



# **MINUTES FOR ORDINARY COUNCIL MEETING**

**14<sup>th</sup> February 2017**

**ADOPTED: 28 March 2017**

Don Ramsland  
**GENERAL MANAGER**

**MINUTES OF THE ORDINARY MEETING OF THE WALGETT SHIRE COUNCIL HELD AT THE WALGETT COUNCIL CHAMBERS ON TUESDAY 14<sup>th</sup> FEBRUARY AT 9:30 AM**

**PRESENT**

Clr Ian Woodcock (Mayor)  
 Clr M Martinez (Deputy Mayor)  
 Clr L Walford  
 Clr G Murray  
 Clr J Keir  
 Clr K Smith  
 Clr R Turnbull  
 Clr T Cameron  
 Clr M Taylor  
 Don Ramsland (General Manager)  
 Sylvester Otieno (Director Engineering/Technical Services)  
 Bronte Kerr (Minute Secretary)

**Declaration of Pecuniary/Non Pecuniary Interests**

Staff/Councillor	Item No.	Pecuniary/Non-Pecuniary	Reason
Woodcock	11.2.7 11.3.1	Pec	Affiliation with Lightning Ridge Gun Club Related to field of work/ business
Keir	11.4.2 11.4.3	Pec	Related to field of work/ business
Martinez	11.4.2 11.4.3	Pec Pec	Related to field of work/ business
Turnbull	11.4.2 11.4.3	Pec Pec	Relationship to Clr Martinez

**Confirmation of Minutes**

**Minutes of Ordinary Council Meeting – 13 December 2016**

**Resolved:**

That the minutes of the Ordinary Council meeting held 13 December 2016, having been circulated be confirmed as a true and accurate record of that meeting subject to deleting word Acting on page 1 and including Councillor Murray in the planning division on page 6.

**Moved: Clr Turnbull**

**Seconded: Clr Murray**

**CARRIED**

**Council's Decision Action Report**

**Resolved:**

That the Resolution Register for February 2017 be received and noted.

**Moved: Clr Cameron**

**Seconded: Clr Keir**

**CARRIED**

### **Weekly's received from the Local Government NSW**

**Resolved:**

That the information contained in the weekly circulars numbers 49-04 from the Local Government NSW be received and noted.

**Moved: Clr Murray**  
**Seconded: Clr Taylor**  
**CARRIED**

### **Circulars Received From the NSW Office of Local Government**

**Resolved:**

That the information contained in the following Departmental circulars No 16-48 to 17-02 from the Local Government Division Department of Premier and Cabinet be received and noted.

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

### **Monthly Calendar February 2017 – April 2017**

**Resolved:**

That Council receive and note the regular monthly calendar for the period February 2017– April 2017 and endorse the change of date for the April meeting to Thursday 27<sup>th</sup> April, 2017.

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

### **Delegations to New State Ministers/Parliamentary Secretaries**

**Resolved:**

That Council seek deputations with the following newly appointed Ministers/Parliamentary Secretaries: These include:

John Barilaro – Regional NSW, Skills and Small Business  
Niall Blair – DPI, Regional Water and Trade and Industry  
Donald Harwin – Resources, Energy and Utilities  
Andrew Constance – Transport and Infrastructure  
Robert Stokes – Education  
Paul Toole – Lands  
Gabrielle Upton – Local Government and Environment  
Melinda Pavey – Roads, Maritime and Freight  
Adam Marshall – Tourism and Major Events  
Sarah Mitchell – Aboriginal Affairs and Education  
Parliamentary Secretaries  
Richard Colless – Natural Resources and Western NSW

Kevin Anderson – Regional Roads and Transport  
and that separate submissions be prepared for each deputation.

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

#### **Western Division Group of Shires – Annual Conference - Motions**

**Resolved:**

That Council endorse the following motions for consideration at the 2017 Western Division Group of Shires Annual Conference:

1. State government agencies/departments - funding for all recurrent expenditure.
2. Voluntary allocation of key portfolios – general managers
3. Western division group of shires regular meetings with major state/federal agencies
4. Future of the western division group of shires
5. Betterment funding – disaster relief works

**Moved:** Clr Murray  
**Seconded:** Clr Smith  
**CARRIED**

#### **Review of Process for Dealing with Councillors' Queries or Questions for Next Meeting**

**Resolved:**

That The General Manager's report be received and noted.

