



MINUTES FOR ORDINARY COUNCIL MEETING

24th July, 2012

NOTICE IS HEREBY GIVEN pursuant to clause 7 of Council's Code of Meeting Practice that the Ordinary Council Meeting of Walgett Shire Council will be held in the **Rowena Hall** on **24th July, 2012** commencing at 10:23am 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 ROWENA HALL  
ON TUESDAY 24<sup>TH</sup> JULY, 2012 AT 10:23AM**

**PRESENT**

Clr B Murray (Mayor)  
Clr R Greenaway  
Clr J Keir  
Clr D Lane  
Clr M Martinez  
Clr L Walford  
Don Ramsland (General Manager)  
Stephen Holland (Director Corporate Services)  
Matthew Goodwin (Director Planning & Regulatory Services)  
Raju Ranjit (Director Engineering Services)  
Fred Coralde (Director Urban & Infrastructure Services)  
Bronwyn Newton (Minute Secretary)

**Welcome to Visitors**

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

**Apologies**

**7/2012/1 Apologies – 24<sup>th</sup> July, 2012**

**Resolved:**

That apologies from Clr Woodcock & Clr Smith be accepted and leave of absence granted.

**Moved:** Clr Greenaway

**Seconded:** Clr Walford

**CARRIED**

**Public Forum Presentations**

Nil

**Declaration of Pecuniary/Non Pecuniary Interests**

Clr Keir declared a Pecuniary Interest in item 33- Monthly Flood works report from Director Engineering Services as her family is currently operating contract plant.

Clr Martinez declared a Non Pecuniary Interest in item 37- Lightning Ridge Bore Baths, Pending Legal matter as he was one of the Ambulance officers attending the incident.

Clr Walford declared a Pecuniary Interest in item 41- Sale of the Old Medical Centre Premises as he is a Board Member of Thiyama-Li.

## **Confirmation of Minutes**

### **7/2012/2 Minutes of Council meeting – 26<sup>th</sup> June 2012**

**Resolved:**

That the minutes of the Council meeting held 26<sup>th</sup> June, 2012 be confirmed.

**Moved:** Clr Keir

**Seconded:** Clr Martinez

**CARRIED**

## **Matters Arising**

Clr Keir again raised the issue of all weather access to cemeteries within the Shire.

### **5/2012/1A All Weather Access Cemeteries**

**Resolved:**

That Council investigate the cost of providing all weather access to all cemeteries within the Shire and provide a report to the June, 2012 Meeting.

**Moved:** Clr Keir

**Seconded:** Clr Smith

**CARRIED**

The Director of Urban & Infrastructure Services indicated that a report would be prepared for the next meeting.

## **Reserve Trust Management Committee Reports**

Nil

## **Mayoral Minutes**

### **7/2012/3 MAYORAL MINUTE – NATIVE VEGETATION REGULATIONS REVIEW**

**Resolved:**

That Council decide whether or not to make a formal submission in relation to the inadequacy of proposed changes to the Native Vegetation Regulation 2006.

**Moved:** Clr Greenaway

**Seconded:** Clr Keir

**CARRIED**

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

Nil

## **Presentation of Petitions**

N/A

## **Councillors Questions From Last Meeting**

### **Clr Woodcock**

#### **Question 1:**

Can Council look into connecting 3 phase power to the Lightning Ridge Bore pump to reduce the electricity costs? Would also need to change over the pump switch board.

#### **Response:**

The Director Urban & Infrastructure Services will investigate and seek quotes

#### **Question 2:**

Can Council inspect and fix the hole within the Khans Supermarket car park at Lightning Ridge

#### **Response:**

Director Planning & Regulatory Services advised that Council have written to Mr Khan requesting repairs be carried out immediately. The Director of Engineering Services advised Khan's were approached when Council were in Lightning Ridge completing the work on the netball courts and offered to help with repairs however this offer was not taken up.

### **Clr Keir**

#### **Question 1:**

Can Council inspect & repair Keepit Street, Walgett as it is a gravel road in a terrible condition, and This Street provides access to Teacher Housing Units.

#### **Response:**

The Director of Engineering Services will investigate

### **Clr Martinez**

#### **Question 1:**

Can Council inspect and repair the hole in the footpath at Lightning Ridge Khan's supermarket Car park

#### **Response:**

Director Planning & Regulatory Services advised that Council have written to Mr Khan requesting repairs be carried out immediately. The Director of Engineering Services advised Khan's were approached when Council were in Lightning Ridge completing the work on the netball courts and offered to help with repairs however this offer was not taken up.

#### **Question 2:**

Can Council advise what happened to the RFDS airport lighting at Lightning Ridge which is needed especially during foggy conditions

#### **Response:**

The General Manager advised that provision of a GPS Tracking System is being investigated.

