



MINUTES FOR ORDINARY COUNCIL MEETING

27th November, 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 **Burren Junction RSL** on **27th November, 2012** commencing at 10:01am 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 27<sup>TH</sup> NOVEMBER, 2012 AT 10:01AM**

**PRESENT**

Clr B Murray (Mayor)  
Clr R Greenaway  
Clr J Keir  
Clr D Lane Clr  
D Cooper Clr  
M Taylor Clr M  
Martinez Clr L  
Walford  
Clr I Woodcock  
Don Ramsland (General Manager)  
Stephen Holland (Director Corporate Services)  
Andrew Wilson (Acting Director Planning & Regulatory Services)  
Raju Ranjit (Director Engineering Services)  
Fred Coralde (Director Urban & Infrastructure Services)  
Yasmin Jones (Minute Secretary)

**Welcome to Visitors**

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

Presentation by Gary Mottau Director Hill Rogers Spencer Steer Chartered Accountants of the Auditor Report on Council's 2011/2012 Financial Statements. The presentation made by Mr Mottau is attached to minutes.

**Public Forum Presentations**

Mr Philip Powell

Mr Powell addressed Council regarding a proposal to upgrade the Tareela Lane to become an all-weather access road, the reason provided by Mr Powell supporting this proposal are as follows;

- The lane not only supports 11 properties but is also used by residents further west to access Burren Junction.
- The road has remained unchanged for the past 40 years and is overdue to become an all-weather surface road.
- It was noted at the Community Consultation meeting in Burren held the 25/5/11 that there is little to no budget allocated for unsurfaced roads and a significant budget allocated to urban roads in the Shire.
- It is estimated that \$90,000.00 has been collected from residents annually however only a small fraction has been spent on maintaining the main access road (Tareela Lane)
- An all-weather road would ensure access to essential services such as ambulances, children able to attend school, residents being able to attend work etc would be able to continue through the wet periods.

Mr Richard Slack-Smith

Mr Slack-Smith addressed Council supporting Mr Powell's address.

## **Declaration of Pecuniary/Non Pecuniary Interests**

Clr Keir declared a Pecuniary Interest in item 37- Monthly Flood works report from Director Engineering Services as her family is currently operating contract plant.

Clr Greenaway declared a Non Pecuniary Interest in item 35- Review on Policy; Gates and Grids on Public Roads as he has grids on the property he owns.

Clr Martinez declared a Pecuniary Interest in item 36 & 37 Monthly RMCC Works Report and Monthly Flood works and from Director Engineering Services as his family is currently operating contract plant.

## **Confirmation of Minutes**

### **11/2012/1 Minutes of Council meeting – 23<sup>rd</sup> October 2012**

**Resolved:**

That the minutes of the Council meeting held 23<sup>rd</sup> October 2012 having been circulated, be confirmed as a true and accurate record of that meeting.

**Moved:           Clr Woodcock**

**Seconded:      Clr Walford**

**CARRIED**

## **Matters Arising**

Nil

## **Reserve Trust Management Committee Reports**

### **11/2012/2 Collarenebri Mulga Mudlarks – Crown Reserve R82811**

**Resolved:**

1. That a licence be issued to the Mulga Mudlarks Incorporated for use of Lot 57 DP752673 for use as a Mud Trials area.
2. That the rent fee be \$447 per annum (Inc. GST) with a rent rebate of \$347 per annum (net \$100 p.a) for 3 years duration.
3. That the Mayor and General Manager be authorised to sign the licence.

**Moved:           Clr Greenaway**

**Seconded:      Clr Martinez**

**CARRIED**

**11/2012/3 Collarenebri Earl Park (R78775) Reserve Trust**

**Resolved:**

1. That Council endorse action to match the funding of \$2000 offered from Recreational Fishing Trusts, to be allocated from the Parks and Reserves Ledger Account on a dollar for dollar basis.
2. That Council notify Councillors and the community of Collarenebri of the date and time of the proposed release of fish into the Barwon River.

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

**CARRIED**

**11/2012/4 Lightning Ridge Arts & Craft Centre – Crown Reserve R230055**

**Resolved:**

That the issue of a licence to the Lightning Ridge Arts and Craft Council Inc. be deferred until they conduct their next Annual General Meeting.

