



MINUTES FOR ORDINARY COUNCIL MEETING

19th February, 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 **Walgett Shire Council Chambers** on **19th February, 2013** commencing at 10:18am 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 19TH FEBRUARY, 2013 AT 10:18AM**

**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  
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.

The meeting observed a minutes silence for the passing of former Walgett Shire Councillor and Shire President Charlie Mitchell on the 23 January, 2013.

The Mayor congratulated Clr David Lane on the awarding of an OAM on 25 January 2013.

**1/2013/1 APOLOGIES –19<sup>th</sup> February 2013**

**Resolved:**

That apology from Clr Keir be accepted and leave of absence granted.

**Moved:** Clr Woodcock

**Seconded:** Clr Martinez

**CARRIED**

**Declaration of Pecuniary/Non Pecuniary Interests**

Clr Martinez declared a Pecuniary Interest in item 38 - Monthly Flood works report from Director Engineering Services & item 44 – Provisions of Tenders – Plant and Minor Works on a casual basis as his family is currently operating contract plant.

Clr Greenway declared a Pecuniary Interest in item 31 – Request to amend the Collarenebri Locality as his daughter has submitted the application

Clr Cooper declared a Pecuniary Interest in item 45 – Renewal of Lease – Walgett and District Sporting Club Limited as he is on the Board of the Sporting Club.

**Confirmation of Minutes**

**1/2013/2 Minutes of Council meeting – 18 December 2012**

**Resolved:**

That the minutes of the Council meeting held 18 December 2012 having been circulated, be confirmed as a true and accurate record of that meeting subject to the change requested by Clr Lane in relation to 12/2012/14 Wilcox Report.

**Moved: Clr Walford**

**Seconded: Clr Taylor**

**CARRIED**

**Mayoral Minutes**

**1/2013/3 Matters Generally for Brief Mention or Information only from Mayor**

**Resolved:**

That the Matters listed by the Mayor for brief mention or information only be received and noted.

**Moved: Clr Woodcock**

**Seconded: Clr Walford**

**CARRIED**

**Matters Arising**

Nil

**Motions of which Notice has been given**

Nil

**Presentation of Petitions**

Greg Parsons, President of the Walgett District Sporting Club Ltd addressed Council in relation to the renewal of the Golf Course Lease – Walgett District Sporting Club Ltd.

**Councillors Questions From Last Meeting**

**Clr Taylor**

**Question 1:**

Can the sign for the Narran Lakes road on the road from Walgett to Brewarrina be fixed as the previous sign has been knocked down?

**Response:**

The Director of Engineering has advised a temporary sign has been installed

**Clr Cooper**

**Question 1:**

Can a shade structure be installed over Walgett Shire Council's main pool in the shallow end?

**Response:**

The Director of Urban Infrastructure Services advised quotes for the work is currently being obtained.

**Clr Kier**

**Question 1:**

Can the lawn mower at Carinda be investigated as Pat Regan has advised it is currently experiencing mechanical difficulty?

**Response:**

The Director of Urban Infrastructure Services advised Council is awaiting replacement. A ride-on mower for Carinda and Burren Junction should arrive by the end of February.

**Reports of Delegates and Representatives**

**1/2013/4 Workplace Health & Safety Minutes – 7 November 2012**

**Resolved:**

That the minutes of the Walgett Shire Council Workplace Health & Safety Committee Meeting held on 7 November 2012 be received and noted.

**Moved:       Clr Cooper**

**Seconded:   Clr Lane**

**CARRIED**

**Reports of Officers**

**1/2013/5 COUNCIL DECISIONS ACTION REPORT – December 2012**

**Resolved:**

That the Resolution Register for December 2012 be received and noted.

**Moved:       Clr Lane**

**Seconded:   Clr Cooper**

**CARRIED**

**1/2013/6 CIRCULARS RECEIVED FROM THE NSW LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS OF NSW**

**Recommendation:**

That the information contained in the weekly circulars numbers 49-6 from the NSW Local Government and Shires Association be received and noted.

**Moved: Clr Woodcock**

**Seconded: Clr Walford**

**CARRIED**

**1/2013/7 CIRCULAR RECEIVED FROM THE DIVISION OF LOCAL GOVERNMENT – December 2012 / January 2013**

**Resolved:**

That the information contained in the following Departmental circulars 12-44 to 13-04 from the Local Government Division Department of Premier and Cabinet be received and noted.

