



**MINUTES FOR
ORDINARY COUNCIL MEETING**

TUESDAY, 3 May 2011

ADOPTED: 24 May 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  
COLLARENEBRI BOWLING CLUB ON TUESDAY 3 MAY 2011 COMMENCING AT 10:06AM**

**PRESENT**

Clr I Woodcock (Mayor)  
Clr B Murray (Deputy Mayor)  
Clr L Walford  
Clr J Keir  
Clr R Greenaway  
Clr G Colless  
Clr K Smith  
Clr M Martinez  
Clr D Lane  
Don Ramsland (General Manager)  
Mr M Goodwin (Director, Planning & Regulatory Services)  
Mr F Coralde (Director, Urban Infrastructure Services)  
Mrs S Jones (Finance Manager)  
Mrs J Campbell (Minute Secretary)

**Welcome to Visitors**

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

**Apologies**

Nil

**Public Forum Presentations**

Jenni Brammall – Lightning Ridge Opal and Fossil Centre

Ms Brammall spoke on issues raised in the Agenda in relation to funding for the Australian Opal Centre particularly a report in the closed session prepared by General Manager Don Ramsland.

Statewide Mutual

Representatives Dan O'Connor, Rod Bartlett, Scott Tonkin from Statewide Mutual presented a powerpoint presentation to Council on Council's 2010 PL Audit as well as an update Statewide.

10:20am Clr Walford left the meeting  
10:22am Clr Walford returned to the meeting

**Declaration of Pecuniary/Non Pecuniary Interests**

Clr Greenaway declared a non pecuniary interest in any item that may be raised that involves the purchase of a Prime Mover or Low loader as his partner's son has an interest in operating contract plant.

Clr Lane declared a non pecuniary interest item 1- Minutes of Netwaste Meeting as his brother is the contractor of the Lightning Ridge Tip.

Clr Walford declared a Non-Pecuniary interest in the item 2 of Closed Meeting – Sale of Old Walgett Medical Centre as he has an association with the prospective purchaser /leaser and left the meeting.

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

#### **Clr Murray**

In relation to the Carols by Candlelight, Council was going to see about organising the event under our Insurance and have the Churches organise the program for the event. Is this still happening?

#### **Response**

The General Manager advised that yes Council will be completing the application and incorporating the event under Council's insurance. The churches will be responsible for the program of the event only.

#### **Clr Colless**

In relation to the Goangra Road Formation, has there been a report prepared to present at this meeting or has it been forwarded to the next meeting?

#### **Response**

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

Clr Keir advised the Council that the road has been reformed.

#### **Clr Murray**

With regard the Light Industrial Area, has there been any further progress, and are we going to progress it further?

#### **Response**

The Director Urban Infrastructure Services advised that it is very difficult to progress this further as there is currently no underground infrastructure facilities in that area.

#### **Clr Colless**

Can we organise a meeting with staff to go through the information on the light industrial area.

#### **Response**

The Director Urban Infrastructure Services and the General Manager both indicated it will depend on whether we use this site for the Walgett Depot project. The General Manager further advised that Council will need to take a strategic approach to this issue.

#### **Clr Colless**

There seems to be people dumping material on these blocks, and using them as a storage block. Do the blocks belong to Council or do they belong to the people who are using them as storage?

#### **Response**

The General Manager advised that he will investigate the issue and advised further.

4/2011/1 Minutes of Council Meeting – 22 March 2011

**Resolution:**

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

**Moved:** Clr Colless

**Seconded:** Clr Murray

**CARRIED**

11:10 am Adjourned the meeting

11:39 am Returned to the meeting

**Reserve Trust Management Committee Reports**

Nil

**Mayoral Minutes**

Nil

**Motions of which Notice has been given**

Lightning Ridge Opal And Fossil Committee (LROFC) Inc is preparing applications to the Australian Government's Regional Development Australia Fund (RDAF) program (due 13 May 2011) and TQUAL Grants – Strategic Tourism Investment Grants(STIG) program for funding for construction of the Australian Opal Centre (AOC).

The AOC committee believes that its applications are strong and well positioned for success; however, local government support is critical. If successful, these applications will attract approximately \$15 million in Australian Government funding and significant investment by the NSW Government. The Australian Opal Centre is Walgett Shire's best prospect of success under either program, as it meets program criteria, is investment ready, is identified in Council's Community Plan, and has both development approval and the necessary business plans.

**Motion of which Notice has been given – Support for Lightning Ridge Opal & Fossil Committee Funding Application**

**Motion:**

That Walgett Shire council fully support applications by LROFC Inc to the Australian Government for funding to construct the Australian Opal Centre, as follows.

- a. That council commit to providing \$50,000 per year for three years, being financial years 2011-12, 2012-13 and 2013-14, for construction of the Australian Opal Centre (conditional on a successful application for federal funding).
- b. That all council staff support the AOC applications fully, providing whatever assistance is reasonable and necessary to improve or strengthen the applications for funding, including auspicing application/s if this will increase the likelihood of success.

**Moved:** Clr Lane

**Seconded:**

Notice of Motion was held over to the closed session as it also relates to the supplementary report prepared by the General Manager.

**Presentation of Petitions**

N/A

**Councillors Questions From Last Meeting**

**Clr Walford**

**Question1: LIGHTNING RIDGE NETBALL COURTS**

In relation to the Netball organisation, if they put a letter into Council can they get the grass soccer ovals at Lightning Ridge marked out for Netball?

**RESPONSE:**

The Director Urban Infrastructure Services advised that Council confirmed receiving a letter from the Netball Association. We already responded to their requests per the attached letter.

**Clr Martinez**

**Question 1: LIGHTNING RIDGE NETBALL COURTS**

Why can we not fix the Lightning Ridge netball courts up when the Walgett ones were created for a lot less than \$30,000?

**RESPONSE:**

The Director Urban Infrastructure Services advised that the existing two netball bitumen courts are not serviceable or playable. To replace these courts, Council needs to remove the existing bitumen, level the site, re-construct the concrete slabs and finally re-surface the new concrete slab with synthetic materials. The initial estimated cost of each court is \$50,000. The alternative solution is to re-surface the other two tennis courts not far from the two netball courts. The concrete slab at these two tennis courts is in good condition and the cost of re-surfacing these two courts using synthetic material is around \$25,000 including GST. The courts will be line-marked for both tennis and netball courts. The advantage is the lights are in place, the area is fully fenced and has a small club house with power.