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

**Mayoral Minutes**

**11/2012/5 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 Greenaway**  
**Seconded: Clr Lane**

**CARRIED**

**Motions of which Notice has been given**

Nil

**Presentation of Petitions**

N/A

## **Councillors Questions From Last Meeting**

### **Clr Woodcock**

**Question 1:**

What is being done with the illegal water connections in Lightning Ridge?

**Response:**

The Director Urban Infrastructure Services to investigate.

**Question 2:**

Can an investigation be completed into purchasing a kerb & guttering machine and completing these works in house?

**Response:**

The Director of Engineering Services advised he did not receive any prices during the tender stage and is currently dealing with a supplier.

**Question3:**

What is the balance of the Lightning Ridge Water fund? Can some of these funds be used to upgrade the footpaths?

**Response:**

The Director of Corporate Services advised the balance is \$2,417,120.00 with an overall water fund balance of \$1,720,639.00. These funds are only to be used for the service of providing water.

### **Clr Keir**

**Question 1:**

What is the progress on the sale of the old Medical Building in Wee Waa Street?

**Response:**

The General Manager advises that the sale is subject to a subdivision to allow a separate title to be established for the old toilet block.

**Question 2:**

Are we progressing with the Walgett Industrial and Lightning Ridge residential subdivision proposal?

**Response:**

The General Manager advises that funding for the drafting of subdivision plans is being sourced from other land sales which will be completed shortly.

**Question 3:**

When will the Wangan Bridge RP7716 construction to begin?

**Response:**

The Director of Engineering advised that construction began on the 5 November 2012.

**Question 4:**

Clr Keir would like it noted that the Walgett Hospital has not had a Health Service Manager or Unit Manager on a permanent basis in the last two and a half years. A Health Service Manager was appointed 22/10/2012. Can these positions within the Walgett Hospital be monitored to ensure they are filled on permanent basis?

**Response:**

The General Manager is monitoring the situation a new permanent Health Services Manger Mr Stephen Joyce commenced duties on 22/10/2012.

**Clr Greenway**

**Question 1:**

Is Shire road 5 going to be sealed – if not why?

**Response:**

The Director of Engineering has advised up to five kilometre of this road is to be sealed and that works on this have been completed.

**Question 2:**

Can an investigation be conducted on the whereabouts of the new tables which were in the Town Hall Collarenebri?

**Response:**

The Director of Corporate Services has advised this matter is currently being investigated.

**Question 3:**

Instead of the graveling at Mercandool Road being completed can the Shire road 5 be sealed?

**Response:**

The Director of Engineering has advised SR5 is in the Barwon Roads Project.

**Question 4:**

The signs on RR329 where there is flood damage near Merrywinebone and the turn off for Rowena have been removed. Can signs be replaced?

**Response:**

The Director of Engineering Services has advised action is currently being undertaken to rectify this matter.

**Clr Cooper**

**Question 1:**

Can the Dick O'Brien bridge area be tidied up and the cleanliness of the area monitored as recently a bin was left upturned for two weeks. Also this area requires slashing.

**Response:**

The Director of Urban Infrastructure has advised the matter has been referred to Engineering Services for action.

**Question 2:**

Can the fence on the corner of Peel and Warana Street be investigated as it has blown over and is on the nature strip?

**Response:**

The Director of Engineering Services has advised a Notice of Intention has been issued and the fence placed back on the land concerned.

**Question 3:**

Can the Bin outside of Walgett IGA be investigated as offensive odours have been coming from the bin?

**Response:**

The Director of Urban Infrastructure has advised this bin will be emptied daily in conjunction with the Wong's Fish and Chip Shop bin.

**Question 4:**

Concerns have been raised regarding the new access to the RMS Depot in Fox Street, is Council confident that traffic for Fox Street will not be interrupted?

**Response:**

The Director of Urban Infrastructure has advised this access will only be utilised by limited RMS vehicles therefore no interruptions should be experienced.

**Clr Martinez**

**Question 1:**

Can the remaining paving in the Ridge be measured to establish the cost to complete the job?

**Response:**

The Director Urban Infrastructure Services has advised this will be included in the beautification program.