## WALGETT SHIRE COUNCIL MINUTES

### Clr Walford

#### **Question 1:**

The town truck at Lightning Ridge needs to be inspected and repaired. When the boys start the truck there seems to be a litre of oil on the roof of the truck and when they recently completed the town run you could see hydraulic oil left on the road all around town.

#### **Response:**

The General Manager advised that the matter has been referred to the next meeting of the Plant Committee for consideration.

#### **Question 2:**

The Lightning Ridge Sporting Field car park is a sea of water and needs gravel to tidy up and level the area.

#### **Response:**

The Director Urban & Infrastructure Services noted to investigate.

#### **Question 3:**

The road to Namoi Village needs to be inspected and repaired. Apparently the school bus lost a wheel due to the poor state of the road.

#### **Response:**

Director of Engineering Services to inspect and provide a quote to the Walgett Aboriginal Lands Council to cover the costs of the repairs.

### Clr Smith

#### **Question 1:**

Can Council commence planting the trees in the main street of Collarenebri

#### **Response:**

The Director Urban & Infrastructure Services to arrange for these works to be carried out

#### **Question 2:**

The house boat in the Barwon River at Collarenebri has resurfaced and is located in the area where water sports activities occur it needs to be removed to prevent any accidents.

#### **Response:**

The General Manager has spoken to the State Emergency Services regarding removal. In turn the SES has advised it is an RMS responsibility.

#### **Question 3:**

Can Council investigate and repair the drainage issues within the Collarenebri Township. Need to look into properly laser levelling the ground installing culvert pipes and/or white gravel.

#### **Response:**

The Director Urban & Infrastructure Services will investigate.

### Clr Murray

#### **Question 1:**

Advised that the Principal at St Joseph's has requested trees need to be lopped near the school. She has also requested that when Council next get A1 tree trimming services to carry out work within Walgett, can Council let the school know as they need some trees lopped within the school yard.

#### **Response:**

The Director Urban & Infrastructure Services noted the need to arrange works and advised this is under control.

**Question 2:**

Clr Murray advised that he has received a letter from Mr Mark Evans requesting Council support trying to improve the mobile telephone service to the south of Walgett by utilising the tower 30kms south of Walgett

**Response:**

The General Manager advised the matter has been referred to Federal Member for Parkes and an appropriate response sent to Mr Evans.

**Reports of Delegates and Representatives**

**07/2012/4 OROC MINUTES – 29 JUNE 2012**

**Resolved:**

1. That the minutes of the OROC Committee meeting held on 29<sup>th</sup> June 2012 be received and noted.

**Moved:** Clr Walford

**Seconded:** Clr Keir

**CARRIED**

**07/2012/5 FLOODPLAIN MANAGEMENT ASSOCIATION QUARTELY MEETING**

**Resolved:**

1. Council note the Floodplain Management Association Quarterly Minutes of the meeting held at Level 5, Meeting Room, Bureau of Meteorology, 300 Elizabeth Street, Darlinghurst.
2. Council note that the next quarterly meeting is scheduled on 30 August 2012.
3. Council not renew its membership with Floodplain Management Association.

**Moved:** Clr Lane

**Seconded:** Clr Keir

**CARRIED**

**07/2012/6 FLOODPLAIN MANAGEMENT ASSOCIATION COMMITTEE MINUTES – 24 MAY 2012**

**Resolved:**

1. That the minutes of the Floodplain Management Association Committee meeting held on 24<sup>th</sup> May 2012 be received and noted.

**Moved:** Clr Greenaway

**Seconded:** Clr Lane

**CARRIED**

**Reservation of items for Debate**

Nil

**Reports of Officers**

**7/2012/7 COUNCIL DECISIONS ACTION REPORT – JUNE 2012**

**Resolved:**

1. That the Resolution Register for June 2012 be received and noted.

**Moved:** Clr Greenaway

**Seconded:** Clr Lane

**CARRIED**

**7/2012/8 CIRCULARS RECEIVED FROM THE NSW LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS OF NSW**

**Resolved:**

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

**Moved:** Clr Greenaway

**Seconded:** Clr Walford

**CARRIED**

**7/2012/9 CIRCULAR RECEIVED FROM THE DIVISION OF LOCAL GOVERNMENT – JUNE 2012**

**Resolved:**

1. That the information contained in the following Departmental circulars 12-19 to 12-24 from the Local Government Division Department of Premier and Cabinet be received and noted.