**Clr Smith**

**Question 1: SOLAR PANEL INSPECTIONS**

For Solar panels being placed or erected on roofs at Collarenebri is there any inspection or process that ensures the premises are suitable to this type of addition?

**RESPONSE:**

The Director Planning and Regulatory Services advised that formal Council approval is not required for a solar panel array that complies with the relevant parts of clause 39 and clause 20 of State Environmental Planning Policy (Infrastructure) 2007 [SEPP] for exempt development. Such exemptions have been in effect for some time, although on 17 December 2010 the SEPP was amended by the State government to include a wider range of solar systems as exempt development.

As discussed at the 22 March 2011 Council meeting:

- \* Exempt developments are not normally inspected by Council.
- \* There is no regulatory requirement which excludes solar panels from being placed on older buildings.
- \* Council has no authority to prevent any person from exercising their legal entitlement to establish solar panels that comply with the exempt development provisions.

More detailed information was provided in an e-mail from the Director of Planning & Regulatory Services to all Councilors dated 1-4-2011.

**Question 2: CONDEMNED BUILDING CRITERIA**

Can staff please explain the criterion of a condemned building? Who does inspections?

**RESPONSE:**

The Director Planning and Regulatory Services advised that a range of different orders can be issued by Council under section 121B of the Environmental Planning & Assessment Act 1979 in defined circumstances (see column 2 in section 121B).

- Part 6, Division 2A of the Environmental Planning & Assessment Act 1979 must be followed when issuing an order.
- Usually, Council must issue a notice of intention to issue an order, then consider any submissions that it receives before issuing an order.
- It is normal practice to only issue an order where there are significant safety or regulatory issues. In other words, it is not good practice to pursue comparatively minor matters which are likely to be overturned on appeal to the Land and Environment Court.
- Council has an enforcement policy which establishes principles that are to be applied when dealing with regulatory matters. The policy can be accessed via Council's web site at [http://www.walgett.nsw.gov.au/files/50967/File/WSC\\_Policy\\_Enforcement\\_Mar2009.pdf](http://www.walgett.nsw.gov.au/files/50967/File/WSC_Policy_Enforcement_Mar2009.pdf)
- There is no such thing as "condemning" a building under the Environmental Planning & Assessment Act 1979.
- There are no fixed criteria for issuing orders. Each situation must be judged on its merits, with regard for the above matters.

More detailed information was provided in an e-mail from the Director of Planning & Regulatory Services to all Councilors dated 4-4-2011.

**Question 3: SOLAR PANEL – LEGAL STANDING**

Have we had any feedback on the legal side of solar panels being erected in Collarenebri? Country Energy has installed power boxes for them, Collarenebri residents are not happy with the action being taken by Walgett Shire Council in respect of these types of installations.

**RESPONSE:**

The Director Planning and Regulatory Services advised that see the answer to Cllr Smith's question. Also note that Council has no authority to prevent any person from exercising their legal entitlement to establish solar panels that comply with the exempt development provisions established by the NSW government under State Environmental Planning Policy (Infrastructure) 2007.

**Question 4: OVEDUE RATE COLLECTIONS**

In relation to a review all overdue rates, has any progress been made eg. Payments from rates payers with very outstanding amounts due and has owed Council for many years and continue to do so? Timeframe can be put in place to hopefully recover Council money.

**RESPONSE:**

The Finance Manager advised that once a new rates officer is established a review of outstanding rates will be conducted with a view to holding Section 713 LGA sale in near future.

**Question 5: CROWN LAND LICENSES**

Crown Land Leases – Do other Shires have these types of charges? The racecourse charge has increased by \$50.00 when it was \$100 and it is now \$150.00. Can we have an update of all monies received from Crown Land – each entity itemised since 2005?

**RESPONSE:**

The Director Urban Infrastructure Services advised Yes, other shires which have crown reserves always charge fees – a mandatory requirement. However, Council usually votes the fee charging regime before the start of each financial year. Council Revenues from Temporary Licenses go to the different reserve revenue accounts and are used for repairs and maintenance, but not to the Crown. Extensive Spreadsheets of income and expenditure for each reserve are available for Councillors to view at the Council office.

**Question 6: COLLARENEBRI AGENCY MAINTENANCE**

Collarenebri Agency – Guttering needs urgent attention. Rain comes in behind private mail boxes wetting the carpet and lino (OH&S) and box owner's mail. The carpet then rots and becomes mildewed. Can the General Manager arrange for it to be addressed?

**RESPONSE:**

The Director Urban Infrastructure Services advised that it has already been inspected. Gutters were cleaned. Carpet has been shampooed and light bulbs were replaced. It is planned to install a new rain water tank to recycle water and paint the roof in the near future.

**Question 7: CRYON ROAD MAINTENANCE**

Grawin Bridge – Cryon Road Collarenebri (approx 7kms) Northern side approach is a concern as it is breaking away?

**RESPONSE:**

The Acting Director Rural Infrastructure and Support Services advised that emergency repairs have been undertaken, further permanent repairs will be starting after Easter break.

**Question 8: TOWN WATER RATES**

Land and Water rates on town blocks, if water is not connected does the same fee apply? If so, why?

**RESPONSE:**

The Finance Manager advised that all rateable blocks are subject to water charges as long as they are within 22 metres of a water pipe per section 552 of the Local Government Act, they do not have to be connected to be subject to the charge.

When water billing is introduced the fee will be split into two, the first being an 'availability' charge given to all blocks (connected or within 22 metres of pipe). Secondly a usage charge on the actual use of water on the block.

**Question 9: INSURANCE CLAIM**

Can Council lodge an Insurance Claim in respect of Collarenebri skate park slab cracking and chipping away?

**RESPONSE:**

The Director Urban Infrastructure Services advised the Collarenebri Skate Park is about 12 months old and an insurance claim is not likely to be successful. Usually Council can request the Contractor to repair the faults within the maintenance or guarantee period. It is believed that the maintenance or guarantee period is expired already.

**Question 10: CLEANLINESS COMPLAINT – COMMERCIAL PREMISES**

Several complaints have been brought to my attention regarding the cleanliness of a commercial premises in Walgett? (Dead smelly crickets and generally unclean) Out front entrance is smelly from dirt and cigarette butts and needs a hosing of water to clean and hopefully stop the smell and have an inviting entrance into shop, a general clean-up. Can the General Manager arrange for it to be addressed?