**Question 2:**

Due to the housing shortage can Council look at building/purchasing a home for senior staff in Lightning Ridge?

**Response:**

The General Manager advises that it is proposed to construct two new homes for senior staff in Lightning Ridge in the new Council subdivision as a method of promoting the new subdivision. In the meantime an additional premise is being rented. Once the new homes are constructed, the Council residence in Gem Street will be sold.

**Clr Walford**

**Question 1:**

Has the tip road been dealt with?

**Response:**

The Director of Engineering has advised the tip road has been completed.

**Question 2:**

Can a Police committee within Council be established?

**Response:**

The General Manager advises senior Local Police are prepared to meet with Council on a regular basis. Rather than a "Police Committee", a community safety type committee may be a better option of addressing any community concerns.

**Clr Taylor**

**Question 1:**

Can the Dementia Centre at Lightning Ridge be investigated to ensure all furniture and equipment is account for as I have seen individuals in the building even though the centre has not been opened as of yet.

**Response:**

The Director Urban Infrastructure Services has advised inventory on the premises has been completed.

**Question 2:**

Has a new Waste Service area been decided upon and is this public knowledge?

**Response:**

The Director of Urban Infrastructure Services has advised a Waste Service area has not been decided upon at this stage.

**Question 3:**

Can a leash free area for dogs in Lightning Ridge be established? The unused Tennis Courts in Lightning Ridge is the suggested site.

**Response:**

The Director Planning and Regulatory Services has advised a report will be provided to Council for a leash free area for dogs.



## WALGETT SHIRE COUNCIL MINUTES

### **Question 4:**

Can Council organise funding for improvements to the Lightning Ridge Race Club for improvements to the bar area, new stone ovens and upgrade the existing cool room?

### **Response:**

The Director Corporate Services has advised this matter has been referred to the MANEX group for further investigation.

### **Question 5:**

Can Council ensure it is being helpful with its assistance to the Grawin Club in the Scrub committee with regard their request to update the sanitation requirements of the club.

### **Response:**

The Director Planning and Regulatory Services has advised no action at this stage is required.

### **Question 6:**

Can Council approach Western Lands for funding for grading of non-Council roads linking the tourist sites in the Shire? i.e. Western Lands / Parks & Wildlife own the Lightning Ridge Caravan park and this action would benefit their clients and visitors.

### **Response:**

The Director of Engineering Services advised a letter will be sent to the Western Lands Commission regarding this matter.

### **Question 7:**

Can the Shire ensure a letter of appreciation be sent to the Lightning Ridge Men's Shed for completing the Street numbering in Lightning Ridge?

### **Response:**

The Director Planning and Regulatory Services this is scheduled to be done once the Shire Urban Addressing Project has been completed.

### **Question 8:**

Can the Council provide more shade trees for the Shire's towns and villages ( Jacaranda & Ficus trees)?

### **Response:**

The Director of Urban Infrastructure Services has advised investigations into the requirements for each area are being conducted.

### **Clr Murray**

### **Question 1:**

Can maintenance be carried out on the northern side of Pine Creek Bridge on SR5 be fixed?

### **Response:**

The Director of Engineering has advised this work is currently in progress.

## Reports of Delegates and Representatives

### **11/2012/6 Minutes of Collarenebri Precinct Meeting**

#### **Resolved:**

That the minutes of the Collarenebri Precinct Meeting held on the 23<sup>rd</sup> October 2012 be received and noted and the following comments forwarded to the committee.

#### 1. Main Street Paving / Fencing

Will be the subject of a programme being developed to upgrade and beautify the Main Streets in the three larger towns in the Shire. This process will include appropriate community consultation.

#### 2. Primitive Camping Ground issues / improvements

The issues raised will be investigated in conjunction with the 2013/2014 budget and revised ten year Community Strategic Plan.

#### 3. Collarenebri Agency / Residence

Council has pledged to consult the local community prior to taking any action in regard to these functions / facilities. Council has prepared a cost estimate to bring the residence up to a reasonable condition. The operation of the Agency continues to be monitored but it is premature to make any decision as to how it may operate in the future.

