



# **MINUTES FOR ORDINARY COUNCIL MEETING**

**26<sup>th</sup> March, 2013**

**NOTICE IS HEREBY GIVEN** pursuant to clause 7 of Council's Code of Meeting Practice that the Ordinary Council Meeting of Walgett Shire Council was held in the **Lightning Ridge Bowling Club, 2013** commencing at 10:10am to discuss the items listed in the Agenda.

Don Ramsland  
**GENERAL MANAGER**

# WALGETT SHIRE COUNCIL MINUTES

## CONFLICT OF INTERESTS

**What is a "Conflict of Interests"** – A conflict of interests can be two types:

**Pecuniary** – an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

**Non-Pecuniary** – a private or personal interest that a Council official has that does not amount to a pecuniary interest as defined in the Local Government Act (eg. A friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature.)

### **Remoteness**

A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in Section 448 of the Local Government Act.

**Who has a Pecuniary Interest?** – A person has a pecuniary interest in a matter if the pecuniary interest is the interest of:

- The person, or
- Another person with whom the person is associated (see below)

### **Relatives, Partners**

A person is taken to have a pecuniary interest in a matter if:

- The person's spouse or de facto partner or a relative of the person has a pecuniary interest in the matter, or
- The person, or a nominee, partners or employer of the person, is a member of a company or other body that has a pecuniary interest in the matter

N.B. "Relative", in relation to a person means any of the following:

- (a) The parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descends or adopted child of the person or of the person's spouse.
- (b) The spouse or de facto partners of the person or of a person referred to in paragraph (a)

### **No Interest in the Matter**

However, a person is not taken to have a pecuniary interest in a matter:

- If the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative or company of other body, or
- Just because the person is a member of, or is employed by, the Council
- Just because the person is a member of, or a delegate of the Council to, a company or other body that has a pecuniary interest in the matter provided that the person has no beneficial interest in any shares of the company or body.

### **Disclosure and participation in meetings**

- A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
  - (a) At any time during which the matter is being considered or discussed by the Council or Committee, or
  - (b) At any time during which the Council or Committee is voting on any question in relation to the matter.

**No Knowledge** – A person does not breach this Clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

### **Participation in Meetings despite Pecuniary Interest (S452 Act)**

A Councillor is not prevented from taking part in the consideration or discussion of, or from voting on, any of the matters/questions detailed in Section 452 of the Local Government Act.

**Non-Pecuniary Interest** – Must be disclosed in meetings.

There are a broad range of options available for managing conflicts & the option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with. Non-Pecuniary conflicts of interest must be dealt with in at least one of the following ways:

- It may be appropriate that no action be taken where the potential for conflict is minimal. However, Councillors should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (eg. Participate in discussion but not in decision making or vice versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. Relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as if the provisions in S451 of the Local Government Act apply (particularly if you have a significant non-pecuniary interest)

### **Disclosure to be Recorded (S453 Act)**

A disclosure (and the reason/s for the disclosure) made at a meeting of the Council or Council Committee or Sub-Committee must be recorded in the minutes of the meeting.

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**MINUTES OF THE MEETING OF THE WALGETT SHIRE COUNCIL HELD AT WALGETT SHIRE COUNCIL CHAMBERS ON TUESDAY 26TH MARCH, 2013 AT 10:10AM**

**PRESENT**

Clr B Murray (Mayor)  
Clr D Cooper  
Clr R Greenaway  
Clr D Lane  
Clr M Martinez  
Clr M Taylor  
Clr L Walford  
Clr I Woodcock  
Clr J Keir  
Don Ramsland (General Manager)  
Stephen Holland (Director Corporate Services)  
Matthew Goodwin (Director Planning & Regulatory Services)  
Raju Ranjit (Director Engineering Services)  
Prafulla Bahadur K.C (Acting Director Urban & Infrastructure Services)  
Yasmin Jones (Minute Secretary)

**Welcome to Visitors**

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

**Presentation of Petitions**

The Mayor presented Nathan Power with the 2013 Sports Person of the Year Award and presented Mr Wolfgang Johansson with SES Bar to the National Medal.

Presentation by Glenn Inglis regarding the Independent Local Government Review Panel.

Presentation by Ms Rebel Black and Ms Jenni Brammall regarding Australian Opal Centre.

