW Councils - Comparative Information on NSW Local Government Councils 2009/10
  - Circular to Councils 11-25 Planning for Ageing Population
  - Circular to Councils 11-26 Ward Boundary and Name Changes
  - Circular to Councils 11-27 Findings from Review of Councillor Expenses and Facilities Policies
  - Circular to Councils 11-28 The Destination 2036 Outcomes Report
  - Circular to Councils 11-29 Guidelines for the Preparation of a Special Rate Variation Application and Guidelines for the Preparation of an application to Exceed the Minimum Rate Statutory Limit 2012/2013
  - Circular to Councils 11/30 – Constitutional Referendums

**Moved:** Clr Woodcock

**Seconded:** Clr Keir

**CARRIED**

### 10/2011/14 Circulars received from the NSW Local Government and Shires Association of NSW – October 2011

#### Resolution:

That:

1. The information contained in the weekly circulars from the NSW Local Government and Shires Association be received and noted.

**Moved:** Clr Woodcock

**Seconded:** Clr Lane

**CARRIED**

### 10/2011/15 Monthly Calendar – October 2011

#### Resolution:

1. That Council receive and note the regular monthly calendar for the period October to December 2011.

**Moved:** Clr Woodcock

**Seconded:** Clr Smith

**CARRIED**

**10/2011/16 Delegates and Representatives to, and members of External bodies**

**Resolution:**

1. That the following two Committees be included in Council's 2011/2012 Delegates and Representatives list:
  - \* Coonabarabran – Mungindi Road Upgrade Project Steering Committee
  - \* Water Utilities Group
2. That the Mayor be Council's delegate on the Water Utilities Group.
3. That Clr Greenaway be Council's delegate on the Coonabarabran – Mungindi Road Upgrade Project Steering Committee.

**Moved:** Clr Smith

**Seconded:** Clr Woodcock

**CARRIED**

**10/2011/17 Destination 2036 Outcomes Report – Opportunity for Comment**

**Resolution:**

1. That the Mayor and the General Manager be delegated the Authority to prepare council's response in relation to the Destination 2036 Report.

**Moved:** Clr Woodcock

**Seconded:** Clr Greenaway

**CARRIED**

**10/2011/18 Walgett PCYC Proposal – Need for Council Endorsement**

**Resolution:**

That Council:

1. Formally endorse the submission of an Expression of Interest for the establishment of a PCYC facility for Walgett Shire
2. Commit all reasonable resources to the preparation of the Expression of Interest and development of necessary plans and specifications for the proposed development.
3. Identify what current resources/commitments could be transferred to the proposed facility.
4. And if the Expression of Interest is successful, commit to expediting the implementation of the proposed project.

**Moved:** Clr Greenaway

**Seconded:** Clr Keir

**CARRIED**

**10/2011/19 2012 Australia Day Celebrations**

**Resolution:**

That:

1. Council advertise for Expression of Interest from community members to form an Australia Day Community Committee for 2012.
2. The Mayor and Councillors Clr Keir and Clr Walford be members of the 2012 Australia Day Awards Judging panel.
3. The Mayor be the chairperson of the Judging panel.
4. The Mayor and Councillors on the Panel be authorised to determine community members of the Panel and to invite community members to join the Panel.

**Moved:** Clr Woodcock

**Seconded:** Clr Lane

**CARRIED**

WALGETT SHIRE COUNCIL MINUTES

**10/2011/20 Library Agreement – letter to Moree Plains Shire Council General Manager**

**Resolution:**

That depending on the results of the meeting being held on Wednesday 26 October 2011, Council write an official letter to the General Manager of the Moree Plains Shire Council expressing Council's concerns with the organisation of the Regional Library Agreement.

**Moved:** Clr Greenaway

**Seconded:** Clr Smith

**CARRIED**

**10/2011/21 Fees and Charges on Crown Reserve – Letter to Mr Page**

**Resolution:**

That Council write a letter to Minister for Local government Hon Don Page MP outlining that some years ago the Land Management and Property Authority were the ones that implemented the charges on Crown reserves and Council has no control over it.

**Moved:** Clr Lane

**Seconded:** Clr Greenaway

**CARRIED**

The General Manager advised that he will ask staff to investigate the fees and charges for the crown reserves.