**RESPONSE:**

The Director Planning and Regulatory Services advised A range of issues have been raised regarding cleanliness, food quality and the condition of commercial premises, which are addressed below:

- Regulatory responsibility - The NSW Food Authority is the primary regulatory authority for food premises in NSW. All complaints regarding food premises must be directed to that agency (phone number 1300 552 406).
- Cleanliness of streets – Council is responsible for the cleaning of streets.
- Aesthetics of premises – There are a number of older commercial premises in urban areas within the Shire that could benefit from rejuvenation. In the normal course of events it is not appropriate to use regulatory tools to encourage rejuvenation works.
- Compliance with food standards – Council has engaged a consultant Environmental Health Officer to undertake inspections of all high risk food premises within the Shire. The initial unannounced inspection of one premise showed general compliance with the food standards.

The Director Urban Infrastructure Services advised that Council generally pick up the rubbish on daily basis, street sweeper operates everyday and cleans footpaths every Tuesday morning. Pressure cleaning with water gurney is now rescheduled monthly instead of quarterly. The first water pressure schedule shall be done before and right after Easter.

**Clr Martinez**

**Question 2: NEW LIGHTNING RIDGE BORE**

What stage are we up to with the 2<sup>nd</sup> bore at Lightning Ridge? Is there any progress on this? Have we started any applications for it? Feedback required.

**RESPONSE:**

The Director Urban Infrastructure Services advised that discussions regarding the submission of the application before the end of April are in progress with the NSW Dubbo Office of Water. This application requires specific site locations and other environmental requirements of which currently being investigated by the Utilities Engineer.

**Clr Martinez**

**Question 3: LIGHTNING RIDGE FOOTPATH**

When is the footpath being started at the swimming pool in Lightning Ridge? It would be nice to have it completed before the opening on 7 May.

**RESPONSE:**

The Director Urban Infrastructure Services advised that construction of a bitumen footpath is currently in progress and is expected to be completed before the 7<sup>th</sup> of May as requested.

**Question 4: LOCAL ENVIRONMENTAL PLAN**

In regards to the LEP, it is currently not on display, is Council still pushing for the 40 acre blocks?

**Response:**

The Director Planning and Regulatory Services advised that as per council's resolution in December 2010 the rural small holding proposed rezoning for Walgett Collarenebri and Lightning Ridge has been put on hold pending the LEP being finalised.

The matter can be dealt with as a planning proposal. At that time it will require consultation with the Department of Planning.

**Question 5: GRANTS FUNDING**

Can our grants officer look into funding for the Lightning Ridge Men's shed and the Transcultural Community Centre?

**RESPONSE:**

The General Manager advised that although these two initiatives were not core functions of Council, appropriate research would be undertaken when staff resources become available to identify possible sources of alternate funding.

**Clr Greenaway**

**Question 1: BUDGET REDUCTION**

I would like to see this year's budget compared to last year's budget, the corporate service budget be reduced by 20 % and transferred to the Engineering budget.

**RESPONSE:**

The General Manager advised that this comparison was available at the Councillors budget workshop and is also included in the Management Plan. An across the board reduction in one area and an offsetting increase in another is simply not possible.

**Clr Keir**

**Question 1: NEW BRIDGE REPORT**

Can a report please be provided on the state of the 6 bridges construction in the Shire especially the Epping Bridge?

**RESPONSE:**

The Acting Director Rural infrastructure and Support Services advised that the Epping Bridge B61862, Sparkes Warrombool and 26 Mile bridges have all been completed. Cumberdoon and Castlereagh bridge structures are completed, only the approaches are yet to be completed. Formal handover will take place shortly.

**Question 2: BRIGE REPLACEMENT**

In regards to the Wangan Bridge RR7716, can we please have a timeframe for the replacement?

**RESPONSE:**

The Acting Director Rural Infrastructure and Support Services advised that the works would take 6 to 12 months once funding sources were secured and Council's approval granted.

**Question 3: RR7716 – UPGRADING FEASIBILITY**

In relation to feasibility study for upgrade RR7716 from Walgett end to the Bitumen. When will it be completed?

**RESPONSE:**

The Acting Director Rural Infrastructure and Support Services advised it is unlikely to be completed this year due to the current level of resources and additional flood damage works

**Question 4: BURREN JUNCTION BORE BATHS**

What is happening with the evaporation ponds at the Burren Junction Bore Baths?

**RESPONSE:**

The Director Urban Infrastructure Services advised that Council has already finalised the land acquisition and is waiting for permeability test results from Barnsons (Consulting Engineers). The outcome of these permeability tests are a prerequisite to lodging the DA for Council's consideration.

If the test results show that the permeability of the floor of the proposed evaporation pond is low, construction should be relatively simple and low cost.

If permeability tests are high, costs of the development and sealing of the proposed evaporation pond will be high and may give rise for council to reconsider its approach to handling the overflow water disposal issue.

**Clr Murray**

**Question 1: CLEANLINESS COMPLAINT – COMMERCIAL PREMISES**

In regards to the Health & Safety of the commercial premises in Walgett, can we as a council write to food authority and ask for something to be done. It is driving business away, people are going to other towns to buy their groceries? Also there are 2 fruit and vegie trucks in town now selling fruit and veg on a regular basis.

Can we talk to the Corporate Chain to see what can be done? The service in the IGA is excellent and the staff are pleasant, the concern is the standard and quality of the shop, surrounds and the food use by dates.

**RESPONSE:**

The Director Planning and Regulatory Services advised that a range of issues have been raised regarding cleanliness, food quality and the condition of commercial premises, which are addressed below:

- Regulatory responsibility - The NSW Food Authority is the primary regulatory authority for food premises in NSW. All complaints regarding food premises must be directed to that agency (phone number 1300 552 406).
- Cleanliness of streets – Council is responsible for the cleaning of streets.
- Aesthetics of premises – There are a number of older commercial premises in urban areas within the Shire that could benefit from rejuvenation. In the normal course of events it is not appropriate to use regulatory tools to encourage rejuvenation works.
- Compliance with food standards – Council has engaged a consultant Environmental Health Officer to undertake inspections of all high risk food premises within the Shire. The initial unannounced inspection of one premise showed general compliance with the food standards.