*The meeting adjourned for Morning Tea at 11:50am.*

*The meeting resumed at 12:05pm with all those previously present, again in attendance.*

**Declaration of Pecuniary/Non Pecuniary Interests**

Clr Martinez declared a Pecuniary Interest in item 27 - Monthly Flood works report from Director Engineering Services as his family is currently operating contract plant.

Clr Keir declared a Pecuniary Interest in item 27 - Monthly Flood works report from Director Engineering Services as her family is currently operating contract plant.

## WALGETT SHIRE COUNCIL MINUTES

### 1/2013/1 APOLOGIES –26<sup>th</sup> March 2013

**Resolved:**

That apology from Clr Walford for his late arrival be accepted.

**Moved:** Clr Greenaway

**Seconded:** Clr Keir

**CARRIED**

### Confirmation of Minutes

### 3/2013/2 Minutes of Council meeting – 19 February 2013

**Resolved:**

That the minutes of the Council meeting held 19 February 2013 having been circulated, be confirmed as a true and accurate record of that meeting, subject to changing the record of the division to show Clr Taylor as being opposed to the Motion 1/2013/35.

**Moved:** Clr Walford

**Seconded:** Clr Martinez

**CARRIED**

### 3/2013/3 Walgett Shire Council Consultative Committee Minutes – 17/01/2013

**Resolved:**

That the minutes of the Walgett Shire Council Consultative Committee Meeting held on 17 January 2013 be received and noted.

**Moved:** Clr Cooper

**Seconded:** Clr Walford

### 3/2013/4 Walgett Shire Council Health & Safety Committee Minutes – 7 February 2013 & 7 March 2013

**Resolved:**

That the minutes of the Walgett Shire Council Health & Safety Committee Meetings held 7 February 2013 and 7 March 2013 be received and noted.

**Moved:** Clr Keir

**Seconded:** Clr Greenaway

**CARRIED**

**3/2013/5 OROC Committee Minutes – 15/02/2013**

**Resolved:**

That the minutes of OROC Committee Meeting held 15 February 2013 be received and noted and Council endorse:

- 1) Clrs Murray's and Keir's involvement with the Dubbo Hospital Project Committee.
- 2) Action being taken to make a submission with regards the ORANA Regional Action Plan.
- 3) Action being taken to establish an OROC Code of Conduct Reviewers Panel.
- 4) OROC support for SEXI Project.

**Moved: Clr Walford**

**Seconded: Clr Keir**

**CARRIED**

**Reserve Trust Management Committee Reports**

**3/2013/6 Lightning Ridge Golf Club Ltd – Crown Reserve R84117**

**Resolved:**

1. That a three (3) year licence be issued to the Lightning Ridge Golf Club Ltd for part use of Reserve (R84117) for use as a Golf course subject to the consent of the Minister.
2. That the rent be \$150.00 + GST per annum.
3. That the Mayor and General Manager be authorised to execute the licence agreement under the Common Seal of Council.

**Moved: Clr Martinez**

**Seconded: Clr Lane**

**CARRIED**

**Mayoral Minutes**

**3/2013/7 Matters Generally for Brief Mention or Information only from Mayor**

**Resolved:**

That the Matters listed by the Mayor for brief mention or information only, including a "Welcome to Walgett" proposed for the first home game of the session for the Walgett Rugby Club on Saturday 27 April, 2013 be received and noted.

**Moved: Clr Greenaway**

**Seconded: Clr Keir**

**CARRIED**

**Matters Arising**

Nil

**Motions of which Notice has been given**

Nil

**Councillors Questions From Last Meeting**

**Clr Woodcock**

**Question 1:**

What is the status for the Wheel Chair access at IBC?

**Answer:**

The Director Urban Infrastructure Services is to undertake further investigations.

**Question 2:**

What is the progress of the Sewer Dump Point's relocation at Lightning Ridge?

**Answer:**

The Acting Director of Urban Infrastructure Services advised planned completion of relocation will be May 2013.

**Question 3:**

What is the position of renovations to the Agency residence at Collarenebri?

**Answer:**

The Acting Director of Urban Infrastructure Services advised scope of work is currently being investigated.

**Clr Greenaway:**

**Question 1:**

Clr Greenaway advised Suzanne Murray sent a request for a Levee to be Maitland Street, Collarenebri; what is the progress of this request?