12:06pm Clr Colless left the meeting

12:06pm Clr Colless returned to the meeting

## WALGETT SHIRE COUNCIL MINUTES

### 10/2011/22 Matters Generally for Brief Mention or Information only from General Manager – October 2011

#### Resolution:

1. That the following matters listed by the General Manager for brief mention or information be received and noted.
  1. Correspondence from Honourable Sophie Cotsis
  2. Ministerial Circular – M11-01 - EQUITABLE AND AFFORDABLE ACCESS TO COUNCILS' SPORTING AND RECREATIONAL FIELDS
  3. Regional Library Agreement
  4. Rural Financial Counsellor
  5. Lightning Ridge Bore and Pipeline Progress
  6. Community Strategic Plan
  7. 2012 Elections
  8. Internal Auditor Appointment Progress
  9. Annual Report
  10. Lightning Ridge HACC Centre Progress
  11. Collarenebri Water Supply Issues
  12. Capital Works Water & Sewerage
  13. Villages Water & Sewerage Operation and Maintenance Supervision Agreement.
  14. Review of 2011/2012 Management Plan

**Moved:** Clr Lane

**Seconded:** Clr Woodcock

**CARRIED**

### 10/2011/23 RV Friendly Scheme for Walgett Shire Towns & Villages

#### Resolution:

1. That council receive and note the report in relation to RV Friendly Town Schemes within Walgett Shire and seek submissions from the General Public.
2. That Council endorses all 6 applications including Burren Junction, Collarenebri, Carinda, Rowena, Lightning Ridge and Walgett and supports the establishment of signage once Walgett Shire Council has received approval from CMCA once any submissions have been reviewed.
3. That Council advise the CMCA of the proposals and seek approval to establish appropriate signage.

**Moved:** Clr Lane

**Seconded:** Clr Woodcock

**CARRIED**

WALGETT SHIRE COUNCIL MINUTES

**10/2011/24 Report on Youth Development and Services – July to September 2011**

**Resolution:**

1. That the quarterly report on Youth Development and Services for the period July 2011 – September 2011 be received and noted.

**Moved:** Clr Greenaway

**Seconded:** Clr Smith

**CARRIED**

**10/2011/25 Variation of funding agreement - Walgett Youth Facilities Support Project**

**Resolution:**

That Walgett Shire Council resolves to:

1. Authorise the Mayor and General Manager to sign and affix the Council seal to two copies of the Variation of Funding Agreement for the Walgett Youth Facilities Support Project.

**Moved:** Clr Woodcock

**Seconded:** Clr Smith

**CARRIED**

**10/2011/26 Variation of funding agreement - Walgett Youth Resources**

**Resolution:**

That Walgett Shire Council resolves to:

1. Authorise the Mayor and General Manager to sign and affix the Council seal to two copies of the Variation of Funding Agreement for the Walgett Youth Resources project.

**Moved:** Clr Lane

**Seconded:** Clr Greenaway

**CARRIED**

**10/2011/27 Public Interest Disclosures Policy & Procedure**

**Recommendation:**

1. That Council adopt the draft Public Interest Disclosure Policy and place the draft policy on public exhibition for a period of 28 days as per the requirements of the Local Government Act 1993.

**Moved:** Clr Woodcock

**Seconded:** Clr Walford

**CARRIED**



## WALGETT SHIRE COUNCIL MINUTES

- 12:15pm Clr Lane left the meeting  
12:18pm Clr Lane returned to the meeting  
12:20pm Clr Woodcock left the meeting

### **10/2011/28 Cash on Hand and Investment Report as at 30 September 2011**

**Resolution:**

1. That the cash on hand and investment report as at 30 September 2011 be received.

**Moved:** Clr Greenaway

**Seconded:** Clr Smith

**CARRIED**

- 12:21pm Clr Smith left the meeting

### **10/2011/29 Annual Financial Statements 2010 - 2011**

**Resolution:**

That:

1. The Draft Annual Financial Reports for 2010/2011 be referred to Council's Auditor.
2. The Mayor, General Manager and Acting Finance Manager be authorised to sign the necessary Financial Statements.
3. On receipt of the Audited Report, a copy be forwarded to the Department of Local Government and the Australian Bureau of Statistics.
4. Council delegate to the General Manager the authority to set the date at which the Auditors report and the Financial Statements be presented to the public.
5. Public notice be given of the meeting date for formal presentation of the audited Annual Financial Reports for 2010/2011

**Moved:** Clr Colless

**Seconded:** Clr Keir

**CARRIED**

- 12:22pm Clr Woodcock returned to the meeting

WALGETT SHIRE COUNCIL MINUTES

**10/2011/30 Development and Complying Development Certificate Applications**

**Resolution:**

That Walgett Shire Council resolve to:

- Note the report on Development and Complying Development Certificate applications dealt with by Council staff under delegated authority during August & September 2011.