- Circular to Councils 12-19- September 2012 Local Government Elections – Caretaker Provisions
- Circular to Councils 12-20 – September 2012 Local Government Elections – Use of Council Resources and Electoral Material
- Circular to Councils 12-21 – Local Government Infrastructure Audit – Data Collection
- Circular to Councils 12-22 – Preparation of Non-Residential Rolls
- Circular to Councils 12- 23 – TCORP Assessment of Financial Sustainability
- Circular to Councils 12-24 – Practice Note No.15 Water Safety Update

**Moved:** Clr Greenaway

**Seconded:** Clr Keir

**CARRIED**



**7/2012/10 MONTHLY CALENDAR – JUNE 2012**

**Resolved:**

1. That Council receive and note the regular monthly calendar for the period July 2012 to September 2012.

**Moved:** Clr Lane

**Seconded:** Clr Keir

**CARRIED**

**7/2012/11 RECOGNITION OF LATE GEOFFREY (DICK) COLLESS – PERPETUAL AWARD**

**Resolved:**

That Council honour the memory of the late Clr Geoffrey “Dick” Colless by establishing a Personal Development Scholarship Fund to make annual Scholarships available for 50% of course fees and expenses to local residents undertaking University Degrees or Trade Apprenticeships, and further that an amount of \$10,000 be set aside each year to be paid into the fund from interest earned on Council Investments and still further that the General Manager provide a report to the August, 2012 meeting setting out guidelines for the operation of the fund and establishment of the fund and awarding of annual Scholarships.

**Moved:** Clr Keir

**Seconded:** Clr Martinez

**CARRIED**

**7/2012/12 2012 LOCAL GOVERNMENT WEEK PROGRAMME AND ACTIVITIES**

**Resolved:**

That the General Manager’s report on 2012 Local Government Week planning be received and noted and the action being taken endorsed.

**Moved:** Clr Walford

**Seconded:** Clr Greenaway

**CARRIED**

**7/2012/13 RV FRIENDLY SCHEME FOR WALGETT SHIRE TOWNS AND VILLAGES**

**Resolved:**

1. That Council receive and note the report in relation to RV Friendly Town Schemes within Walgett Shire.
2. That Council endorse all 5 applications including Burren Junction, Collarenebri, Carinda, Rowena, Lightning Ridge and Walgett and supports the establishment of signage once Walgett Shire Council has received approval from CMCA from existing budget allocations.
3. That Council advise the CMCA of the proposals and seek approval to establish appropriate signage

**WALGETT SHIRE COUNCIL MINUTES**

4. That Council identify suitable areas on dedicated public roads to designate as “caravan parking” areas which could be used for “short term” parking
5. That an approach be made to the RMS for the erection of appropriate signage at the roadside rest area on the Castlereagh Highway near Lightning Ridge
6. Council respond appropriately to each of the submissions received.

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

**CARRIED**

**7/2012/14 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR COUNCILLORS POLICY**

**Resolved:**

1. That Council give notice of its intention to adopt the Draft Policy for the Payment of Expenses and Provision of Facilities to Councillors, in accordance with Section 253 of the Local Government Act.
2. Consider updating the various expenditure limits
3. And that the Draft Payment of Expenses and Provision of Facilities for Councillors policy then be placed on public exhibition and public submissions invited.

**Moved:** Clr Lane  
**Seconded:** Clr Maritnez

**CARRIED**

**7/2012/15 2012 QUADRENNIAL ELECTIONS – CARETAKER PROVISIONS AND COUNCILLOR OBLIGATIONS RELATING TO THE USE OF COUNCIL RESOURCES AND ELECTORAL MATERIAL**

**Resolved:**

That Council receive and note the General Manager’s report with regards Council’s and Councillors’ obligations in the lead up to the 2012 Quadrennial Local Government elections.

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

**CARRIED**

At this point of the meeting Mr Wayne Garnsey, Acting Team Leader from NSW Government Planning and Infrastructure entered the Council meeting and answered a number of question raised by Councillors.

**7/2012/16 DRAFT WALGETT LOCAL ENVIRONMENTAL PLAN 2012**

**Resolved:**

That Walgett Shire Council resolves to:

1. Note the letter dated 12 June 2012 from the Department of Planning & Infrastructure conditionally certifying the draft Walgett Local Environmental Plan 2012 for public exhibition under section 65 of the Environmental Planning and Assessment Act 1979.
2. Note the letter dated 18 July 2012 from the Department of Planning & Infrastructure regarding large lot living opportunities and the draft Walgett Local Environmental Plan 2012.
3. Note and endorse the draft Walgett Local Environmental Plan 2012 document and mapping dated June 2012.
4. Place the draft Walgett Local Environmental Plan 2012 on public exhibition for a minimum period of six weeks.
5. Request the General Manager to arrange community information sessions regarding the draft Walgett Local Environmental Plan 2012 at Carinda, Collarenebri, Cumborah, Grawin, Lightning Ridge and Walgett early in the public exhibition period.
6. Request the General Manager to prepare a Planning Proposal for large lot living rezoning proposal for Walgett, Lightning Ridge and Collarenebri.
7. Request the General Manager to pursue funding and engage a consultant to facilitate early finalisation of the large lot living areas rezoning proposal.