**Moved:** Clr Keir  
**Seconded:** Clr Cameron  
**CARRIED**

#### **Matters Generally for Brief Mention or Information only from the General Manager**

**Resolved:**

Council receive and note the report by the General Manager in relation to matters listed above and endorse the proposal to name the #1 oval the 'Ricky Walford Oval'.

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

#### **Public Forum 10:20 am**

***Josh Higgs, Sharon Hawke and Amanda Beetson from NSW Department of Industry, Lands to provide an update on the Voluntary Surrender Scheme at Lightning Ridge***

- Purpose of the scheme is to reduce dual land conflict in Lightning Ridge
- Project started in March 2016, allowing affected landowners to submit EOI to surrender land. The EOI were voluntary and non-binding.

- Independent valuations of the properties were carried out and in May 2016 the EOI were reviewed by the assessment panel and independent probity officer.
- Seven deeds of agreement were entered into by Departments of Industries –Lands and lease holders.
- Completion of the seven deeds of Agreements resulted in over 800 mineral tenures being added to the existing Lightning Ridge and Surrounding Opal Fields Management Reserve.
- Department of industries- Lands will ensure that any land made available will be free as possible from any potential for future dual land use conflict
- Any land that is not sold will remain a part of the existing Lightning Ridge and Surrounding Opal Fields Management Reserve.
- The Reserve is currently managed by Department of industries- Lands; however management is to be handed over to a community trust in the future.
- The trust will have four community members as well as members of several related agencies.
- Department of industries- Lands will work with the community trust when it is established to assist them to manage the land.

***Jessica Picton from Epuron to discuss the Walgett Solar Farm***

- Solar Farm located approx. 3km from CBD - State significant project
- 9 months construction phase – estimated to create 85 jobs
- Flood resistant/ Long-term vegetation management
- Public consultations sessions will be held

***Mariam Chizari Community Affairs Manager NSW to discuss the nbn rollout program***

- The Interim Satellite Service (ISS) will be shut down on 28th February 2017.
- To ensure a smooth transition to the new Sky Muster™ service, nbn is working closely with phone and internet service providers to help their customers migrate across to this new service.
- Some ISS users will be migrated across to the nbn™ Fixed Wireless technology if they are located within an nbn™ Fixed Wireless coverage area.
- You need to contact an internet provider urgently to switch to a service over nbn™ Sky Muster™ or nbn™ Fixed Wireless. This will not impact your copper landline phone service. Switching is not automatic.
- Any questions about the migration, the Sky Muster™ service, or the equipment installation process, call the nbn™ Contact Centre on 1800 687 626

*The meeting adjourned for lunch at 12:00pm*

*The meeting resumed at 12:45pm*

<b>Cash and Investment Report as at 31<sup>st</sup> December 2016</b>
<p><b>Resolved:</b></p> <p>That the Investment report as at 31<sup>st</sup> December 2016 be received and noted.</p> <p><b>Moved:       Clr Walford</b>  <b>Seconded:   Clr Cameron</b>  <b>CARRIED</b></p>

### **Cash and Investment Report as at 31<sup>st</sup> January 2017**

**Resolved:**

That the Investment report as at 31<sup>st</sup> January 2017 be received and noted.

**Moved:** Clr Taylor  
**Seconded:** Clr Turnbull  
**CARRIED**

### **2016/17 Rating and Water Charges**

**Resolved:**

That the Chief financial Officers report on 2016/17 rating and water charges be received and noted.

**Moved:** Clr Martinez  
**Seconded:** Clr Turnbull  
**CARRIED**

### **Monthly Outstanding Rates Report – January 2017**

**Recommendation:**

The January 2017 outstanding rates report be received and noted.

**Moved:** Clr Walford  
**Seconded:** Clr Cameron  
**CARRIED**

### **Quarterly budget review statement 31<sup>st</sup> December 2016**

**Recommendation:**

That Council adopt the attached Quarterly Budget Review Statement for 31<sup>st</sup> December 2016 as tabled.

**Moved:** Clr Turnbull  
**Seconded:** Clr Murray  
**CARRIED**

### **Loan to Lighting Ridge Opal & Fossil Centre Inc**

**Resolved:**

(a) That the Chief Financial Officers report be received.

(b) That the Council provide a zero interest loan of \$48,000 to the Lightning Ridge Opal and Fossil Centre Inc for the purpose of completing a procurement plan, project management plan, risk management plan and asset management plan.