**Moved:** Clr Greenaway

**Seconded:** Clr Walford

**CARRIED**

12:23pm Clr Smith returned to the meeting

12:29pm Clr Walford left the meeting

12:35pm Clr Walford returned to the meeting

**10/2011/31 State of the Environment Report 2011-2011**

**Resolution:**

That this report be deferred so that the Director Planning & Regulatory Services can include the councillors comments relating to farming practices and by providing positive comments in document regarding clearing.

**Moved:** Clr Greenaway

**Seconded:** Clr Lane

**CARRIED**

**10/31/32 Matters Generally for Brief Mention or Information only from Director of Planning & Regulatory Services**

**Resolution:**

1. That the report by the Director of Planning & Regulatory Services on the following matters for brief mention, or information only, be received and noted.
  - a) DRAFT WALGETT LOCAL ENVIRONMENTAL PLAN 2011
  - b) DEVELOPMENT APPLICATION - WALGETT POLICE STATION
  - c) URBAN ADDRESSING PROJECT
  - d) CONSTRUCTION CERTIFICATE APPLICATION – SUPERMARKET LIGHTNING RIDGE
  - e) ENVIRONMENTAL HEALTH & BUILDING SURVEYOR POSITION
  - f) TOWN PLANNER POSITION
  - g) CONTRACT BUILDING CERTIFICATION & ENVIRONMENTAL HEALTH SERVICES

**Moved:** Clr Keir

**Seconded:** Clr Smith

**CARRIED**

**10/2011/33 AFM – Water Restriction Policy Review**

**Resolution:**

1. Council accept and approve the Water Restriction Policy Review and its amendments:
  - a. Permanent Water Conservation Measure
    - \* Hand-held hoses connected to water scheme supply, micro-spray or automatic sprinklers for lawns and gardens cannot be used between 10am to 2pm on any day.
  - b. Water Restriction Level 1:
    - \* Use of water sprinklers for lawns and gardens except hand-held hose are not allowed. The use of water on newly laid sod or planting outside this restriction is allowed on exceptional circumstances.
    - \* No hosing of hard surfaces, including personal/private vehicles at any time
    - \* No hoses or taps to be left running unattended except when filling pools or containers.
    - \* Washing vehicles using a bucket is permitted.
  - c. Water Restriction Level 2:
    - \* Public parks, sport fields and school grounds are only able to be watered within the water supply allocation.
    - \* Washing vehicles using a bucket is permitted.
    - \* All other domestic and commercial watering activities are suspended.
  - d. Water Restriction Level 3:
    - \* All outdoor and non-essential indoor use of water is prohibited.
    - \* Bulk water filling from standpipes is prohibited.
    - \* Fire hoses must only be used for fire fighting purposes – not for cleaning.
2. Council acknowledge that the water supply will vary depending on the demand requirement of each town and therefore, appropriate water restriction levels will be imposed when a shortage of water arises in each situation.
3. Council publish this Water Restriction Policy prior to its commencement on 30 November 2011.
4. Council in accordance with Section 377 of the Local Government Act 1993, delegate power to the General Manager to serve penalty notices for the breach of water restrictions, effective 30 November 2011.

**Moved:** Clr Smith  
**Seconded:** Clr Walford

**CARRIED**

1:01pm Adjourned for lunch  
1:32pm Council returned from lunch, all previously present again in attendance

**10/2011/34 Natural Resource Management (NRM) Management Training**

**Resolution:**

1. Council note the half-day LGSA Training Module held at Gilgandra Library on 10 October 2011.
2. Council note that environmental outcomes not outputs as NRM's values must fit in its Community Strategic Plan (CSP).
3. Council note to rank NRM priorities, determine methods of ranking these priorities and what resources are to be allocated to fit in with the Community Strategic Plan.

**Moved:** Clr Woodcock

**Seconded:** Clr Lane

**CARRIED**

**10/2011/35 Matters Generally for Brief Mention or Information only from Director Urban Infrastructure Services**

**Resolution:**

1. That the following matters listed by the Director Urban Infrastructure Services for brief mention or information only be received and noted.
  1. Dementia Day Care Centre, Lightning Ridge
  2. Round 2 Regional Infrastructure Projects
  3. Burren Junction 2<sup>nd</sup> Evaporation Pond
  4. Water Readings
  5. Aboriginal Communities Water and Sewerage Program
  6. New Landfill Development
  7. Country Water & Sewerage Program
  8. Carinda Water Supply
  9. Lightning Ridge Bore bath
  10. Water to Miner's Camp, Lightning Ridge
  11. Levels of Service
  12. GPT at Lightning Ridge Golf Club
  13. Lightning Ridge New Bore – Onyx Street
  14. Walgett Swimming Pool Damaged Shade

**Moved:** Clr Woodcock

**Seconded:** Clr Lane

**CARRIED**

**10/2011/36 Roads & Traffic Authority – Funding for school bus stop in Come By Chance \**

**Recommendations:**

1. That Council note the RTA funding for school bus stop construction
2. That Council approve the note of \$27,952 for this project.