**Moved: Clr Cooper**

**Seconded: Clr Taylor**

**CARRIED**

**1/2013/8 MONTHLY CALENDAR – February 2013 – April 2013**

**Resolved:**

That Council receive and note the regular monthly calendar for the period February 2013 to April 2013.

**Moved: Clr Martinez**

**Seconded: Clr Lane**

**CARRIED**

*Stephen Holland left the meeting at 11:23am*

*Prafulla Bahadur K.C left the meeting at 11:23*

*Stephen Holland returned to the meeting at 11:26am*

*Prafulla Bahadur K.C returned to the meeting at 11:27am*

**1/2013/9 Wilcox Report – Consideration of State Government Recommendations**

**Resolved:**

That Council lodge Clr Lane's submission as amended at the Meeting by 28 February, 2013 addressing the State Government's Recommendations with regards the Wilcox Report into Opal Mining at Lightning Ridge.

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

**CARRIED**

**DIVISION**

In Favour

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

Absent

Clr Keir

**1/2013/10 Independent Local Government Review Panel – Update.**

**Resolved:**

For Council's Information.

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

**CARRIED**

**Resolved:**

That a meeting with Walgett, Brewarrina and Bourke Shire's General Managers and Mayors be convened at the earliest convenient time to discuss the Independent Local Government Review and the way forward.

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

**CARRIED**

*Prafulla Bahadur K.C left the meeting at 11:47am.*

## WALGETT SHIRE COUNCIL MINUTES

*Prafulla Bahadur K.C returned to the meeting at 11:52am*

### 1/2013/11 Identification and Quarantining of Funding – IPART application

**Resolved:**

1. That Council endorsed the proposal to lodge an application for a special rate variation of 3% over and above the standard rate pegging limit of 3.4% set for 2013/2014 to be used to establish a reserve for an ongoing programme of betterment funding for rural local roads within the Shire.
2. That a “betterment” works programme be prepared for Council’s consideration at the March, 2013 meeting.

**Moved: Clr Woodcock**

**Seconded: Clr Taylor**

**CARRIED**

### 1/2013/12 2013 Judging Panel for the Dick Colless Memorial Scholarship

**Resolved:**

That:

1. The Mayor, the General Manager and Clr Keir be members of the Judging / interview panel for the 2013 awarding of the Dick Colless Memorial Scholarship.
2. The Mayor be the chairperson of the Judging panel.

**Moved: Clr Woodcock**

**Seconded: Clr Walford**

**CARRIED**

### 1/2013/13 Model Code of Conduct – Adoption of Code

**Resolved:**

That Council adopt the new Model Code of Conduct in its entirety with the only change being the identification of “token gifts” as being gifts with a value below \$50 and that Council adopt use OROC as the panel of conduct reviewers.

**Moved: Clr Cooper**

**Seconded: Clr Lane**

**CARRIED**



**1/2013/14 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:

- Letter from Rex Wilson OAM regarding "C" Division Shires Association of NSW
- Letter from John Walkom Chair Orana RDA
- Letter from Kerrie Mather Chief Executive Officer Sydney Airport Corporation Ltd
- Media Release 31/01/2013 regarding Government Cost Shifting
- Letter from Victor Dominello MP- Youth Week Grant
- Preliminary Needs Assessment Far West NSW Medicare Local & Burns Aldis
- 2013 National General Assembly of Local Government – Call for Motions

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

**CARRIED**

*Matthew Goodwin left the meeting at 12:10pm.  
Matthew Goodwin returned to the meeting at 12:13pm.*

**1/2013/15 CASH ON HAND AND INVESTMENT REPORT AS AT 31 DECEMBER 2012 & 31 JANUARY 2013**

**Resolved:**

That the cash on hand and investment reports as at 31 December 2012 & 31 January 2013 be received.

**Moved: Clr Cooper**  
**Seconded: Clr Taylor**

**CARRIED**

*Clr Walford left the meeting at 12:32pm  
Clr Walford returned to the meeting at 13:34pm.*

**1/2013/16 Quarterly Budget Review Statement for the Quarter ended 31 December 2012**

**Resolved:**

That the Quarterly Budget Review Statement be deferred to the March meeting to allow preparation of a further report with regards Engineering Division over expenditures.