(c) The loan be repaid over five (5) years as follows; 9th January 2018 - \$10,000, 9th January 2019 - \$10,000, 9th January 2020 - \$10,000, 9th January 2021 - \$10,000, 9th January 2022 - \$8,000.

(d) That Walgett Shire Council and the Lightning Ridge Opal and Fossil Centre Inc. enter into a formal loan agreement and the General Manager be authorised to execute the loan agreement and the Council Seal be affixed to the loan document.

(e) That a Council officer nominated by the General Manager (Chief Financial Officer) becomes a board member of the Lightning Ridge Opal and Fossil Centre to oversee Council's financial interests.

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

*Clr Woodcock left the Meeting Room at 1:44pm and Clr Martinez chaired the meeting.*

#### **Community Assistance Scheme Donations – Round 2 2016/2017 Applications**

**Resolved:**

That the following applicants be granted financial assistance under Section 356 of the Local Government Act 1993 for the second round of 2016/2017;

Organisation	Project	Recommended Amount
Lightning Ridge Pony Club	Repairs to grandstands including installation handrails and shade and replace worn timber with steel seating	\$1,000.00
Carinda & District Race Club	Hold annual race meeting and provide adequate toilet facilities for patrons	\$1000.00
Burren Junction Public School P & C Association	Upgrade classroom environment and facilities with new furnishings (stools, benches, tables etc.)	\$500.00
Lightning Ridge Gun Club	Upgrade existing facilities by laying concrete slabs	\$2,000.00

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

*Clr Woodcock return to the meeting and resumed the chair at 1:54pm*

#### **Community Development Report October – December 2016**

**Resolved:**

That the report for Community Development: October- December 2016 be received and a multicultural function be addressed in future reports.

**Moved: Clr Smith**  
**Seconded: Clr Martinez**  
**CARRIED**

### **Second Quarter Operational Plan & Half Yearly Delivery Program 16/17**

**Resolved:**

That the content of the report be noted and Council accept the progress made on the 2016/2017 Operational Plan and Delivery Program as at 31<sup>st</sup> December 2016.

**Moved: Clr Turnbull**

**Seconded: Clr Keir**

**CARRIED**

### **355 Committee Guidelines**

**Resolved:**

1. That the Chief Financial Officer report be received.
2. That Council formally adopt the 355 Committee Guidelines as presented.

**Moved: Clr Smith**

**Seconded: Clr Murray**

**CARRIED**

### **Burren Junction Hall 355 Committee**

**Resolved:**

1. That the Chief Financial Officer report be received.
2. That Council formally agree to the creation of the Burren Junction Hall 355 Committee
3. That Council invite interested organisations to nominate representatives and also call for expressions of interest from people who are interested in being members of that Committee and then select people for the Committee from those expressions of interest

**Moved: Clr Murray**

**Seconded: Clr Keir**

**CARRIED**

### **Drought Communities Program – Colless Grandstand Flooring/Seating Project**

**Resolved:**

That the Chief Financial Officer report be received and noted.

**Moved: Clr Walford**

**Seconded: Clr Keir**

**CARRIED**



### **Volunteers Policy/Procedure & Volunteers Manual & Memorandum of Understanding**

**Resolved:**

1. That the Chief Financial Officers report be received.
2. That Council adopt the Volunteer Policy/Procedure, Volunteer Handbook and Volunteer Memorandum of Understanding as tabled.

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

### **Procurement & Disposal Policy & Procedure**

**Resolved**

1. That the Chief Financial Officer's report be received.
2. The Walgett Shire Council Procurement & Disposal Policy and Procedure as presented be adopted.

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

### **Toilet Facility at Len Cran Park**

**Resolved:**

1. That the Chief financial Officers report be received.
2. That Council transfer \$15,000 from the asset reserve.
3. The Chief Financial Officer call for expressions of interest for the construction of the toilet facility at "Len Cran Park" Lightning Ridge.

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

### **Transfer of Funds – shade structure Len Cran Park**

**Resolved:**

1. That the Chief financial Officers report be received.
2. That Council transfer the net vote of \$25,000 from the Burren junction Playground to Len Cran Park Lightning Ridge for a shade structure.
3. Similar shade structures be investigated for Apex Park, Grey Park and Collarenebri Park.