**Moved:** Clr Woodcock  
**Seconded:** Clr Keir

**CARRIED**

**10/2011/37 2011 Australian Local Government Association National Roads and Transport Congress**

**Resolution:**

1. That Council approve Councillors , the General Manager and the Director Engineering Services representing Council at the 2011 National Roads and Transport Congress in Mount Gambier and that expenses be paid.

**Moved:** Clr Woodcock  
**Seconded:** Clr Keir

**CARRIED**

**10/2011/38 Auslink Roads to Recovery Funding for 2011-2012 Projects**

**Resolution:**

1. That Council note the Roads to Recovery funding for the projects.
2. That Council approves the note of \$1,375,000.00.

**Moved:** Clr Keir  
**Seconded:** Clr Smith

**CARRIED**

**10/2011/39 Monthly report from Director Engineering Services – October 2011**

**Resolution:**

1. That Council receive and note the regular monthly road & Bridge report.

**Moved:** Clr Woodcock  
**Seconded:** Clr Colless

**CARRIED**

Clr Colless declared a non pecuniary interest in item 30 - Monthly Report from Director Engineering Services – October 2011 regarding any discussions relating Shire Road 64 Wimbledon Road as he has a vested interest in this road being sealed.

### **Reports of Committees**

The Plant Committee Report will be raised in Closed Committee

### **Questions for the next Meeting**

#### **Clr Lane**

##### **Question 1:**

Council staff recently removed the trees from the main street in Lightning Ridge. Councillors were not informed beforehand. Trees were removed because of roots I assume. Can Council staff please prepare a detailed plan with appropriate tree selection for Morilla and Opal Streets for improvement of both these streets?

##### **Response:**

The Director Urban Infrastructure Services advised that a report will be provided at the next Council Meeting.

##### **Question 2:**

Mr King has sent me a file on this dealings with Council in relation to the Sheeppyard Pub. In it he makes several allegations against council and councils staff. Could the General Manager please prepare a report for council covering all our dealings with Mr King?

##### **Response:**

The General Manager advised that he will prepare a report to Council on the above issue.

#### **Clr Greenaway**

##### **Question 1:**

In relation to the sewer dump point at Burren Junction Bore Baths, what is the cost?

##### **Response:**

The General Manager advised that he will arrange for a report to be prepared for the next meeting.

#### **Clr Keir**

##### **Question 1:**

What is the current situation with Burren Junction Preschool bus stop?

##### **Response:**

The Director Engineering services advised that he has estimated the cost is currently looking for funding to pay for it. He further advised that the RTA have advised that they will not provide funding for it.

The Director further advised that the cost is approximately \$35,000, however he needs to make some slight alterations to the plans.

## WALGETT SHIRE COUNCIL MINUTES

### Question 2:

Could we have timely maintenance of the Collarenebri cemetery like the Walgett cemetery?

### Response:

The Director Urban Infrastructure services advised that he will take on notice.

### Clr Smith

### Question 1:

Can something be done to the giveaway sign or the tree that is near the Collarenebri Post Office. You can not see the sign because of the tree?

### Response:

The Director Rural Infrastructure Services advised that he will refer the matter to the local traffic committee.

### **Disclosure Returns**

Pursuant to Section 450A of the Local Government Act 1993 the General Manager tabled disclosure returns completed and submitted pursuant to Section 449 of the Act by the following designated persons:

Ramesh Sharma  
Clr Jane Keir  
Trevor Campbell

Andrew Wilson  
Clr Robert Greenaway  
Don Ramsland

MD A Hasnat  
Trevor Campbell (2009-2010)

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

**10/2011/40 Move into Closed Session at 2.15pm**

#### **Resolution:**

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

- (a) that personnel matters concerning particular individuals (other than councillors).
- (c) 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
- (d) that the matter and information is commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**Moved:** Clr Greenaway

**Seconded:** Clr Woodcock

**CARRIED**

**10/2011/41 Walgett and Collarenebri Fluoridation Tenders**

**Resolution:**

1. That Council accept the amended tender of Prominent Fluid Controls Pty, Ltd. in the amount of \$106,000.00 excluding GST for the installation and construction of two fluoride dosing systems in Walgett and Collarenebri.
2. That Council advise the Office of Water and Centre of Oral Health that the amended Tender of Prominent Fluid Controls Pty, Ltd. in the amount of \$106,000.00 excluding GST for the installation and construction of two fluoride dosing system in Collarenebri has been accepted.
3. That Council commence training of Walgett and Collarenebri urban water staff in fluoridation monitoring and management.
4. That Council advise the general public of the installation of the fluoride dosing system, its associated health benefits for the future of the children of Walgett and Collarenebri townships.