**Answer:**

The General Manager advised the legal position is currently being investigated, Letter sent to Mrs Murray.

**Clr Cooper:**

Clr Cooper advised Walgett Shire Council ex-employee Bob Coleman's funeral will be held Thursday 21 February 2013.

The General Manager will arrange for a wreath to be forwarded from Council.

**Question 1:**

Clr Cooper advised there are two or three bridges under water on the Brewon Road which did not have signage on Thursday 14 February; can the reason for this be investigated?

**Answer:**

The Director Engineering Services advised an inspection was completed 13/02/2013, road was closed on the 15/02/2013 and signage was in place from the 15/02/2013.

**Question 2:**

Can a report be bought back to the March meeting regarding the short and long term plans / options for the maintenance of the Bridges on the Brewon road and details of funding that has been applied for?

**Answer:**

The Director of Engineering Services advised currently an application for loan funding for two bridges on the Brewon Road is in progress.

**Question 3:**

Have the damaged signs at the Cryon intersection on SH29 east been addressed?

**Answer:**

The Director of Engineering Services advised replacement signage is on order through Roads and Maritime Services.

**Clr Martinez**

**Question 1:**

When are the tenders for the Shire Swimming Pools going to be advertised?

**Answer:**

The Acting Director Urban Infrastructure Services advised tenders will be advertised in April / May.

**Question 2:**

At the last Traffic Committee meeting it was mentioned a double grid would be installed on the Lorne Road SR98, what is the progress of this?

**Answer:**

The Director of Engineering Services advised work is currently in progress.

**Clr Lane**

**Question 1:**

Can the tree watering systems in Lightning Ridge at the Library and Sherman Way in Pandora street be fixed?

**Answer:**

The Acting Director Urban Infrastructure Services advised investigations are currently being undertaken.

**Clr Walford**

**Question 1:**

Has the lawn mower owned by the Lightning Ridge Pre-School which went missing been located?

**Answer:**

The General Manager has advised further investigations currently being conducted.

**Question 2:**

What is the progress of the proposed pedestrian crossing outside of the Lightning Ridge Pre-School?

**Answer:**

The Director of Engineering Services advised Traffic studies are in progress.

**Clr Taylor**

**Question 1:**

Has the cemetery road at Carinda been finished?

**Answer:**

## WALGETT SHIRE COUNCIL MINUTES

The Director Engineering Service advised the Carinda cemetery road has been completed.

### **Question 2:**

Can the watering of the race track in Lightning Ridge be watered for longer than 10 minutes at a time?

#### **Answer:**

The General Manager advised that watering of the race track could be increased 30 minutes by extending the timer.

### **Question 3:**

The Lightning Ridge Lions Park water system currently waters the old water cart, can the systems setting be changed to ensure this does not happen?

#### **Answer:**

The Acting Director Urban Infrastructure Services advised a directive has been issued to alter the watering system.

### **Question 4**

Can the installation of a disabled toilet at the Lightning Ridge Bore Baths be investigated?

#### **Answer:**

The Acting Director Urban Infrastructure Services advised investigation as to the costs of the project are currently being undertaken..

### **Question 5**

What is the latest situation with the Lightning Ridge Tip?

#### **Answer:**

The General Manager advised the life expectancy of the tip is being reviewed.

### **Question 6**

Can guide posts at the boat ramp in Collarenebri be installed?

#### **Answer:**

The Director of Engineering Services advised once the water recedes post will be installed.

### **Question 7**

At the "Welcome to Lightning Ridge agitator" could Council provide a hard standing area as it is very boggy in wet conditions?

#### **Answer:**

The Director of Engineering advised investigations are currently in progress.

### **Question 8**

Can Council start planning to plant Figus and Jacaranda trees around Lightning Ridge?

#### **Answer:**

The Acting Director Urban Infrastructure Services advised this will be considered with future beautification programs.



**Question 9**

Can Council investigate the grid 39kms north of Lightning Ridge on the Castlereagh Highway as it seems to have “dropped”?

**Answer:**

The Director of Engineering advised discussions with contractors regarding the grid are currently ongoing.

**Question 10**

Does Council intend to offer pensioners and low income / welfare recipients the chance to have their pets de-sexed at a reduced rate this year?