**Clr Colless**

**Question 1: CARINDA ROAD DAMAGE**

There is damage on Warren end of the Carinda Road, there is a damage road sign warning you but you hit it before you see the sign. It is just before Bells Bridge, approx a 50 m section and it is quite difficult not to hit these potholes?

**RESPONSE:**

The Acting Director Rural Infrastructure and Support Services advised warning signs to be put up, further permanent repairs will be carried out in due course.

**Question 2: WALGETT LIGHT INDUSTRIAL AREA**

Is there any update on the report of the Light Industrial Estate area?

**RESPONSE:**

The Director Urban Infrastructure Services advised that no action has been taken as yet. However, there are 14 blocks inside the Hope, Peel and Bate Streets enclosure. Two of these blocks are now in private ownerships. There are some issues regarding the 'landlocked' blocks, as well as how the area is supposed to be developed. Planning work for a subdivision is not programmed as at this stage.

## **Reports of Delegates and Representatives**

Clr Lane declared a non pecuniary interest in the following item as his brother is the contractor of the Lightning Ridge Tip.

### **4/2011/2 Minutes of Netwaste Meeting – March 2011**

**Resolution:**

That Council notes the Minutes of the Netwaste Meeting held at Dubbo on 3 March 2011.

**Moved:** Clr Greenaway

**Seconded:** Clr Walford

**CARRIED**

## **Reservation of items for Debate**

Nil

## **Reports of Officers**

### **4/2011/3 Council decisions Action Report – 22.03.11**

**Resolution:**

1. That the report be received.

**Moved:** Clr Smith

**Seconded:** Clr Lane

**CARRIED**

### **4/2011/4 Circulars received from the NSW Local Government and Shires Association of NSW – April 2011**

**Resolution:**

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

**Moved:** Clr Murray

**Seconded:** Clr Keir

**CARRIED**

WALGETT SHIRE COUNCIL MINUTES

**4/2011/5 Circulars received from the Local Government Division Department Premier and Cabinet – April 2011**

**Resolution:**

1. That the information contained in the Departmental circulars 11-04 to 11-06 from the Local Government Division Department of Premier and Cabinet be received and noted.

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

**CARRIED**

**4/2011/6 Monthly Calendar – April 2011**

**Resolution:**

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

**Moved:** Clr Greenaway  
**Seconded:** Clr Lane

**CARRIED**

Clr Colless informed Council that he will be away for the next Council Meeting on 24<sup>th</sup> May 2011

**4/2011/7 Shires Association of NSW – Annual Conference**

**Resolution:**

1. That, in addition to the Mayor and General Manager, the attendance of the following Councillors at the Annual Conference of the Shires Association of NSW be approved:

- \* Clr Murray
- \* Clr Smith

And the expenses be paid

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

**CARRIED**

WALGETT SHIRE COUNCIL MINUTES

**4/2011/8 National General Assembly**

**Resolution:**

1. That the Mayor and General Manager attend the National General Assembly of Local Government in Canberra 19-22 June 2011 and expenses be paid.

**Moved:** Clr Colless

**Seconded:** Clr Lane

**CARRIED**

**4/2011/9 Panel of Solicitors**

**Resolution:**

1. That Council seek an Expression of Interest from local, regional and metropolitan solicitors interested in joining a panel to provide Council's needs for legal advice/services on a needs basis.

**Moved:** Clr Smith

**Seconded:** Clr Keir

**CARRIED**

**4/2011/10 Matters Generally for Brief Mention or Information only from General Manager – April 2011**

**Resolution:**

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

**Moved:** Clr Walford

**Seconded:** Clr Greenaway

**CARRIED**

**4/2011/11 Explanation - Impact of 30 June 2010 carried forward balances on the 2010/2011 budget**

**Resolution:**

1. That the explanation of the impact of early payment of Federal Assistance Fund Grant be received and noted.

**Moved:** Clr Colless

**Seconded:** Clr Keir

**CARRIED**

**4/2011/12 Application for possible Internal Loan between Sewer fund and General fund**

**Resolution:**

1. That Council apply to the minister for an internal loan worth \$300,000 to be made between the Sewer fund and the General Fund, with interest to be given at market rate and the loan to be repaid over 2 years.

**Moved:** Clr Lane  
**Seconded:** Clr Martinez

**CARRIED**

## WALGETT SHIRE COUNCIL MINUTES

### 4/2011/13 Quarterly Budget Review as at 31 March 2011

#### Resolution:

That Council note the quarterly budget review for the period to 31 March 2011 and adopt the changes as follows:

| <b>General fund Operational Budget</b>                 | <b>\$</b>        |
|--------------------------------------------------------|------------------|
| - Interest Received from Investments                   | (50,000)         |
| - Corporate Services transition training Grant         | (10,000)         |
| - Grant - Youth Officer Walgett                        | 85,000           |
| - Youth Resources Grant Walgett                        | 20,000           |
| - Decrease in Arts and Culture Grants                  | 18,000           |
| - Tourism Grants                                       | 15,000           |
| - Decrease in Councillor travelling expenses           | (5,000)          |
| - Decrease in Civic receptions and functions           | (2,500)          |
| - Decrease in Councillor training                      | (2,600)          |
| - Decrease in Corporate Planning                       | (2,600)          |
| - Decrease in Executive travelling expenses            | (2,600)          |
| - Decrease in Rates on Council Properties              | (40,000)         |
| - Decrease Sealed Roads - Litter Control               | (7,000)          |
| - Decrease Shoulder Spraying                           | (10,000)         |
| - Decrease Sealed Roads - Vegetation Management        | (18,000)         |
| - Decrease Sealed Roads - Pavement Maintenance         | (15,000)         |
| - Decrease Swimming Pool - Walgett                     | (10,000)         |
| - Decrease Swimming Pool - Colly                       | (10,000)         |
| - Decrease - Footpaths Management                      | (5,000)          |
| - Increase Sporting Fields                             | 30,000           |
| - Increase Borebaths - Lightning Ridge                 | 25,000           |
| - Decrease Parks & Reserves                            | (1,000)          |
| - Corporate Office and Telephone Expenses              | (30,000)         |
| - HR Staff Training                                    | (50,000)         |
| - Community Services transition training grant expense | 10,000           |
| - Staff Conferences & Development                      | (20,000)         |
| - Higher Education Subsidy                             | (25,000)         |
| - HR Program Development                               | (2,000)          |
| - Traineeship Program                                  | (20,000)         |
| - Risk Management Programs                             | (5,000)          |
| - OH&S Support and Asset Maintenance                   | (10,000)         |
| - Consultancy Fees - RATES                             | (25,000)         |
| - Records Disposal and Control                         | (3,000)          |
| - Childrens Week                                       | (2,000)          |
| - Decrease in Youth programs and Youth Strategy        | (2,500)          |
| - Decrease in Youth centre resources                   | (2,000)          |
| - Tourism Salaries and Wages                           | (15,000)         |
| - Decrease in Collarenebri Agency running costs        | (5,000)          |
| - Increase Consultancy fee's for Rural Engineering     | 5,000            |
| - Local Roads Shire Traffic Facilities                 | 4,500            |
| - Local Roads Urban Traffic Facilities                 | (4,500)          |
| - Urban unsealed pavement maintenance                  | (15,000)         |
| - Local Roads Shire Heavy Patching                     | 10,000           |
| - Local Roads Shire Shoulder Grading                   | 5,000            |
|                                                        | <u>(199,800)</u> |
|                                                        |                  |