#### 4. Council's Website

Is maintained within the limit of available resources. It now forms part of the functions of Council's new Information Services Co-ordinator.

#### 5. Correspondence

Council procedures are currently under review to ensure appropriate action is taken promptly in respect of all incoming correspondence and verbal enquiries.

#### 6. Collarenebri School

Council is not in a position to comment on the activities of the Government Agencies.

#### 7. Driveway Entrances

Some work has already been done to improve stormwater drainage and driveway entrances. There are limited funds available for these improvements and if the committee provides a list or individual owners contact Council we will endeavour to undertake improvements in order of priority.

#### 8. Notice Board

Relocation of this notice board is being investigated.

#### 9. Flood Damage- Maitland Street

Council has a twelve month program for flood repairs across the Shire with high priority works receiving preference.

#### 10. Collarenebri Newsletter

Council is prepared to photocopy the proposed newsletter once the costs of producing it are available. Someone will have to be prepared to take responsibility for any editorial comment. It is proposed \$500 be allocated for each Precinct Committee's incidental expenses.

**Moved: Clr Greenaway**

**Seconded: Clr Martinez**

**CARRIED**

*Stephen Holland left the meeting at 10:25am and returned at 10:30am.*

**11/2012/7 Minutes of OROC Meeting**

**Resolved:**

That the minutes of the OROC Meeting held on the 2<sup>nd</sup> November 2012 be received and noted.

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

**CARRIED**

**Reservation of items for Debate**

Nil

**Reports of Officers**

**11/2012/8 Council Decisions Action Report – October 2012**

**Resolved:**

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

**Moved:** Clr Keir  
**Seconded:** Clr Woodcock

**CARRIED**

**11/2012/9 Circulars Received from the NSW Local Government and Shires Associations of NSW**

**Resolved:**

That the information contained in the weekly circulars numbers 42-45 from the NSW Local Government and Shires Association be received and noted.

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

**CARRIED**

**11/2012/10 Circular Received From The Division Of Local Government November 2012**

**Resolved:**

That the information contained in the following Departmental circulars 12-38 to 12-41 from the Local Government Division Department of Premier and Cabinet be received and noted.

**Moved:** Clr Greenaway  
**Seconded:** Clr Cooper

**CARRIED**

**11/2012/11 Monthly Calendar – November 2012 – January 2013**

**Resolved:**

That Council receive and note the regular monthly calendar for the period November 2012 to January 2013.

**Moved: Clr Greenaway**

**Seconded: Clr Taylor**

**CARRIED**

**11/2012/12 2013 Australia Day Celebrations**

**Resolved:**

That:

1. The Mayor and the following Councillors be members of the 2013 Australia Day Awards Judging panel Clr Cooper and Clr Taylor.
2. The Mayor be the chairperson of the Judging panel.
3. The Mayor and Councillors on the Panel be authorised to determine community members of the Panel and to invite community members to join the Panel.

**Moved: Clr Greenaway**

**Seconded: Clr Walford**

**CARRIED**

**11/2012/13 Review of Policy and WSC Procedures – Payment of Expenses and Provision of Facilities for Councillors**

**Resolved:**

That in accordance with the requirements of Sections 361, 362 and 363 of the Local Act 1993 as amended Council adopt the draft "Policy – Payment of Expenses and Provision of Facilities for Councillors Policy".

**Moved: Clr Cooper**

**Seconded: Clr Lane**

**CARRIED**

**11/2012/14 Reporting on Disclosure Returns**

**Resolved:**

Pursuant to Section 450A of the Local Government Act 1993 the General Manager tabled disclosure returns completed and executed pursuant to Section 449 of the Act by following designated persons.

Councillors

Clr Bill Murray  
Clr Robert Greenaway  
Clr Jane Keir  
Clr David Lane  
Clr Manuel Martinez  
Clr Lawrence Walford  
Clr Ian Woodcock  
Clr Michael Taylor  
Clr Darryl Cooper

Designated Staff

Don Ramsland  
Raju Ranjt  
Siegfredo Coralde  
Matthew Goodwin  
Stephen Holland  
Mark Ward  
Edward Picker  
Gregory Leersen  
Ramesh Sharma  
Susie Jones  
Roy White  
Clarence Chape  
Shane Roberts  
Andrew Wilson  
George McCormick  
Matthew Clarkson  
Bhaskar Shresma  
Barry Maher  
Sylvester Otieno  
Douglas McLennan

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

**CARRIED**

**11/2012/15 Review on Council's Precinct Committee Concept**

**Resolved:**

That Council adopt the following revised Precinct Committee guidelines.