**Answer:**

The Director Planning and Regulatory Services advised the Companion Animals Welfare (CAWs) program is scheduled for 6th to 10th May. First 3 days at Lightning Ridge and last two at Walgett. Run by RSPCA in conjunction with Enid Coupe, advertising will be facilitated by Walgett Shire Council. Bookings made through Walgett vet clinic.

**Question 11**

Can Council print the Business Paper double sided?

**Answer:**

The General Manager previously investigated and found to be impractical.

**Reports of Officers**

**3/2013/8 COUNCIL DECISIONS ACTION REPORT – February 2013**

**Resolved:**

That the Resolution Register for February 2013 be received and noted.

**Moved:** Clr Keir  
**Seconded:** Clr Cooper

**CARRIED**

**3/2013/9 CIRCULARS RECEIVED FROM THE NSW LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS OF NSW**

**Resolved:**

That the information contained in the weekly circulars numbers 7/13- 11/13 from the NSW Local Government and Shires Association be received and noted.

**Moved:** Clr Martinez  
**Seconded:** Clr Walford

**CARRIED**

**3/2013/10 CIRCULAR RECEIVED FROM THE DIVISION OF LOCAL GOVERNMENT – January / February 2013**

**Resolved:**

That the information contained in the following Departmental circulars 13-05 to 13-08 from the Local Government Division Department of Premier and Cabinet be received and noted.

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

**CARRIED**

**3/2013/11 MONTHLY CALENDAR – March to May 2013**

**Resolved:**

That Council receive and note the regular monthly calendar for the period March 2013 to May 2013.

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

**CARRIED**

**3/2013/12 New Licence/Sale of Walgett site for Imparja Television Pty Ltd.**

**Resolved:**

1. That a fresh ten year licence with a five year renewal option at market value be negotiated with Imparja Television Pty. Ltd. with regards their existing Walgett site and a further option to purchase the land at market value also negotiated when the issues surrounding the requirements of the new LEP and power connections are resolved.

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

**3/2013/13 Local Land Services – Consultation Process**

**Resolved:**

Walgett Shire Council lodge a submission for the entire Shire to be included in the new north west Local Land Services District boundary and that Council have no role in the collection of any levies the new LLS wishes to raise in the Walgett Shire.

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

**CARRIED**

**3/2013/14 MATTER FOR BRIEF MENTION OR INFORMATION ONLY**

**Resolved:**

That the General Manager's Report on matters for brief mention or information only be received and noted.

**Moved:** Clr Walford  
**Seconded:** Clr Taylor

*The meeting adjourned for Lunch at 12:30pm.*

*The meeting resumed at 12:57pm, with all those previously present, again in attendance.*

**3/2013/15 CASH ON HAND AND INVESTMENT REPORT AS AT 28 FEBRUARY 2013**

**Resolved:**

That the cash on hand and investment report as at 28 February 2013 be received.

**Moved:** Clr Martinez  
**Seconded:** Clr Keir

**CARRIED**

**3/2013/16 Electronic Council Solution & Improvement**

**Resolved:**

That the Council give consideration to a provision in the 2013/2014 budget of an amount of \$20,000.00 for the purchase of 17 iPad tablets and data packages and the Council Dashboard Intranet Software.

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

**For**

Clr Murray  
Clr Keir  
Clr Lane  
Clr Martinez  
Clr Woodcock  
Clr Taylor

**Against**

Clr Walford  
Clr Greenaway  
Clr Cooper

**3/2013/17 Aboriginal Liaison Officer Quarterly Report (November 2012 – January 2013 )**

**Resolved:**

1. That the quarterly report on Aboriginal Information and Affairs be received and noted.

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

**CARRIED**

**3/2013/18 External Auditor – Expressions of Interest**

**Resolved:**

That the Council invite expressions of interest for the provision of external audit services for a six year period commencing 1 July 2013 on a joint basis with the councils of Coonamble, Warren, Gilgandra and Warrumbungle.

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

**CARRIED**

**3/2013/19 Walgett Outdoor Markets**

**Resolved:**

1. That the Council assume responsibility for the conduct of the Walgett Markets as per the terms of this report and that the necessary arrangements be put in place.