**WALGETT SHIRE COUNCIL MINUTES**

|                                                                        |                    |
|------------------------------------------------------------------------|--------------------|
| <b>Water Fund Operational Budget</b>                                   |                    |
| - Reservoirs - Painting and Minor Control Repairs - Walgett            | (12,000)           |
| - Mains - Repairs and Maintenance - Carinda                            | 9,800              |
| - Reservoirs - Repairs and Maintenance - Rowena                        | 1,940              |
| <b>Total</b>                                                           | <b>(260)</b>       |
| <b>General Fund Capital Budget</b>                                     |                    |
| - Dementia Day care grant income                                       | (993,773)          |
| - Sale of Vehicle, Plant & Equipment                                   | (230,500)          |
| - Corporate Services computer Equipment replacement                    | (10,000)           |
| - Housing Loan repayment                                               | (38,000)           |
| - Dementia Day care expense                                            | 993,773            |
| - Meeting room at Cumborah (project deferred)                          | (90,000)           |
| - Carinda Tennis Courts update (project deferred)                      | (25,000)           |
| - Carinda pool/ sports oval amenities block upgrade                    | (5,000)            |
| - Install metal tree guards in Collarenebri                            | 1,000              |
| - Walgett - Sprinklers No 1 & 2 Ovals                                  | (3,000)            |
| - L/Ridge - Public Toilets                                             | (10,000)           |
| - Collarenebri Pool Shade - Structure (project deferred)               | (19,000)           |
| - Walgett Cemetary Memorial Wall (project deferred)                    | (15,000)           |
| - Walgett Levy Upgrade (project deferred)                              | (66,000)           |
| - Lions Car Park Sealing - Collarenebri                                | (20,000)           |
| - All weather road to Collarenebri Weir and signage (project deferred) | (15,000)           |
| - Footpath Replacement program (project deferred)                      | (311,000)          |
| - Purchase of vehicles, Plant & Equipment                              | (500,000)          |
| - Interest on plant Loan                                               | (124,555)          |
| - Coonabarabran - Mungindi Upgrade Project                             | 30,000             |
| - Come-By-Chance Road Upgrade Project (FD)                             | (30,000)           |
| <b>Total</b>                                                           | <b>(1,481,055)</b> |
| <b>Water Fund Capital Budget</b>                                       |                    |
| - Walgett Open Water Drains Up-Grade                                   | (25,000)           |
| - Lightning Ridge Meter Replacements                                   | (15,000)           |
| - Water Mains Replacement Program - Carinda                            | 60,000             |
| <b>Total</b>                                                           | <b>20,000</b>      |

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

**CARRIED**

The General Manager advised that he will investigate into the overspend amount for the Mungindi Road Project, investigate the on-cost realignment as well as look into providing itemised amounts for each water and sewer fund for each town in the quarterly budget reports.

12:40pm Adjourned for lunch  
 1:20pm returned to the meeting

**4/2011/14 Cash on Hand and Investment Report as at 31 March 2011**

**Resolution:**

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

**Moved:** Clr Greenaway

**Seconded:** Clr Smith

**CARRIED**

**4/2011/15 Debt Recovery Progress Report**

**Resolution:**

1. That Council note the Debt Recovery Progress Report and the Summary Report Information Comparison Graph.

**Moved:** Clr Lane

**Seconded:** Clr Walford

**CARRIED**

**4/2011/16 Variation of funding agreement Youth Options Walgett project**

**Resolution:**

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 *Deed of Variation to Standard Funding Agreement* for the variation of completion date of the Youth Options Walgett project.

**Moved:** Clr Lane

**Seconded:** Clr Walford

**CARRIED**

**4/2011/17 Variation of funding agreement – Community Capability Funds**

**Resolution:**

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 *Deed of Variation to Program Funding Agreement* for the variation of completion date of the Walgett Community Capability Fund project.

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

**CARRIED**

**4/2011/18 External funding Cancer Council NSW – Alive & Well project**

**Resolution:**

1. That the budget be varied to include income and expenditure line items - Alive & Well project \$19,155.00.
2. Council accept the grant of \$19,155 from the Cancer Council and the General Manager complete any necessary documentation.

**Moved:** Clr Keir  
**Seconded:** Clr Murray

**CARRIED**

**4/2011/19 Water Connection Application, Collarenebri**

**Resolution:**

That Walgett Shire Council resolve to:

1. Approve Activity Application Frederick and Shirley Wilson for a for a raw water connection at lot 68, DP 722945, lots 8, 9, 10 and 11, DP 752673 for the following reasons:
  - \* If necessary require written consent from the Land and Property Management Authority for the application, to comply with sub-section 78(3) of the Local Government Act 1993.
  - \* Require payment of an additional \$800 fee to cover the direct costs that Council would incur establishing the connection.
  - \* Apply a condition of approval which states that the water connection must not be extended to service other properties.
  - \* Apply a condition of approval which states that any water supply work (B1 activity) within the connected lots must have separate prior approval from Council under section 68 of the Local Government Act 1993.
  - \* Include an advisory note in the approval that Council provides no guarantee regarding the minimum water pressure or volume that will be available from the connection because it is outside the Collarenebri urban water supply area.