**Moved:** Clr Lane

**Seconded:** Clr Walford

**Planning Division:**

**For:** Clr Murray, Clr Lane, Clr Walford, Clr Martinez, Clr Keir, Clr Greenaway

**Against:** Nil

**Note:** Clr Woodcock and Clr Smith were absent from the meeting

**CARRIED**

*Mr Wayne Garnsey left the meeting 12.17pm*

*Matt Goodwin left the meeting at 12.18pm and returned to the meeting at 12.22pm*

*Don Ramsland left the meeting at 12.19pm and returned to the meeting at 12.22pm*

*Clr Greenaway left the meeting at 12.19pm and returned to the meeting at 12.22pm*

*Clr Walford left the meeting at 12.24pm and returned to the meeting 12.27pm*

*Council Meeting adjourned for lunch at 12.30pm and resumed at 13.05pm with all those previously in attendance being present*

WALGETT SHIRE COUNCIL MINUTES

**7/2012/17 CUMBORAH HALL EXTENSION PROJECT**

**Resolved:**

That Council receive and note the General Manager's report and endorse the action being taken with regards undertaking the Cumborah Hall Extensions Project.

**Moved:** Clr Greenaway  
**Seconded:** Clr Maritnez

**CARRIED**

**7/2012/18 MEMBERSHIP OF MURRAY DARLING ASSOCIATION INC**

**Resolved:**

That Council join the Murray Darling Association at a cost of \$627.75 (incl GST) for 2012/2013.

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

**CARRIED**

**7/2012/19 AMALGAMATION OF ASSOCIATION – VOTING DIRECTION**

**Resolved:**

That Council allow the Mayor to use his discretion with regards voting on the "One Association" issue.

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

**CARRIED**

*Stephen Holland left the meeting at 1.20pm and returned to the meeting at 1.26pm*

**7/2012/20 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 Greenaway  
**Seconded:** Clr Walford

**CARRIED**

**7/2012/21 RURAL FIRE SERVICE –DEED OF AGREEMENT FOR COME-BY-CHANCE BRIGADE STATION**

**Resolved:**

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1. That the Council execute the Deed of Agreement for the Come By Chance RFS Brigade Station between Walgett Shire Council and James Alfred Coxon and Colleen Patricia Coxon under Seal of Council.
2. That the Brigade Station Authority and Agreement Document between the Rural Fire Service, Walgett Shire Council, James Alfred Coxon and Colleen Patricia Coxon be signed by the General Manager.

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

**CARRIED**

*Clr Keir left the meeting at 1.45pm and returned to the meeting at 1.50pm*

**7/2012/22 2011 CENSUS RESULTS**

**Resolved:**

1. That the report be received and noted.

**Moved:** Clr Greenaway  
**Seconded:** Clr Walford

**CARRIED**

**7/2012/23 DRAFT RESTRICTED CASH AS AT 30 JUNE 2012 AND CORRESPONDING CARRIED FORWARD PROJECTS INTO THE 2012/2013 BUDGET**

**Resolved:**

1. Council note the Draft restricted cash report, and adopt the variations to the 2012/2013 budget for uncompleted projects as at 30 June 2012

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

**CARRIED**

*Don Ramsland left the meeting at 1.55pm and returned to the meeting at 1.59pm*

**7/2012/24 STOCK TAKE VARIANCE FINANCIAL YEAR 2012**

**Resolved:**

1. That Council approve the write off of stock with a total value of \$10,288.72 to the stores ledger and control account

**Moved:** Clr Greenaway  
**Seconded:** Clr Walford

**CARRIED**

**7/2012/25 CASH ON HAND AND INVESTMENT REPORT AS AT 30 JUNE 2012**

**Resolved:**

1. That the cash on hand and investment report as at 30 June 2012 be received.

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**Moved:** Clr Greenaway  
**Seconded:** Clr Walford

**CARRIED**

**7/2012/26 COMMUNITY ASSISTANCE SCHEME DONATIONS – ROUND 1 2012/2013 APPLICATIONS**

**Resolved:**

That Council applies funds for financial assistance under section 356 of the Local Government Act 1993 for the first round of 2012/2013 as follows:

| Organisation                    | Project                                                                                                                                                                                                                    | Cost of Project/Activity | Amount Requested | Recommended Amount | Beneficiaries                                                                                                                          |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|------------------|--------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| Lightning Ridge Community Radio | Community Radio in Lightning Ridge and surrounding Opal Fields                                                                                                                                                             | \$3,000.00               | \$1,000.00       | \$1,000.00         | Lightning Ridge Community                                                                                                              |
| Collarenebri Jockey Club        | Annual Collarenebri race meeting compulsory ambulance attendance                                                                                                                                                           | \$42,000.00              | \$500.00         | \$500.00           | Collarenebri Community by attracting visitors to spend locally and Walgett Shire residents for a safe day out                          |
| Coolibah Kids                   | To improve Long Day Care facilities by upgrading Childrens Play Activity Area                                                                                                                                              | \$5,000.00               | \$3,000.00       | \$1,500.00         | Walgett residents and businesses to ensure quality child care available for working parents and potential employees for all businesses |
| Collarenebri Rodeo Inc          | Collarenebri Rodeo is a 14 event sporting activity                                                                                                                                                                         | \$30,000.00              | \$1,300.00       | \$1,300.00         | Collarenebri Community by attracting visitors to spend locally and Walgett Shire residents by providing a great day out                |
| Goodooga - Lightning Ridge CWA  | To subsidise cost of lunch for Annual Wool Day which is the major Fund raising event to support charities                                                                                                                  | \$3,000.00               | \$1,000.00       | \$1,000.00         | Local children with special needs, women and children in crisis and youth                                                              |
| Barwon Aboriginal Corporation   | Walgett Rugby League Knockout and Gala Day which will bring 16 Rugby League Teams to the Community                                                                                                                         | \$25,000.00              | \$3,000.00       | \$1,500.00         | Walgett Community business and members of all ages by attracting people to spend locally and provide a great day out                   |
| Moorambilla Voices              | To financially assist 37 Walgett Shire children who passed auditions to attend 1 of 3 intensive, residential camps held in Baradine in August and September to work alongside professional musician, composers and artists | \$18,500.00              | \$2,000.00       | \$0.00             | Personal achievement activity is not currently provided for under guidelines                                                           |

|                              |                    |                   |
|------------------------------|--------------------|-------------------|
| <b>Totals</b>                | <b>\$11,800.00</b> | <b>\$6,800.00</b> |
| ANNUAL BUDGET                |                    | \$16,000.00       |
| <b>Remaining if approved</b> |                    | <b>\$9,200.00</b> |

**Moved:** Clr Greenaway  
**Seconded:** Clr Maritnez

CARRIED

**7/2012/27 MATTERS GENERALLY FOR BRIEF MENTION OR INFORMATION ONLY FROM DIRECTOR CORPORATE SERVICES – JUNE 2012**

**Resolved:**

1. That the matters listed by the Director Corporate Services for brief mention or information be received and noted.
2. That the Deed of Variation for the Funding Agreement relating to the Healthy Communities Initiative – Walgett Shire be executed under Seal of Council.

**Moved:** Clr Lane  
**Seconded:** Clr Maritnez

CARRIED

**7/2012/28 GRAWIN OPAL FIELDS LOCALITY PROPOSAL**

**Resolved:**

That Walgett Shire Council resolves to:

1. Note the various submissions received during public consultation regarding the Grawin Opal Fields locality proposal.
2. Provide the Geographical Names Board of NSW with a copy of this report regarding the public consultation associated with the Grawin Opal Fields locality proposal.
3. Request that the Geographical Names Board of NSW establish the Grawin Opal Fields locality based on the boundaries shown in the “Affected Lot” map included in the Explanatory Notes.

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

CARRIED

*Raju Ranjit left the meeting at 2.19pm and returned to the meeting at 2.21pm*

**7/2012/29 PROPOSAL TO EXTINGUISH RIGHT OF WAY**

**Resolved:**

That Walgett Shire Council resolves to:

1. Note that right of way C5934 registered on lot 103 DP 878481, owned by Baden Michael Anderson and Robert Anthony Jelbart, is effectively redundant given that there is a building constructed over it.

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2. Support the extinguishment of a right of way C5934 registered on lot 103 DP 878481.
3. Affix the Council seal under the signature of the General Manager and Mayor to any legal documents that may be required to extinguish right of way C5934 registered on lot 103 DP 878481.

**Moved:** Clr Keir  
**Seconded:** Clr Maritnez

**CARRIED**

*Clr Walford left the meeting at 2.25pm and returned to the meeting at 2.32pm*

**7/2012/30 MATTERS GENERALLY FOR BRIEF MENTION OR INFORMATION ONLY FROM DIRECTOR URBAN INFRASTRUCTURE SERVICES**

**Resolved:**

1. That the matters listed by the Director Urban Infrastructure Services for brief mention or information only be received and noted.

**Moved:** Clr Greenaway  
**Seconded:** Clr Walford

**CARRIED**

**7/2012/31 PROJECTS UNDER AUSLINK ROADS TO RECOVERY AND ROADS & MARITIME SERVICES FUNDING 2012/2013 AND 2013/2014**

**Resolved:**

1. That Walgett Shire Council approve the above projects under RTR and RMS funding programmes for 2012/2013 and 2013/2014.