**Moved:** Clr Woodcock

**Seconded:** Clr Smith

**CARRIED**

Clr Greenaway declared a non pecuniary interest in the following item because of an interest in a water carting business.

**10/2011/42 Committee of Council – Plant Committee Minutes**

**Resolution:**

1. That Council approves the Council Plant Committee minutes of 19 October 2011.
2. That the following recommendations approved at the plant committee meeting be approved at this meeting of Council.
  - a. That the Plant Committee recommends Council accept the tender of Man Automotive Imports P/L in the amount of \$ 264,264.00 for supply & delivery of One (1) 90t GCM prime mover with quick release tipping body with the following items to be checked and any amendments appropriate made to the quoted price :
    - \* Check what is included with the training (Extent of training)
    - \* Check what manuals will be included (They should come standard - need workshop manual and operation manual)
    - \* Remove Automated Manual Transmission from price - \$10,500
    - \* Remove Alloy Wheels from price (should be steel) - \$2,400
    - \* Check if tools needed for wheel changes comes standard
    - \* Check if air hose connection should be standard
    - \* Check if chassis mounted rear mudguard comes standard.
    - \* Check suspension to have driver activated air dump and raise controls option
    - \* Check if we can change the turntable option. (Remove turntable and make it quick release greasesless turntable with no bore race)



## WALGETT SHIRE COUNCIL MINUTES

- \* Check electrically operated and heated rear vision mirror on both sides
  - \* Check Speed limited fitted (Speed limited to 90kmh)
  - \* Remove 40 Channel UHF radio (Workshop staff to fit) - \$400
  - \* Remove 3g Band Phone Antenna (Workshop staff to fit) - \$280
  - \* Check if tail lights are fitted to the Prime Mover
- b. That the Plant Committee recommends Council accept the tender of Moore in the amount of \$ 167,727.30 for the supply & delivery of two (02) Step – Deck Plant Trailers on the basis that:
- a. It is an Australian Product
  - b. Access to parts and service in Australia
  - c. Proven reliability of product
  - d. Proven industry reputation of suppliers
  - e. Small difference in price

Pending the investigation into the price quoted on the Tandem trailer compared to the price on the other trailers.

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

**CARRIED**

### 10/2011/43 ICAC Inquiry – Operation Jarek

**Resolution:**

1. For Council's information.

**Moved:** Clr Smith  
**Seconded:** Clr Woodcock

**CARRIED**

### 10/2011/44 Essential Energy – Luminaire Street Lighting Programme

**Resolution:**

1. That the action taken in opting to accept option 2 of Essential Energy's Energy Efficient Luminaire Programme proposal be endorsed.

**Moved:** Clr Greenaway  
**Seconded:** Clr Keir

**CARRIED**

WALGETT SHIRE COUNCIL MINUTES

**10/2011/45 Performance Review of General Manager**

**Resolution:**

That following the General Manager's more than satisfactory review that the Mayor prepare the appropriate letter of confirmation of the review outcomes.

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

**CARRIED**

**10/2011/46 Part time position – Macquarie County Council General Manager**

**Resolution:**

That pursuant to clause 6.1.2(k) of the General Manager's contract Council approve of the General Manager accepting the Part time Acting General Manager's position with the Castlereagh Macquarie County Council.

**Moved:** Clr Woodcock  
**Seconded:** Clr Greenaway

**CARRIED**

**10/2011/47 Return to Open Session**

**Resolution:**

That Council return to Open Session.

**Moved:** Clr Woodcock  
**Seconded:** Clr Smith

**CARRIED**

**10/2011/48 Adoption of Closed Session Reports**

**Resolution:**

That Council adopt the following resolutions of the Closed Committee:

- Walgett and Collarenebri Fluoridation Tenders
- Committee of Council – Plant Committee Minutes
- ICAC Inquiry – Operation Jarek
- Essential Energy – Luminaire Street Lighting Programme
- Performance Review of General Manager
- Part Time General Manager – Castlereagh Macquarie County Council

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

**Close of Meeting**

The meeting closed at 2:57pm

To be confirmed at the meeting of Council to be held on Tuesday 22 November 2011

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Mayor

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General Manager