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

**CARRIED**

**3/2013/20 Community Strategic Plan Review**

**Resolved:**

1. That the revised Walgett Shire Community Strategic Plan be adopted in principle and placed on public exhibition for a period of twenty eight (28) days.
2. And further that a 2013/2014 budget workshop be held on Tuesday 7 May, 2013 (1:00pm) and a special meeting to adopt the draft 2013/2017 Delivery Program, 2013/2014 Operation Plan and budget on Tuesday 14 May 2013 (1:00pm).

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

**CARRIED**

**3/2013/21 Quarterly Budget Review Statement for the Quarter ended 31 December 2012**

**Resolved:**

That the Quarterly Budget Review Statement Quarter ended 31 December amendments be received, noted and the amendments as set out in the budget review document be adopted within Council's estimates of income and expenditure for 2013/2014.

**Moved:** Clr Keir

**Seconded:** Clr Greenaway

**CARRIED**

**3/2013/22 Collarenebri Water Treatment Plant Retrofit**

**Resolved:**

1. That Council endorse the recommendation to request Veolia Water Supply to run a prototype trial plant in Collarenebri.
2. That, should the trial prove a success, retrofit of Collarenebri treatment plant be considered in conjunction with the 2013/14 Operational Plan and Budget preparations with a special report being prepared in respect of this issue including sourcing of government funding which may be available.

**Moved:** Clr Greenaway

**Seconded:** Clr Lane

**CARRIED**

**3/2013/23 Off Leash Area for Dogs at Lightning Ridge**

**Resolved:**

**That Walgett Shire Council resolve to:**

1. Adopt part of Crown Reserve 230076, commonly known as the Lions Park, as its preferred site at Lightning Ridge for a declared off-leash area for dogs.
2. Write to the Crown Lands Division of the NSW Department of Primary Industries and seek its agreement for the establishment of an off-leash area for dogs within Crown Reserve 230076, commonly known as the Lions Park, over the area delineated in Attachment B.
3. Consider the allocation of a budget of \$3,000 for faeces receptacle and signage for an off-leash area for dogs at Lightning Ridge as part of Council's budget for 2013-2014.

**Moved:** Clr Martinez

**Seconded:** Clr Cooper

Clr Taylor requested that his name be recorded as having voted against the motion.

**CARRIED**

**3/2013/24 Acquisition of LOT 1004-1007 (INCLUSIVE) IN DP 1117849 – MARCH 2013**

**Resolved:**

That Council note the letter from Council's solicitors and that payment of \$3487.70 for the road acquisition be made as a charge against urban unsealed payment maintenance ledger 11.03150.2491.

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

Against  
Clr Taylor

**CARRIED**

**3/2013/25 Storm Water Drainage Asset Management Plan**

**Resolved:**

That Council adopt the draft Storm Water Drainage Asset Management Plan October 2012.

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

**CARRIED**

**3/2013/26 Monthly RMCC works Report from Director Engineering Services –March 2013**

**Resolved:**

That Council receive and note the monthly RMCC works report for March 2013.

**Moved:** Clr Walford  
**Seconded:** Clr Taylor

**CARRIED**

*Clr Martinez & Clr Keir declared a pecuniary interest in the following item and left the meeting at 1:59pm.*

**3/2013/27 Monthly flood works Report from Director Engineering Services**

**Resolved:**

That Council receive and note the monthly flood restoration works report for March 2013

**Moved:** Clr Lane  
**Seconded:** Clr Cooper

**CARRIED**

*Clr Martinez & Clr Keir returned to the meeting at 2:01pm.*

**3/2013/28 Budget variation – Pitt Street Kerb & Gutter work, sealing work on Cryon and Come By Chance Road – March 2013**

**Resolved:**

1. That Council approve the following budget adjustments in relation to the overexpenditure / under expenditure as detailed in the report

From

|                                            |          |
|--------------------------------------------|----------|
| (11.03150.2652) Pitt Street Rehabilitation | \$26,504 |
| (11.03150.2656) School Bus Routes          | \$88,045 |
| (11.03150.2544) Shire Drainage             | \$42,860 |

To

|                                             |          |
|---------------------------------------------|----------|
| (11.03150.2653) Cryon Road Sealing Work     | \$47,206 |
| (11.03180.4083) Come By Chance Upgrade      | \$67,343 |
| (11.03150.2654) Urban Sts Ke6 (Pitt Street) | \$42,860 |

2. That as a standard operating procedure all Works Projects in excess of \$50,000 be reviewed once expenditure reaches 60% of the voted amount to ensure that any possible budget over runs are identified in a timely manner so as to allow appropriate corrective action to be taken prior to any over expenditure being incurred.