**Moved: Clr Turnbull**  
**Seconded: Clr Taylor**  
**CARRIED**

### Lightning Ridge Bore Bath

**Resolved:**

1. That Council engage a structural engineer firm to assess the bore bath and amenities building and provide Council with a full report and scope of works for repair of the bore bath and amenities building
2. And the cost associated is charged directly to the bore bath maintenance/operation budget allocation.

**Moved:** Clr Cameron

**Seconded:** Clr Smith

**CARRIED**

### Matters Generally for Brief Mention or Information Only – From Chief Financial Officer

**Resolved:**

That the Matters Generally for Brief mention or information only from the Chief Financial Officer be received and noted.

**Moved:** Clr Murray

**Seconded:** Clr Taylor

**CARRIED**

*Clr Woodcock left the Meeting Room at 2:33pm and Clr Martinez chaired the meeting.*

### Development Application 2016/020

**Resolved:**

That Council resolve approve the Development Application 2016/020, for Lot 60 DP 725287, subject to the conditions of development consent

**Seconded:** Clr Walford

**Moved:** Clr Smith

**CARRIED**

**Planning Division**

**For:**

Cameron

Walford

Keir

Taylor

Smith

Martinez

Turnbull

Murray

**Absent:**

Woodcock

*Clr Woodcock return to the meeting and resumed the chair at 2:40pm.*

**Matters Generally for Brief Mention or Information only from Director of Environmental Services**

**Resolved:**

Receive and note the report by the Director of Environmental Services on matters for brief mention, or information only.

**Moved:** Clr Cameron  
**Seconded:** Clr Turnbull  
**CARRIED**

**Monthly RMCC works Report from Acting Director Engineering / Technical Services – January 2017**

**Resolved:**

That Council receive and note the monthly RMCC works report for January 2017.

**Moved:** Clr Turnbull  
**Seconded:** Clr Walford  
**CARRIED**

*Councillors Martinez, Turnbull and Keir left the meeting room 2:47pm.*

**Monthly Progress report from Acting Director Engineering Technical Services**

**Resolved:**

That Council receive and note the Engineering Services monthly works progress report for January 2017.

**Moved:** Clr Murray  
**Seconded:** Clr Taylor  
**CARRIED**

**Monthly Maintenance Grading Report from Director Technical / Engineering Services**

**Resolved:**

That Council receive and note the monthly maintenance grading works report for January 2017.

**Moved:** Clr Cameron  
**Seconded:** Clr Walford  
**CARRIED**

*Councillors Keir, Turnbull, Martinez returned to meeting room at 2:53pm*

## **Rail/Road Interface Agreement**

### **Resolved:**

That Council approves signing of the Rail/Road Interface Agreement between itself, John Holland Rail and Roads and Maritime Services.

**Moved:**        **Clr Smith**  
**Seconded:**   **Clr Cameron**  
**CARRIED**

## **QUESTIONS FOR THE NEXT MEETING**

**Clr Smith – Nil**  
**Clr Walford- Nil**  
**Clr Cameron – Nil**

### **Clr Taylor**

**Q1:** Rest area between Walgett and Brewarrina, Can Council approach RMs for a toilet facility at the half way point.

**Q2:** Signs missing on the Tip Road (50 / 80 and Stop sign on the Golf Club Road)

### **Clr Martinez**

**Q1:** Queried the length of the Lightning Ridge airstrip

**Q2:** Raised question of doing footpath works by contract

### **Clr Murray**

**Q1:** Plastic bags from the bigger stores e.g. IGA – What can be done to minimise the problem at the tips

**Q2:** Request update of Warren tyre recycling project

### **Clr Turnbull**

**Q1:** When is Council going to start reforming roads in the Shire? They were graded roughly before harvest as a quick fix and were meant to start reforming this year.

**Q2:** On Burranbaa Road, the corner needs serious attention near Oakey point.

**Q3:** When are the footpaths in Lightning Ridge getting repaired?

### **Clr Keir**

**Q1:** Can Council ensure correspondence from the public is acknowledged and responded to as part of the CAR process.

### **Clr Woodcock**

**Q1:** Need to repair a hole in the bitumen located near the rail crossing

**Q2:** What is the progress with calling for EOI for a consultant to prepare documents for the new Lightning Ridge VIC?

**Q3:** What is the progress on the Microphone/recording system for the chambers?

**Q4:** Can the minutes be displayed on the projector screen

**Q5:** Can an additional yellow bin be provided at Lightning Ridge

**Q6:** Rubbish dump on a Property in Lightning Ridge

*Comment: Farewell for Margaret Mansfield on Saturday 20<sup>th</sup> February.*

### **Public Forum – 3.00pm**

#### ***Representatives APA Group from will be addressing Council regarding the proposed Western Slopes pipeline project***