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

**CARRIED**

**4/2011/20 Development Application, Rural Supplies Business**

**Resolution:**

That Walgett Shire Council resolve to:

1. Approve Development Application 2011/003 by Lucas Findley for business premises (rural supplies) at lot 10 DP 15645 Waterloo St, Burren Junction subject to the conditions of development consent recommended by Walgett Shire Council's Director of Planning & Regulatory Services.

**Moved:** Clr Greenaway  
**Seconded:** Clr Colless

**Planning Division:**

**For:** Clr Smith, Clr Walford, Clr Keir, Clr Greenaway, Clr Woodcock, Clr Colless, Clr Martinez, Clr Lane, Clr Murray

**Against:** Nil

**CARRIED**

## WALGETT SHIRE COUNCIL MINUTES

### 4/2011/21 Draft Walgett Local Environmental Plan 2011

**Resolution:**

That Walgett Shire Council resolve to:

1. Note the letter dated 16 March 2011 from the Regional Director, Western Region, of the Department of Planning which provides a preliminary section 64 submission response for the draft Walgett Local Environmental Plan 2011.
2. Delegate authority to the Mayor and General Manager to authorise changes to the draft Walgett Local Environmental Plan 2011 to address the issues raised in the letter dated 16 March 2011 from the Regional Director, Western Region, of the Department of Planning.
3. At the earliest opportunity, formally submit the draft Walgett Local Environmental Plan 2011 (LEP) to the Director General, Department of Planning and Infrastructure under section 64 of the Environmental Planning and Assessment Act 1979 and request a certificate under section 65 of the Act to permit the public exhibition of the draft Local Environmental Plan.

**Moved:** Clr Lane

**Seconded:** Clr Greenaway

**For:** Clr Smith, Clr Walford, Clr Keir, Clr Greenaway, Clr Woodcock, Clr Colless, Clr Martinez, Clr Lane, Clr Murray

**Against:** Nil

**CARRIED**

### 4/2011/22 Lightning Ridge Advisory Board Appointment

**Resolution:**

That Walgett Shire Council resolve to:

1. Note the letter dated 15 February 2011 from the Minister for Primary Industries to Clr David Lane regarding:
  - (a) The appointment of Clr Lane to the Lightning Ridge Advisory Board (previously known as the Lightning Ridge Mining Board).
  - (b) Requesting that Clr Lane nominate a deputy.
2. Request Councillor David Lane to respond to the Minister's letter by nominating Clr Gustavus (Bill) Murray as his deputy to the Lightning Ridge Advisory Board.

**Moved:** Clr Colless

**Seconded:** Clr Greenaway

**CARRIED**

**4/2011/23 Residences on 'Preserved' Opal Fields**

**Resolution:**

1. That Walgett Shire Council resolve to note the letter dated 29-3-2011 from the Regional Director, Western Region, Department of Planning, regarding residential titles on the 'preserved' opal fields.
2. That Kevin Humphries be requested to make representations on behalf of the Lightning Ridge community to ascertain what the new Government's policy is with regards 'Residences on Preserved Opal Fields' will be.
3. That Kevin Humphries be requested to participate in all future discussions Council may have with various agencies with regards 'Residences on Preserved Opal Fields'.

**Moved:** Clr Lane

**Seconded:** Clr Keir

**CARRIED**

**4/2011/24 Alcohol Free Zones**

**Resolution:**

That Walgett Shire Council resolve to:

1. Note the letter dated 13 April 2011 from the Acting Commander of Castlereagh Local Area Command requesting that the existing Alcohol Free Zones at Walgett, Lightning Ridge and Collarenebri be maintained for a four year period.
2. Undertake consultation regarding establishing alcohol free zones in Walgett, Collarenebri and Lightning Ridge for four years, over the same areas as the existing zones. This will include publicising and circulating a proposal document, as well as inviting public submissions, via:
  - (a) Advertising within the Walgett Spectator and Lightning Ridge News.
  - (b) Advertising on the Walgett Shire Council web site.
  - (c) Circulation of the proposal document via mail to the officer in charge of the Walgett, Lightning Ridge and Collarenebri police stations.
  - (d) Circulation of the proposal document via mail to the NSW Anti-Discrimination Board.
  - (e) Circulation of the proposal document via mail to any known organisation representing an identifiable Aboriginal or ethnic group within the local area
  - (f) Circulation of the proposal document via mail to all liquor licensees within or adjoining the proposed alcohol free zones.
3. Consider any submissions received regarding the alcohol free zones proposal at the end of the consultation period.

**Moved:** Clr Smith

**Seconded:** Clr Walford

**CARRIED**

## WALGETT SHIRE COUNCIL MINUTES

### 4/2011/25 Development and Complying Development Certificate Applications

**Resolution:**

That Walgett Shire Council resolve to:

1. Note the report on Development and Complying Development Certificate applications dealt with under delegated authority during March 2011.

**Moved:** Clr Greenaway

**Seconded:** Clr Colless

**CARRIED**

### 4/2011/26 Climate Change Workshops

**Resolution:**

That Walgett Shire Council resolve to:

1. That Council note the observations of the Climate Change Workshops held on 15 & 16 February 2011 at Walgett Shire Council.

**Moved:** Clr Walford

**Seconded:** Clr Keir

**CARRIED**

### 4/2011/27 Walgett Levee Rehabilitation and Refurbishment

**Resolution:**

1. That Council note the March 2011 status report on the Walgett Levee Rehabilitation and Refurbishment project.

**Moved:** Clr Greenaway

**Seconded:** Clr Keir

**CARRIED**

### 4/2011/28 Strategic Plant Replacement Program 2010 – 2024 – 500hp Prime Mover & Float Options

**Resolution:**

1. That after clarifying details relating to length, quick release body and turntable Council obtain detailed estimates, quotes for preferred configuration including a second hand and council's executive meet to determine way forward.

**Moved:** Clr Colless

**Seconded:** Clr Greenaway

**CARRIED**

2:18 Clr Martinez left the meeting

### **Reports of Committees**

Nil

2:21pm Clr Martinez returned to the meeting

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

#### **Clr Murray**

##### **QUESTION 1: POSITION - DOGS IN TOWN**

What is the current position with relation to dogs in town?