**Moved:** Clr Greenaway  
**Seconded:** Clr Walford

**CARRIED**

**7/2012/32 REMOVAL OF GRIDS PURTELL AND WILLIS ROADS**

**Resolved:**

Council approve the payment of \$ 17,600.00 to Mr Andrew Norris for the removal of grids on the Purtell and Willis Roads with payment to be made immediately the works involved are completed.

**Moved:** Clr Greenaway  
**Seconded:** Clr Walford

**CARRIED**



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*Clr Keir declared an interest in this matter and left the meeting at 2.44pm  
Fred Coralde left the meeting at 2.46pm*

**7/2012/33 MONTHLY FLOOD WORKS REPORT FROM DIRECTOR ENGINEERING SERVICES – JULY 2012**

**Resolved:**

1. That Council receive and note the monthly July 2012 flood restoration works report.

**Moved:** Clr Walford  
**Seconded:** Clr Maritnez

**CARRIED**

*Clr Keir returned to the meeting at 2.48pm  
Fred Coralde returned the meeting at 2.48pm*

**7/2012/34 MATTERS GENERALLY FOR BRIEF MENTION OR INFORMATION ONLY FROM DIRECTOR ENGINEERING SERVICES – JULY 2012**

**Resolved:**

1. That the matters listed by the Director of Engineering Services for brief mention or information be received and noted.

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

**CARRIED**

*Clr Lane left the meeting at 2.51pm Clr Lane returned to the meeting at 2.53pm*

**7/2012/35 MATTERS GENERALLY FOR BRIEF MENTION OR INFORMATION ONLY FROM DIRECTOR ENGINEERING SERVICES – JULY 2012**

**Resolved:**

1. That the matters listed by the Director of Engineering Services for brief mention or information be received and noted.

**Option A:** Leave the trees as they are, remove the existing K/G and relocate the Kerb/Gutter at a distance of up to a metre from the existing location.

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

**CARRIED**

## **Questions for the next Meeting**

### **Clr Keir**

#### **Question 1:**

In regards to Council supplied equipment (Laptop & Filing Cabinet) to the current councillors – Do we need to return these at the end of office.

#### **Response:**

The General Manager to advise once voting completed and will possibly need to get the laptops back to upgrade relevant software.

### **Clr Martinez**

#### **Question 1:**

Council budget/report - Councillors didn't get a proper chance to analyse and identify surplus funds. Clr Martinez expressed his disappointment and hopes the new Council get the opportunity to look at the budget in detail.

#### **Question 2:**

Can Council look into the Plant hire for the Street sweeper – It would be best practice for Council to seek tenders or alternatively look at purchasing its own street sweeper in the review of the Plant Replacement Program

#### **Response:**

The General Manager advised the Street sweeper has been listed on the Agenda for the next Plant Committee meeting and also the Pulvy Mixer.

Fred Coralde & KC currently reviewing the Street sweeper contract.

### **Clr Walford**

#### **Question 1:**

Clr Walford noted his appreciation of the efforts of Council's newly appointed Regulatory Officer particularly with the efforts in reducing the roaming dogs in Lightning Ridge.

### **Clr Greenaway**

#### **Question 1:**

Can Council investigate the drainage problem within Rowena next to the School

#### **Response:**

The Director Urban & Infrastructure Services to investigate this matter.

### **Clr Lane**

#### **Question 1:**

Can Council please provide copies of the budget papers supplied at the last Council meeting. Clr Greenaway will also need a copy of this paperwork.

#### **Response:**

The General Manager advised that the budget papers will be supplied as requested.

### **Clr Murray**

#### **Question 1:**

Can Council investigate a house at Carinda which has partially lost its roof and the remaining Iron is a potential hazard.

#### **Response:**

The Director Planning & Regulations to investigate.

#### **Question 2:**

Can Council replace the bottoms of the bins at the big Warrambool on the Brewarrina Road as the bottoms have rusted out following the recent floods.

#### **Response:**

## WALGETT SHIRE COUNCIL MINUTES

The Director of Engineering Services to investigate and to rectify

**Question 3:**

Can Council please clean the Graffiti off the Skate Park at Walgett

**Response:**

The Director Urban & Infrastructure Services to investigate this matter and rectify

**Question 4:**

Can Council arrange to mow the Collarenebri Race Course in preparation for the Collarenebri Races

**Response:**

The Director Urban & Infrastructure Services to arrange works

**Question 5:**

Can Council arrange to backfill and top up the trench following the electrical works at the Collarenebri Race Course