- APA Group is proposing to construct a 450km gas pipeline to connect natural gas from Santo's proposed Narrabri Gas Project to NSW gas transmission network.
- Preliminary studies have identified the preferred route that starts to the north of the Pilliga National Park and Pilliga West State Conservation areas, then travels west-southwest to connect to the Moomba Sydney Pipeline at the Bundure mainline valve station – approx. 100km west of Condobolin.
- The Western Slopes Pipeline will be subject to Environmental assessment (state significant Infrastructure) prior to licencing under the Pipelines Act 1967.
- The APA Group will contact landowners along the preliminary pipeline alignment to discuss the project.
- APA will then seek option agreements for an easement to accommodate the pipeline. Any such agreement will include an appropriate compensation agreement.
- Construction scheduled for early 2019. Construction phase expected to take 8-10 months.

#### **Move into Closed Session at 4:00pm**

##### **Resolved:**

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

- (a) that information that would, if disclosed confer a commercial advantage on a person with whom the Council is conducting business (or proposed to conduct business)
- (b) that the matter and information is commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**Moved: Clr Walford**

**Seconded: Clr Kier**

**CARRIED**

#### **Penalty Imposed for Unauthorised Demolition at 70 Morilla Street, Lightning Ridge**

##### **Resolved:**

That the Council give delegated authority to The General Manager to pursue any legal action as required.

**Moved: Clr Martinez**

**Seconded: Clr Keir**

**CARRIED**

#### **Walgett CBD Business Contribution Application**

##### **Resolved:**

1. Note the emails from the Diane Kelly dated 19 October 2016 and 16 November 2016.
2. The General Manager write to Diane Kelly advising that her request for a time extension with a modified proposal under the Walgett CBD Business Contribution program has been refused.

**Moved:** Clr Keir  
**Seconded:** Clr Cameron  
**CARRIED**

**RFT 16/021 Lightning Ridge Airport Upgrade- Fence: Tender Recommendation**

**Resolved:**

That because of his experience with local conditions Council accept the tender for the RFT 16/021 Lightning Ridge Airport Upgrade - Fence submitted by Danny Drew for the amount of \$237,000.00 excluding GST subject to further clarification of his approach to the work, estimated completion time and quality of materials to be used and if not acceptable tender be awarded to JSB Fencing and Machinery Hire subject to similar clarifications.

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

**RFT17/015 Design and Installation of Lightning Ridge Aerodrome Lighting**

**Resolved:**

That Council accept the higher tender for RFT17/015 from *Saunders Electrics* in the sum of \$469,430 in accordance with the specifications forming part of the tender document. This acceptance is subject to satisfactory reference, financial checks and clarification of technical issues and product quality and value and if not acceptable tender be awarded to Standard Energy T/A LRE Services also subject to the same clarification and note that the lowest tender lacked required experience.

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

**RFT 17/017 Grawin Opal Fields Bore- Pump Station & Associated Works: Tender Recommendation**

**Resolved:**

That Council accept the slightly higher tender for the RFT 17/017 Grawin Opal Fields Bore-Pump Station & Associated Works submitted by Darling Irrigation for the amount of \$137,108.00 excluding GST subject to a background check as the tender includes a provision for rock excavation.

**Moved:** Clr Turnbull  
**Seconded:** Clr Cameron  
**CARRIED**

**Return to Open Session at 4:25pm**

**Resolved:**

That Council return to open session.

**Moved: Clr Taylor**

**Seconded: Clr Keir**

**CARRIED**

**Adoption of Closed Session Reports**

**Resolved:**

That Council adopt the recommendations of the Closed Committee Reports.

- RFT 16/021 Lightning Ridge Airport Upgrade- Fence: Tender Recommendation
- RFT17/015 Design and Installation of Lightning Ridge Aerodrome Lighting
- RFT 17/017 Grawin Opal Fields Bore- Pump Station & Associated Works: Tender Recommendation

**Moved: Clr Walford**

**Seconded: Clr Cameron**

**CARRIED**

**Close of Meeting**

The meeting closed at 4:38pm

To be confirmed at the meeting of Council to be held on 28 March 2017

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Mayor

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General Manager