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

**CARRIED**

## WALGETT SHIRE COUNCIL MINUTES

### 1/2013/17 Community Assistance Scheme Donations – Round 2 2012/2013 Applications

**Resolved:**

That the following applicants be granted financial assistance under Section 356 of the Local Government Act 1993 for the second round of 2012/2013;

| Organisation                                          | Project                                                                                                                       | Recommended Amount |
|-------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|--------------------|
| Lightning Ridge Tourism Association                   | Coordinate the Lightning Ridge Easter Festival which promotes and encourages return visitors to the Walgett Shire Region.     | \$500.00           |
| Australian Opal Centre Lightning Ridge                | To purchase audio-visual equipment for the Black opal Heritage Shed, which delivers public programs, such as power points etc | \$500.00           |
| Yawarra Meamei Women's Group Inc                      | To hold an event - Golden Girls Lunch & Dance, for Older women to come together for an information session and enjoy a meal   | \$500.00           |
| Isolated Children's Parent's Association Inc. Walgett | Tennis Day, held in Walgett, open to any child aged between 6 and 17. BBQ lunch and trophies supplied for the children.       | \$500.00           |

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

**CARRIED**

### 1/2013/18 Community Quarterly Report October 2012 – December 2012

**Resolved:**

That the quarterly report for October - December 2012 on Community Development be received and noted.

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

**CARRIED**

**1/2013/19 Library Services Quarterly Report October – December 2012**

**Resolved:**

That the quarterly report, October - December 2012 on Library services be received and noted.

**Moved:** Clr Woodcock  
**Seconded:** Clr Cooper

**CARRIED**

**1/2013/20 Youth Development quarterly report October – December 2012**

**Resolved:**

That the quarterly report, October - December 2012 on Youth Development services be received and noted.

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

**CARRIED**

**1/2013/21 Operational Plan Review as at 31 December 2012**

**Resolved:**

That the Operational Plan Review to 31 December 2012 be received and noted.

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

**CARRIED**

**1/2013/22 Proposed sale of Land to Walgett Preschool & Long Day Care Centre Inc**

**Resolved:**

1. That Council resolve to sell Lot 20 Sec 41 DP 759036 to Walgett Preschool and Long Day Care Centre for the purchase of the sum of \$35,000 plus GST.
2. That Council resolve to waive rental payments of \$28,800 under the lease agreement.
3. That Council instruct solicitors Booth, Brown Samuels and Olney to prepare a Contract of Sale between the Walgett Preschool & Long Day Care Centre for Lot 20 Section 41 DP759036 to complete the transaction.

**Moved:** Clr Woodcock  
**Seconded:** Clr Cooper

**CARRIED**

## WALGETT SHIRE COUNCIL MINUTES

### 1/2013/23 Allocation of Additional Funding to Housing & Community Amenities Capital Works Stage 2

**Resolved:**

That Council approve the transfer of \$52,533.00 from Ledger 11.03056.4013 Recreation and Culture Maintenance to Ledger 11.03403.1278 (Capital Maintenance Chambers) in order to complete stage 2.

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

**CARRIED**

*The meeting adjourned for the lunch break at 1:05pm.*

*The meeting resumed at 1:33pm with all those previous present, again in attendance.*

### 1/2013/24 Submission – Re-making of Impounding Regulation

**Resolved:**

That Walgett Shire Council resolve to:

Note and endorse the submission to the NSW Division of Local Government dated 6 February 2013 by Council's Director of Planning and Regulatory Services advocating increased fines via penalty notices for abandoned vehicles and articles in public places.

**Moved:** Clr Woodcock  
**Seconded:** Clr Cooper

**CARRIED**

### 1/2013/25 Opal Mining Related Policy Revision

**Resolved:**

That Walgett Shire Council resolve to:

1. Adopt the revised P&R Opal Mining Related Policies document.
2. Write to the Mining Registrar at the Lightning Ridge office of the Mineral Resource unit of the NSW Department of Primary Industries and provide them with a copy of Council's revised P&R Opal Mining Related Policies document.
3. Write to the Western Lands Commissioner at the Dubbo office of the Crown Lands Division of the NSW Department of Primary Industries and provide them with a copy of Council's revised P&R Opal Mining Related Policies document.