**Response:**

The Director Urban & Infrastructure Services to arrange works

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

#### **7/2012/36 MOVE INTO CLOSED SESSION AT 3:15PM**

**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 Greenaway

**Seconded:** Clr Keir

**CARRIED**

*Clr Martinez declared an interest in this matter and left the meeting at 3.15pm*

#### **7/2012/37 LIGHTNING RIDGE BORE BATHS – PENDING LEGAL MATTER**

**Resolved:**

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

**Moved:** Clr Greenaway

**Seconded:** Clr Keir

**CARRIED**

*Clr Martinez returned to the meeting at 3.20pm*

**7/2012/38 REVIEW OF ORGANISATIONAL STRUCTURE**

**Resolved:**

That Council endorse the following changes proposed to the Organisational Structure:

Creation of a new position of Workshop Foreman to replace the existing one of Leading Hand Mechanic

Upgrading of Two (2) Diesel Mechanic positions to a senior level

Renaming the role of Support Services Coordinator to Plant Superintendant

Transfer the responsibility of the Stores function to the Corporate Services Division

Creation of a part time Economic Development Officer (21 hours per week) within the Executive Division

These changes will be negotiated through the relevant Award processes prior to implementation.

**Moved:** Clr Lane

**Seconded:** Clr Walford

**CARRIED**

**7/2012/39 INDUSTRIAL LAND SUBDIVISION PROPOSAL FOR WALGETT**

**Resolved:**

For Council's consideration.

**Moved:** Clr Keir

**Seconded:** Clr Lane

**CARRIED**

**7/2012/40 RESIDENTIAL LAND SUBDIVISION PROPOSAL FOR LIGHTNING RIDGE**

**Resolved:**

For Council's consideration.

**Moved:** Clr Lane

**Seconded:** Clr Martinez

**CARRIED**

## WALGETT SHIRE COUNCIL MINUTES

*Clr Walford declared an interest in this matter and left the meeting at 3.47pm*

### 7/2012/41 SALE OF THE OLD MEDICAL CENTRE PREMISES – WEE WAA STREET WALGETT

**Resolved:**

That Council accept the offer of \$250,000 by Thiyama-Li Family Violence Service Inc for the purchase of lot 25 DP 539526 Wee Waa Street Walgett known as the (Old Medical Centre building) in accordance with the right of first refusal contained in the current lease agreement for the premises, the existing toilet block be subdivided off the existing title and the necessary planning and legal documentation be prepared and executed under the Common Seal of Council.

**Moved:** Clr Martinez

**Seconded:** Clr Keir

**CARRIED**

*Clr Walford returned to the meeting at 3.54pm*

### 7/2012/42 PROPOSED LAND SALE – COSTS AND DISBURSEMENTS INCURRED

**Resolved:**

1. Council note the Invoice of \$8,096.00 including GST sent by Booth Brown, Samuels & Olney on 31 May 2012.
2. Council pay the outstanding Invoice of \$8,096.00 inclusive of GST to Booth Brown Samuels & Olney for costs and disbursements in relation to 38 unsold properties prepared under instruction from Walgett Shire Council.
3. Council resolve to offer this land for Sale
4. A further report be prepared detailing the most appropriate arrangements with regards Sale.
5. That Council's Solicitors be requested to provide copies of the draft contracts of Sale prior to Council making payment of the invoice now received.

**Moved:** Clr Lane

**Seconded:** Clr Greenaway

**CARRIED**

### 7/2012/43 EXPRESSION OF INTEREST FROM WALGETT RSL CLUB TO PURCHASE COUNCIL LAND LOT 37 IN DP 236258

**Note:** A motion by Clr Greenaway to sell Lot 37 DP 236258 to the Walgett RSL Club for \$20,000 lapsed for lack of a seconder.

**Resolved:**

1. Council to retain the land Lot 37 DP 236258 for additional parking.

WALGETT SHIRE COUNCIL MINUTES

2. Council to advise officially Walgett RSL Club of the decision not to sell the land Lot 37 DP 236258.
4. Council to advise officially Walgett RSL Club to remove the illegal improvements made on the land Lot 37 DP 236258.

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

Clr Greenaway requested that his name be recorded as having voted against this resolution.

**CARRIED**

**7/2012/44 DEVELOPMENT APPLICATION, RURAL SUBDIVISION**

**Resolved:**

1. Approve Development Application 2011/034 by Graham Lees for the subdivision of lot 2470 DP 764433 subject to the conditions included:

**CONDITIONS IMPOSED BY COUNCIL**

The following development consent conditions are imposed by Council as the consent authority.

**CONDITIONS THAT ARE ONGOING REQUIREMENTS**

**GENERAL**

**Gen 10**

The development shall be implemented in accordance with:

- (a) All documentation and correspondence submitted by the applicant, or their agents, in support of the Development Application,

*Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.*

**Gen 11**

A covenant in favour of the Council must be registered on the titles to the new lots requiring occupation of the lots to cease if the rights to vehicular and pedestrian access through adjoining Western Lands Leases ceases.