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

**CARRIED**

*Clr Keir left the meeting at 2:16pm*  
*Clr Martinez left the meeting at 2:18pm.*  
*Clr Martinez returned to the meeting at 2:20pm*  
*Clr Keir returned to the meeting at 2:21pm.*

**3/2013/29 5 year Betterment Works Programme – March 2013**

**Recommendation:**

1. That Council consider and adopt the initial 5 year “Betterment Works Programme” as outlined in the Business Paper, with suggested changes.

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

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**3/2013/30 Matters Generally for Brief Mention or Information only from Director Engineering Services – March 2013**

**Resolved:**

1. That the matters listed by the Director Engineering Services for brief mention or information be received and noted.
2. That report on Pitt Street and Montkeila Street access for road train will be submitted to the April Council Meeting.

**Moved: Clr Lane**  
**Seconded: Clr Cooper**

**1/2013/31 MOVE INTO CLOSED SESSION AT 2:26PM**

**Resolved:**

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

- (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 Lane**  
**Seconded: Clr Greenaway**

**CARRIED**

**3/2013/32 Engagement of IMF (Australia) Ltd to act on behalf of Council to lodge a claim against Standard and Poors and Update on the Dante investment**

**Resolved:**

1. That Council endorse the action of the General Manager in completing the revised agreement with IMF (Australia) to include the action against Standard and Poors (S&P) to act on behalf of Walgett Shire Council.
2. That the successful recoupment of the Dante investment in the sum of \$494,876.90 be noted and the funds be restricted into a Reserve for Economic Development.

**Moved: Clr Greenaway**  
**Seconded: Clr Martinez**

**CARRIED**



**3/2013/33 Section 713 Sale of Land for Overdue Rates – Carinda Hotel**

**Resolved:**

1. That the Council note the content of the report and that the property described as Lot 2 & Lot 10 sec 13 DP 758227 (Carinda Hotel) be withdrawn from sale due to a lack of clarity over the current ownership of the property and as a result, whether required notifications have been given to all parties with an interest in the land.
2. That Ms Jennifer Petkovic be advised that Council has deferred the sale of the property and that it will be re-listed for a further sale in the event that outstanding rates remain unpaid.

**Moved: Clr Greenaway**  
**Seconded: Clr Taylor**

**CARRIED**

*Don Ramsland left the meeting at 2:35pm.*  
*Don Ramsland returned to the meeting at 2:36pm*

**3/2013/34 Submission regarding Ninja the Labrador**

**Resolved:**

That Walgett Shire Council resolve to:

1. Note the letter dated 30th January 2013 from Michelle Alber on behalf of Sydney Pet Rescue and Adoption Inc and associated statement by Bernadette Flick, regarding a black Labrador dog euthanised by Council staff on 21 December 2012.
2. Note and endorse the response e-mail dated 1 March 2013 from Council's Director of Planning and Regulatory Services to Bernadette Flick and Michelle Alber.

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

*Don Ramsland left the meeting at 2:45pm.*  
*Don Ramsland returned to the meeting at 2:47pm.*

**3/2013/35 Construction of Namoi Village Sewerage and Water Supply Pipeline**

**Resolved:**

1. That Council endorse the NSW Public Works tender recommendation for Walgett Water and Sewerage Upgrade Program.
2. Accept and adopt the change of project scope for Pipeline contract.
3. Accept the revised tender price offer submitted by Milbant Constructions Pty Ltd \$2,355,876.33 inclusive GST.
4. Continue to endeavour to source additional funding to allow the original project to be undertaken in full.

**Moved: Clr Martinez**  
**Seconded: Clr Cooper**  
**CARRIED**

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*Clr Woodcock left the meeting at 2:55pm.  
Clr Woodcock returned to the meeting at 2:57pm.*

*Prafulla Bahadur K.C left the meeting at 3:00pm.  
Prafulla Bahadur returned to the meetin at 3:03pm.*

### 3/2013/36 Australian Opal Centre- Memorandum of Understanding

**Resolved:**

Senior staff of Walgett Shire Council meet with representatives from the Australian Opal Centre with a view to preparing a draft Memorandum of Understanding which reflect the new direction of the project.