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

**CARRIED**

**1/2013/26 Derelict building 18 McNamara St, Carinda**

**Resolved:**

1. Accept the quote of \$4,950 provided by Lyon's Earthmoving & Demolition Pty Ltd for the demolition of the vacant derelict building at 18 McNamara Street Carinda and the removal of any subsequent waste to the Carinda refuse depot.
2. Establish a new budget expenditure line item for \$4,950 titled "Demolition – 18 McNamara St Carinda" and reduce the existing budget of \$55,000 for the Walgett Airport Pesticide Pit Remediation by \$4,950

**Moved: Clr Martinez**

**Seconded: Clr Taylor**

**CARRIED**

DRAFT

**1/2013/27 Adoption of Development Control Plan**

**Resolved:**

That Walgett Shire Council resolve to:

1. Note the submission dated 13 January 2013 by NSW Department of Trade and Investment and Council's regarding the draft Walgett Shire Development Control Plan 2012.
2. Adopt the Walgett Shire Development Control Plan 2013 with amendments to address issues raised by the NSW Department of Trade and Investment and Council's town planning staff.
3. Request that the General Manager:
  - (a) Give public notice of Walgett Shire Council's decision to adopt the Walgett Shire Development Control Plan 2013 via advertisements within the Walgett Spectator and Lightning Ridge News.
  - (b) Make the Walgett Shire Development Control Plan 2013 publicly available via Council's web site.

**Moved:** Clr Cooper  
**Seconded:** Clr Woodcock

**CARRIED**

**DIVISION**

In Favour

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

Against

Nil

Absent

Clr Keir

**1/2013/28 Development and Complying Development Certificate Applications**

**Resolved:**

It is recommended that Walgett Shire Council resolve to:

Note the report on Development and Complying Development Certificate applications dealt with by Council staff under delegated authority during December 2012 and January 2013.

**Moved:       Clr Martinez**

**Seconded:   Clr Walford**

**CARRIED**

**1/2013/29 Review of Development Determination 2012/025 – Parthiv Mehta**

**Resolved:**

That Walgett Shire Council resolve to:

Confirm refusal of Development Determination 2012/025 in the name of Parthiv Mehta for a Change of Use from neighbourhood shop to dwelling, made on 27 November 2012.

**Moved:       Clr Lane**

**Seconded:   Clr Taylor**

**CARRIED**

**DIVISION**

In Favour

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

Against

Nil

Absent

Clr Keir

**1/2013/30 Development Determination 2012/046 – Walgett Library Extensions**

**Resolved:**

That Walgett Shire Council resolve to:

1. Approve Development Application 2012/046 in the name of Sylvester Otieno for alterations and additions to the library and visitor information centre at 88 Fox St, Walgett (lot 43, DP 253643) subject to the recommended conditions of development consent.
2. All references in the development consent conditions to the “Director of Urban Infrastructure” be changed to “Director of Engineering Services”.

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

**CARRIED**

**DIVISION**

In Favour

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

Against

Nil

Absent

Clr Keir



**1/2013/31 Request to amend the Collarenebri Locality**

**Resolved:**

That the matter be deferred until the next Council Meeting to allow further information to be provided.

**Moved: Clr Woodcock**

**Seconded: Clr Walford**

**CARRIED**

**1/2013/32 Delegation for Minor LEP Amendments**

**Resolved:**

That Walgett Shire Council resolve to:

1. Note the letter received by Walgett Shire Council on 1 November 2012 from the Minister for Planning offering to delegate to Council various powers under section 59 of the Environmental Planning and Assessment Act 1979 to prepare and make minor Local Environmental Plan amendments.
2. Respond to the Department of Planning by accepting delegation to make Local Environmental Plans under Section 59 of the Environmental Planning and Assessment Act 1979 from the Minister for Planning and Infrastructure.
3. In accordance with Section 381 of the Local Government Act 1993, delegate its Local Environmental Plan making functions under Section 59 of the Environmental Planning & Assessment Act 1979 to the General Manager of Walgett Shire Council.

**Moved: Clr Lane**

**Seconded: Clr Martinez**

**CARRIED**

**DIVISION**

In Favour

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

Against

Nil

Absent

Clr Keir

## WALGETT SHIRE COUNCIL MINUTES

2:00 pm Judith Burns from Burns Aldis Community Development addressed Council in regards to the Far West Medicare Local. The presentation concluded at 2:43pm.

Prafulla Bahadur K.C left the meeting at 2:43pm.  
Prafulla Bahadur K.C returned to the meeting at 2:45pm.