#### **Clr Keir**

##### **QUESTION 1: TREE REMOVAL POLICY**

Does Council have a policy for tree removal in towns and replanting of appropriate trees?

##### **RESPONSE:**

The Director Urban Infrastructure Services advised that Council has no policy for the removal of trees on private properties, however does have a policy on removal of trees on streets and footpaths in towns.

##### **QUESTION 2: RETRIEVAL OF SIGNS ON ROADS**

Do we have staff to police and retrieve council signs on our main and rural roads?

##### **RESPONSE:**

The General Manager advised that he can have a staff member go out and have a look for signs on roads that are not being used.

##### **QUESTION 3: APPROACHES TO GOANGRA BRIDGE AND BITUMEN ON SR7716**

Can staff please assess the flood damage to the approaches of the Goangra Bridge and bitumen on SR7716 between Meadow Plains turnoff and end of bitumen? It is dangers and deteriorating rapidly.

#### **Clr Smith**

##### **QUESTION 1 -**

Can the situation at Pokataroo where pipes that drain water out of town when it rains were removed be investigated?

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

### **4/2011/29 Move into Closed Session at 4:10pm**

**Resolution:**

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

- (a) personnel matters concerning particular individuals (other than councillors)
- (c) Commercial information of a confidential nature

**Moved:** Clr Greenaway

**Seconded:** Clr Murray

**CARRIED**

The first item on the Agenda – Positions Vacant was moved to the end of the meeting.

2:28pm Clr Walford declared a Non-Pecuniary interest in the following item as he has an association with the prospective purchaser /leaser and left the meeting.

### **4/2011/30 Lease/Option for Sale of Old Medical Centre, Walgett**

**Resolution:**

1. That the report with regards the lease/option to purchase the premises known as the Old Walgett Medical Premises at 48 Wee Waa Street, Walgett (Lot 25 DP539526) be received and noted and the necessary documentation to complete the lease process be executed under the Common Seal of Council and pursuant to section 377(1) of the Local Government Act 1993, Council negotiate a 12 month option of the sale of the premises for \$250,000 as a condition of the lease.

**Moved:** Clr Smith

**Seconded:** Clr Lane

**CARRIED**

2:31pm Clr Walford returned to the meeting

### **4/2011/31 Sale of Unit A 18A Arthur Street, Walgett**

**Resolution:**

1. That the report with regards the sale of the premises known as Unit A 18A Arthur Street, Walgett to Andres Suifi be received and noted and the necessary documentation to complete the sale be executed under the Common Seal of Council.

**Moved:** Clr Greenaway

**Seconded:** Clr Keir

**CARRIED**

WALGETT SHIRE COUNCIL MINUTES

**4/2011/32 Sale of Five lots of Land at Goangra**

**Resolution:**

1. That Council approve the sale of Lots 1 to 5 Section 6 DP758454 at Goangra to Mr Howard Wilson at a cost of \$1000.00.
2. Council advise Mr Howard Wilson that the sale is subject to the purchaser paying the land value and all costs associated with Sale.
3. Council instruct Mr Nick Wilson from Booth, Brown, Samuels & Olney to draw up the Contract of Sale for Lots 1 to 5 Section 6 DP758454 at Goangra.

**Moved:** Clr Greenaway

**Seconded:** Clr Keir

**CARRIED**

**4/2011/33 Proposed Sale of Residential Block in Carinda**

**Resolution:**

1. That Council approve the sale of Lot 3 Section 17 DP758227 at Carinda to Mr Jim Kay at a cost of \$400.00.
2. That Council advise Mr Jim Kay that the sale is subject to the purchaser paying the land value and all costs associated with the Sales.
3. That Council instruct Mr Nick Wilson from Booth, Brown, Samuels & Olney to draw up the Contract of Sale for Lot 3 Section 17 DP758227 at Carinda.

**Moved:** Clr Lane

**Seconded:** Clr Walford

**CARRIED**

2:46pm Clr Colless left the meeting

## WALGETT SHIRE COUNCIL MINUTES

### 4/2011/34 Country Towns Water Supply and Sewerage Program

#### Resolution:

1. Council approve the Project Management/Consultancy Services Brief forwarded by the NSW Department of Water Project for Pre-Construction Activities, Preparation of Tender Documents and Call for Tenders for Walgett Water Supply and Sewerage Upgrade Works.
2. Council agree to Section 5: Project Timing of the Project Management/Consultancy Services Brief and officially advise NSW Department of Water in writing.
3. Council agree to adopt the \$6.804 million as Stage 1 Project – Walgett Water Supply and Sewerage Upgrade Works.
4. Council agree to fund \$800,000 contribution to Stage 1 Project from:

|                                                    |                    |
|----------------------------------------------------|--------------------|
| Sewerage Fund (Cash Reserve) (11.21% of \$800,000) | = \$ 89,680        |
| Water Fund (Cash Reserve) (88.79% of \$800,000)    | = \$ 710,320       |
| <u>Total</u>                                       | <u>= \$800,000</u> |
5. Council agree to arrange for an market rate internal loan of \$710,320 from Lightning Ridge Water Fund (Cash Reserve) in FY 2012-13 to the Walgett Water Fund to be repaid over five years in equal annual instalments.
6. Council agree to charge \$89,680 to Walgett Sewerage Fund in FY 2012-13.
7. Council agree to adopt the non-currently funded \$1.95 million as Stage 2 Project - Walgett Water Supply and Sewerage Upgrade Works.
8. Council agree to appoint NSW Department of Water as Project Managers for Stage 2 Project.
9. Council agree to fund the \$300,000 contribution to Stage 2 Project from the Lightning Ridge Water Fund (Cash Reserve) on condition of Council receiving future water grants.
10. Council agree to arrange for an market rate internal loan of \$300,000 from Lightning Ridge Water Fund (Cash Reserve) to the Walgett Water Fund as a condition of Council receiving future water grants.
11. The General Manager consider appointing the Utilities Engineer of Urban Infrastructure Services as the counterpart Project Manager of Stage 1 Project - Walgett Water Supply and Sewerage Upgrade Works.
12. That NSW Office of Water (NOW) be requested to address the issue of the reduced flow of water for landholders on the Namoi river if proposal goes ahead.