*Reason: To formalise on certificate of title the consent condition restrictions applying to the proposed lots.*

**Gen 12**

Any residential occupation of the proposed lots must cease if an owner of a lot and persons authorised by the owner do not have a legal right to go, pass, and repass at all times when Borehead Road is flooded, with or without animals or vehicles or both, to and from the said lot over the track on the adjoining Western Lands Leases to and from the public road that adjoins the track.

*Reason: To ensure that there is no occupation of lots unless there is a legal right of access.*

**CONDITIONS THAT MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE**

**SUBDIVISION**

**Sub 31**

That three lots are created by the subdivision of Lot 2470, DP 764433, one of about 40 hectares, a second of about 80 hectares, and the third about 1110 hectares.

*Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.*

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**Sub 38**

A surveyor's plan must be submitted to Walgett Shire Council prior to the expiry date of this development consent so that the subdivision certificate on the plan can be signed by an authorised officer.

*Reason: The subdivision cannot be registered with the Land Titles Office, and be finalised, until the subdivision certificate on the surveyors plan is signed by an authorised officer of Walgett Shire Council.*

**Sub 39**

The subdivision certificate will not be released until development consent conditions under this section (titled "subdivision") have been complied with.

*Reason: To ensure compliance with the terms of the development consent.*

**ADVISORY NOTES – General**

**COVENANTS**

It is possible that a covenant may affect the land, which is subject to this consent. The granting of this consent does not necessarily override any covenant. You should seek legal advice regarding the effect of any covenants that may affect the land.

**OPAL MINING DISTURBANCE**

Opal mining and prospecting operations may have been previously carried out on, or below, the land, which is the subject of this consent, or on adjoining lands. There are no official records of the extent of opal mining workings within the Lightning Ridge area. The developer should make their own enquiries to determine whether the land being developed might be adversely affected by such activities, prior to proceeding with the development.

**FLOOD**

The applicant/owner is advised that the site is located on a flood plain, hence may be subject to periodic inundation by floodwater to an unknown depth and velocity. You are advised to obtain your own expert advice regarding the risks associated with periodic inundation by floodwater.

END.

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

**Planning Division:**

**For:** Clr Murray, Clr Lane, Clr Walford, Clr Martinez, Clr Keir, Clr Greenaway  
**Against:** Nil

**Note:** Clr Woodcock and Clr Smith were absent from the meeting

**CARRIED**

*Don Ramsland left the meeting at 4.06pm Don Ramsland returned to the meeting at 4.09pm  
Stephen Holland left the meeting at 4.06pm Stephen Holland returned to the meeting at 4.09pm*

**7/2012/45 TENDER RFT 12/006 – DESIGN, RECONSTRUCTION AND SEALING OF AIRPORT RUNWAY**

**Recommendation:**

1. That Council receive and note tenders for the RFT 12/006 and not accept any tender
2. That Council negotiate with the two lowest tenders with a view to reducing the tendered prices and, if not successful, that the scope of works be reduce and fresh tenders be called.

**Moved:** Clr Martinez

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**Seconded:** Clr Lane

**CARRIED**

**7/2012/46 MATTERS GENERALLY FOR BRIEF MENTION OR INFORMATION ONLY FROM DIRECTOR ENGINEERING SERVICES – JULY 2012**

**Recommendation:**

1. That the matters listed by the Director of Engineering Services for brief mention or information be received and approved.

**Moved:** Clr Keir

**Seconded:** Clr Greenaway

**CARRIED**

**7/2012/47 Return to Open Session at 4.24pm**

**Resolved:**

That Council return to open session

**Moved:** Clr Greenaway

**Seconded:** Clr Walford

**CARRIED**

**Reports of Committees**

**7/2012/48 Adoption of Closed Session Reports at 4.24pm**

**Resolved:**

That Council adopt the following recommendation of the Closed Committee:

Lightning Ridge Bore Baths- Pending Legal Matter  
Organisational Structure Review  
Industrial Subdivision Proposal- Walgett  
Residential Subdivision Proposal- Lightning Ridge  
Sale of Old Medical Centre Building Wee Waa Street Walgett  
Proposed Land Sale- Legal Costs Incurred  
Expressions of interest from Walgett RSL Club to Purchase Land  
Development Application, Rural Subdivision  
Tender RFT 12/006 –Walgett Airport  
Matters Generally for Brief Mention or Information

**Moved:** Clr Lane

**Seconded:** Clr Walford

**CARRIED**



**Close of Meeting**

The meeting closed at 4.25pm

To be confirmed at the meeting of Council to be held on 24 July 2012.

\_\_\_\_\_  
Mayor

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