### 1/2013/33 Council Delegation – Plumbing & Drainage Act 2011

**Resolved:**

That Walgett Shire Council resolve to:

1. Note the letter received by Walgett Shire Council on 14 November 2012 from the Acting Commissioner of Fair Trading offering to delegate to Council various powers under section 21 of the Plumbing and Drainage Act 2011 for the regulation of on-site plumbing and drainage work.
2. Authorise the affixing of the seal of Walgett Shire Council under the signature of the General Manager and Mayor to the Instrument of Delegation dated 8 November 2012, issued by the Acting Commissioner for Fair Trading.
3. In accordance with Section 381 of the Local Government Act 1993, Walgett Shire delegate its powers under the Plumbing and Drainage Act 2011 to the General Manager.

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

**CARRIED**

### 1/2013/34 Companion Animal Euthanasia Procedure Review

**Resolved:**

Note and endorse the revised portion of the Walgett Shire Council procedure 'P&R Animals & Regulatory Matters' which deals with the euthanising of animals.

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

**CARRIED**

Don Ramsland left the meeting at 3:45pm.  
Don Ramsland returned to the meeting at 3:45pm.

**1/2013/35 Request for agreement for water connection – Giselle Beaumont & Josh Harrison**

**Resolved:**

1. Not agree to Giselle Beaumont and Josh Harrison's request to allow the connection of lot 167 DP 1120765 to the Lightning Ridge urban water supply system on the basis that:

(a) Supplying filtered water outside the urban area is inconsistent with Walgett Shire Council's policy titled "Water supply in non-urban areas".

(b) There are no substantial public benefits likely to arise which would warrant Council varying from its policy.

(c) There is inadequate capacity within the existing water main system to provide an ongoing reliable supply to supply authorised users.

(d) Agreeing to the request would create an expectation from other mining camp residents that Council should will provide a water supply service.

**Moved: Clr Martinez**

**Seconded: Clr Cooper**

**CARRIED**

**DIVISION**

In Favour

Clr B Murray (Mayor)  
Clr D Cooper  
Clr R Greenaway  
Clr D Lane  
Clr M Martinez  
Clr L Walford

Against

Clr M Taylor  
Clr I Woodcock

Absent

Clr Keir

**1/2013/36 Matters Generally for Brief Mention or Information only from Director of Planning & Regulatory Services**

**Resolved:**

That Walgett Shire Council resolve to:

Receive and note the report by the Director of Planning & Regulatory Services on matters for brief mention, or information only, regarding:

- Microchipping Services
- Companion Animal Control
- Non-Urban Water Connections – Lightning Ridge
- Unauthorised Residential Occupation
- Urban Addressing Project
- Review of Water & Sewer Main Mapping
- Private swimming Pool Audit
- LIDAR Data Acquisition & Rural Residential Land Use Strategy
- Changes to Swimming Pools Act

**Moved: Clr Cooper**

**Seconded: Clr Lane**

**CARRIED**

**1/2013/37 Monthly RMCC works Report from Director Engineering Services – February 2013**

**Resolved:**

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

**Moved: Clr Walford**

**Seconded: Clr Lane**

**CARRIED**

*Prafulla Bahadur K.C left the meeting at 3:12pm.*

*Prafulla Bahadur K.C returned to the meeting at 3:14pm.*

*Clr Martinez declared a Pecuniary Interest in the following report and left the meeting at 3:14pm.*

**1/2013/38 Monthly flood works Report from Director Engineering Services**

**Resolved:**

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

**Moved: Clr Cooper**

**Seconded: Clr Lane**

**CARRIED**

*Clr Woodcock left the meeting at 3:15pm*

*Clr Woodcock returned to the meeting at 3:16pm*

*Clr Martinez returned to the meeting at 3:17pm*

**1/2013/39 Removal of trees along the Merrywinebone Road ( RR329) from Director Of Engineering Services**

**Resolved:**

That Council receive and note the Director of Engineering Services report and approve the proposal to remove aged trees along the Merrywinebone Road

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

**CARRIED**

**1/2013/40 RMS funding to construct a school bus turn around / stop**

**Resolved:**

1. That Council note the RMS funding for bus turn around / stop construction.
2. That Council approves new ledger number for the project

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

**CARRIED**

**Confidential Reports/Closed Council meeting**

**1/2013/41 MOVE INTO CLOSED SESSION AT 3:18PM**

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

**CARRIED**

**1/2013/42 Write Off of Interest- Assessment 6189 Estate of the Late N.C Weate**

**Resolved:**

That an amount of \$7614.95 being accrued interest on assessment 6189 in the name of the Estate of Late N C Weate be written off in accordance with Sec 131(4)(d) of the General Regulation.