**Moved:       Clr Taylor**  
**Seconded:   Clr Martinez**

**CARRIED**

*Stephen Holland left the meeting at 3:13pm.  
Stephen Holland returned 3:16pm.*

### 1/2013/37 Return To Open Session at 3:20pm

**Resolved:**

That Council return to open session.

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

**CARRIED**

### 1/2013/38 Adoption of Closed Session Reports

**Resolved:**

That Council adopt the following recommendation of the Closed Committee:

- Engagement of IMF (Australia) Ltd to act on behalf of Council to lodge a claim against Standard and Poors and Update on the Dante Investment
- Section 713 Sale of Land for Overdue Rates – Carinda Hotel
- Submission regarding Ninja the Labrador
- Construction of Namoi Village Sewerage and Water Supply Pipeline
- Australian Opal Centre- Memorandum of Understanding

**Moved:       Clr Taylor**  
**Seconded:   Clr Walford**

**CARRIED**

*Stephen Holland left at 3:29pm.  
Clr Cooper left the meeting at 3:29pm.  
Clr Cooper returned to the meeting at 3:31pm.*

**Questions for the next Meeting**

**Clr Walford**

Clr Walford wanted to advise he attended the Harmony Day in Walgett, he wished to note this was a wonderful day.

**Clr Martinez**

**Question 1**

Can funding for maintenance on the Castlereagh Highway between Lightning Ridge and Walgett be investigated?

**Answer**

The Director Engineering Service is to investigate.

**Question 2**

If \$90,000 is to be spent on the Collarenebri Agency House, what is the value of the House and the cost benefits of the renovations?

**Answer**

The Acting Director Urban Infrastructure Services to advise.

**Clr Taylor**

**Question 1**

Can the Lions Park in Lightning Ridge be inspected as a number of Stall Holders have advised the ground is uneven?

**Answer**

The Acting Director Urban Infrastructure Services to investigate.

**Question 2**

Clr Taylor suggested an OAM nomination be considered for a Shire resident.

**Answer**

The General Manager advised the process of the nomination of a person under the Australian Honours System is a confidential process aimed at celebrating the outstanding achievements of Australians in a diverse range of fields and areas.

**Clr Lane**

**Question 1**

Can Councillors have an update regarding the water connection leading to the Lightning Ridge Aerodrome?

**Answer**

The Director Planning and Regulatory Services advised a Report would be bought to a Council Meeting in regards to water connections.

**Question 2**

## WALGETT SHIRE COUNCIL MINUTES

Can the capacity of a second water main at the new Bore be investigated so both Bores can be utilised at once?

**Answer**

The Acting Director Urban Infrastructure Services to investigate.

**Question 3**

Can the Hudson Pear issue within the Shire be addressed?

**Answer**

The General Manager to investigate.

**Question 4**

Can a report be bought to Council on the cost of the Bill O'brien subdivision?

**Answer**

The General Manager to investigate.

**Question 5**

Could Council investigate the possibility of leasing or selling its water supply system?

**Answer**

The Director Urban Infrastructure Services to investigate.

**Clr Woodcock**

**Question 1**

Can the draft Landfill and Pool contracts be bought to Council for endorsement?

**Answer**

The General Manager to advise.

**Question 2**

What is the update on the Collarenebri Agency House renovations?

**Answer**

The Acting Director Urban Infrastructure Services to investigate.

**Clr Greenaway**

**Question 1**

When will work proceed on the pavers in Collarenebri- there are funds in the 2012/13 Budget?

**Answer**

The Acting Director of Urban Infrastructure Services to investigate.

**Clr Cooper**

**Question 1**

Can the operating hours of the Walgett Bore Bath be reviewed?

**Answer**

The Acting Director of Urban Infrastructure Services advised the opening hours are Monday-Friday 8:00am – 4:30pm but further investigation will be undertaken.

**Close of Meeting**

The meeting closed at 3:50pm

To be confirmed at the meeting of Council to be held on 23<sup>rd</sup> April 2013.

\_\_\_\_\_  
Mayor

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

DRAFT