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

2:48pm Clr Colless returned to the meeting

**4/2011/35 Lightning Ridge HACCC – Dementia Day Care Facility – Consideration of Tenders**

**Resolution:**

That the proposed arrangements with regards the preparation of a supplementary report dealing with the Lightning Ridge HACCC Dementia Day Care Facility be received and noted.

**Moved:** Clr Lane

**Seconded:** Clr Keir

**CARRIED**

**4/2011/36 Australian Opal Centre – Regional Development Application Funding**

**Resolution:**

That the proposed arrangements with regards the preparation of a supplementary report dealing with the Australian Opal Centre concept be received and noted.

**Moved:** Clr Keir

**Seconded:** Clr Murray

**CARRIED**

**4/2011/37 2011/2015 Management Plan and 2011/2012 Budget**

**Resolution:**

That the proposed arrangements with regards the preparation of a supplementary report dealing with the 2011/2015 Management Plan and 2011/2012 Budget be received and noted.

**Moved:** Clr Smith

**Seconded:** Clr Walford

**CARRIED**

**4/2011/38 Rates, Fees and Charges 2011/2012**

**Recommendation:**

1. To advertise the proposed 2011/2012 rates as per the attached rates schedules and in accordance with S535 of the Local Government Act 1993.
2. To advertise the proposed 2011/2012 fees and charges as per the attached fees and charges schedules and in accordance with S535 of the Local Government Act 1993.

**Moved:** Clr Lane

**Seconded:** Clr Walford

**CARRIED**

## WALGETT SHIRE COUNCIL MINUTES

- 3:21pm Clr Walford left the meeting  
3:24pm Clr Walford returned to the meeting  
3:25pm Clr Colless left the meeting

### 4/2011/39 Draft 2011/2015 Management Plan and Draft 2011/2012 Budget

#### Recommendation:

1. Adopt the draft 2011/2015 Management Plan and draft 2011/2012 Budget in principle
2. To give notice to the public and put on display the draft 2011/2015 Management plan for a period no less than 28 days, inviting submissions during that period in accordance with legislation. (Advertising period 4 May 2011 - 3 June 2011)
3. Council conduct Community forums at the following centres – Walgett, Lightning Ridge, Collarenebri, Rowena, Burren Junction, Carinda, Grawin and Come-By-Chance and the dates of the proposed forums be advertised locally. A display will also be arranged for the Walgett show and presentation be made to the three community working parties.

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

**CARRIED**

- 3:26pm Clr Colless returned to the meeting

### 4/2011/40 Supplementary Report – Lightning Ridge HACC - Dementia Day Care Facility – Consideration of Tenders

#### Resolution:

1. That following a detailed review of the tenders lodged the tender of MAAS Construction (Dubbo) Pty Ltd in the sum of \$512,447.59, being the lowest tender received, be accepted subject to:
  1. the completion of the energy modelling process by energy partners clarifying that despite any additional requirements to meet BCA legislation the tender remains the lowest tender
  2. The completion of the Addenda No. 3 costings by the Company and their submission of a revised tender price provided it remains the lowest tender.
  3. a satisfactory financial assessment of the company submitting the lowest tender.
2. Providing that in the event that the issues identified in any of points 1, 2 & 3 not being met, that Council accept the next lowest tender of Adrian Hawkins in the sum of \$588,000.00 provide that Company also meets the energy efficiency and financial assessment criteria.

**Moved:** Clr Lane  
**Seconded:** Clr Martinez

**CARRIED**

This Motion of which Notice has been given has been brought forward from the Ordinary Council Meeting

**4/2011/41 Motion of which Notice has been given – Support for Lightning Ridge Opal & Fossil Committee Funding Application**

**Motion:**

That Walgett Shire council fully support applications by LROFC Inc to the Australian Government for funding to construct the Australian Opal Centre, as follows.

- a. That council commit to providing \$50,000 per year for three years, being financial years 2011-12, 2012-13 and 2013-14, for construction of the Australian Opal Centre (conditional on a successful application for federal funding).
- b. That all council staff support the AOC applications fully, providing whatever assistance is reasonable and necessary to improve or strengthen the applications for funding, including auspicings application/s if this will increase the likelihood of success.

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

**CARRIED**

**4/2011/42 Supplementary Report – Australian Opal Centre – Regional Development Australia Funding**

**Recommendation:**

Authority delegate to the Mayor and General Manager to negotiate any other issues relating to the application for the Australian Opal Centre.

**Moved:** Clr Walford  
**Seconded:** Clr Keir

**CARRIED**

4:10 Clr Smith left the meeting  
4:11 Clr Smith returned to the meeting

**4/2011/43 Positions Vacant – Director Engineering Services**

**Resolution:**

That Council receive and note the report concerning Senior Staff appointments and endorse the action proposed by the General Manager with regards the offer of appointment to the Director of Engineering Services position and also note interviews for the position of Director Corporate Services will be held later May 2011

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

**CARRIED**

**4/2011/44 Return to Open Session at 4.24**

**Resolution:**

That Council return to Open Session.

**Moved:** Clr Greenaway

**Seconded:** Clr Colless

**CARRIED**

**4/2011/45 Adoption of Closed Session Reports**

**Resolution:**

That Council adopt the following resolutions of the Closed Committee:

- Lease/Option for Sale of Old Medical Centre, Walgett
- Sale of Unit A 18A Arthur Street, Walgett
- Sale of Five lots of Land at Goangra
- Proposed Sale of Residential Block in Carinda
- Country Towns Water Supply and Sewerage Program
- Lightning Ridge HACC – Dementia Day Care Facility – Consideration of Tenders
- Australian Opal Centre – Regional Development Application Funding
- 2011/2015 Management Plan and 2011/2012 Budget
- Rates, Fees and Charges 2011/2012
- Draft 2011/2015 Management Plan and Draft 2011/2012 Budget
- Supplementary Report – Lightning Ridge HACC - Dementia Day Care Facility – Consideration of Tenders
- Motion of which Notice has been given – Support for Lightning Ridge Opal & Fossil Committee Funding Application
- Supplementary Report – Australian Opal Centre – Regional Development Australia Funding
- Positions Vacant

**Moved:** Clr Lane

**Seconded:** Clr Martinez

**CARRIED**

**Close of Meeting**

The meeting closed at 4:25 pm

To be confirmed at the meeting of Council to be held on Tuesday 24 May 2011

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
General Manager