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

**CARRIED**

**1/2013/43 RFT12/011 Walgett Library Extensions – February 2013**

**Resolved:**

That Council accept the tender for RFT12/011 from Brownrite Building Group Pty Ltd in the sum of \$219,380 for the extension to the Walgett Library in accordance with the plans and specifications forming part of the tender document.

**Moved:** Clr Woodcock  
**Seconded:** Clr Martinez

**CARRIED**

*Clr Martinez declared a Pecuniary Interest in the following matter and left the meeting at 3:20pm.*

**1/2013/44 RFO12001- Provision of Tenders Hired Plant and Minor Works on a Casual basis (additional offers)**

**Resolved:**

That Council accepts tenders from the following businesses for RFO12001 –

1. Robert & Manuel Martinez
2. Hunter Agricultural services Pty Ltd

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

**CARRIED**

*Clr Martinez returned to the 3:25pm*

## WALGETT SHIRE COUNCIL MINUTES

*Clr Cooper declared a Pecuniary Interest in the following item and left the meeting at 3:25pm.*

### 1/2013/45 Renewal of Lease – Walgett Golf Course – Walgett District Sporting Club Limited

**Resolved:**

That Council approve the renewal of lease between Walgett Shire Council as Trust Manager for the Walgett Recreation (D520033) Reserve Trust; Walgett Recreation (R69987) Reserve Trust and Walgett Baths (R82251 Reserve Trust and the Walgett and District Sporting Club Limited for a term of twenty years from 1 January 2012 to 31 December 2031 at an annual rental of \$2 and on the same terms and conditions of the former lease.

Further that Council execute the appropriate lease documentation under the Common Seal of Council and seek the Minister's approval/concurrence to the proposed new twenty year lease.

**Moved: Clr Woodcock**

**Seconded: Clr Lane**

**CARRIED**

*Clr Cooper returned to the meeting at 3:30pm.*

### 1/2013/46 Return To Open Session at 1:30pm

**Resolved:**

That Council return to open session.

**Moved: Clr Woodcock**

**Seconded: Clr Martinez**

**CARRIED**

### 1/2013/47 Adoption of Closed Session Reports

**Resolved:**

That Council adopt the following recommendation of the Closed Committee:

- Write Off of Interest – Assessment 6189 Estate of the Late N.C Weate
- RFT12/011 Walgett Library Extensions – February 2013
- RFO12001 – Provisions of Tenders Hired Plant and Minor Works on a casual basis (additional offers)
- Renewal of Lease – Walgett Golf Course – Walgett District Sporting Club Limited

**Moved: Clr Woodcock**

**Seconded: Clr Martinez**

**CARRIED**

**Questions for the next Meeting**

**Clr Woodcock**

**Question 1:**

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

**Answer:**

The General Manager will investigate.

**Question 2:**

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

**Answer:**

The Acting Director of Urban Infrastructure Services to investigate.

**Question 3:**

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

**Answer:**

The Acting Director of Urban Infrastructure Services to investigate.

**MOTION**

That the Agency residence at Collarenebri be renovated immediately.

**Moved:       Clr Woodcock**

**Seconded:   Clr Greenaway**

**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 will investigate.

**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 is to investigate.



**Question 2:**

Can a report be brought 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 to investigate.

**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 to advise.

**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 to investigate.

**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 to advise.

**Clr Walford**

**Question 1:**

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

**Answer:**

The General Manager will investigate.

**Question 2:**

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

**Answer:**

The Director of Engineering Services is to advise.

**Clr Taylor**

**Question 1:**

Has the cemetery road at Carinda been finished?

**Answer:**

The Director Engineering Service to advise.

**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 to advise.

**Question 4**

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

**Answer:**

The Acting Director Urban Infrastructure Services to advise.

**Question 5**

What is the latest situation with the Lightning Ridge Tip?

**Answer:**

The General Manager to investigate.

**Question 6**

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

**Answer:**

The Director of Engineering Services to advise.

**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 to investigate.

**Question 8**

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

**Answer:**

The Acting Director Urban Infrastructure Services to investigate.

**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 to Investigate.

**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 to investigate.

**Question 11**

Can Council print the Business Paper double sided?

**Answer:**

The General Manager to investigate.

**Close of Meeting**

The meeting closed at 4:03pm

To be confirmed at the meeting of Council to be held on 26 March 2013.

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Mayor General Manager