- (i) Committees only to be established if five or more members of the community from different family groups within the area of the Committee express an interest in establishing, and becoming members of the Committee and are not residents of Walgett or Lightning Ridge.
- (ii) Committees must elect a Chairperson and Secretary annually
- (iii) Councillors should not be members of Committees
- (iv) Must be an Annual General Meeting of the Committee when all residents within the area invited to attend
- (v) Any residents of an area is entitled to attend any meeting of the Committee for the area
- (vi) Committees should meet a minimum six times a year and generally each meeting should be held in a different month
- (vii) Committees are responsible for advising residents of meetings
- (viii) A quorum for any meeting of the Committee is half the number of members plus one
- (ix) There must be an Agenda for each meeting and the Minutes for each meeting must be forwarded to Council
- (x) Council will provide Committees with: Agendas and Minutes of all Council Meetings; publicly exhibited documents; press release
- (xi) Council will provide each Committee with an annual grant of \$500 to cover the cost of convening and conducting meetings, photocopying, postage, telephone and related

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

**CARRIED**

**11/2012/16 Closedown of Administration over Festive Season**

**Resolved:**

1. Council operations close from COB Friday 21<sup>st</sup> to COB Monday 31<sup>st</sup> inclusive and the General Manager make satisfactory arrangements for the maintenance of essential services and provision of emergency call out services.
2. The closedown be effectively notified to residents along with details of essential service and emergency call out arrangements.
3. Note the Outdoor Staff shutdown period from Friday 21 December, 2012 to Monday 14 January 2013.

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

**CARRIED**

## WALGETT SHIRE COUNCIL MINUTES

*The following Presentations started at 11:15am:*

*Presentation by Mrs Amanda Cheal for the Healthy Communities Initiative*

*Presentation by Mr George McCormick for the Community Strategic Plan Review*

*Presentation by Mr Glenn Inglis from the Independent Local Review Panel*

*Mr Glenn Inglis presentation was adjourned at 12:30pm for Lunch*

*The Meeting returned for Mr Glen Inglis's presentation at 1:07pm with everyone being present at the meeting as before the lunch break except Clr Martinez. Clr Martinez gave an apology for the remainder of the Council Meeting.*

*The Presentation by Mr Glenn Inglis concluded at 2:05pm, the Meeting resumed at this time with the Reports of Officers.*

### 11/2012/17 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 Woodcock**  
**Seconded: Clr Greenaway**

**CARRIED**

### 11/2012/18 Cash On Hand and Investment Report As At 31 October 2012

**Resolved:**

That the cash on hand and investment report as at 31 October 2012 be received.

**Moved: Clr Greenaway**  
**Seconded: Clr Cooper**

**CARRIED**

### 11/2012/19 Quarterly Budget Review Statement for the Quarter ended 30 September 2012

**Resolved:**

That the Quarterly Budget Review Statement for the quarter to 30 September be received and noted.

That the proposed variations included within the Quarterly Budget Review Statement for the quarter to 30 September be adopted.

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

**CARRIED**

**11/2012/20 356 Donations to Local Churches and Other Organisations**

**Resolved:**

1. That the applications from eligible non-profit organisations as per the attached list be approved and the rebates on rates and charges as detailed therein be granted.
2. That a policy and program criteria for the provision of rebates of rates and charges to non-profit organisation be developed for consideration by the council.

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

**CARRIED**

**11/2012/21 Fee for Slashing Private Urban Land Blocks**

**Resolved:**

That Council adopt the fee of \$130 per hour or part hour plus GST (subject to a minimum charge of half an hour) for the slashing of urban allotments.

**Moved:** Clr Greenaway  
**Seconded:** Clr Cooper

**CARRIED**

**11/2012/22 Delegation of Responsibility to accept best Quote for Financial Loans**

**Resolved:**

That the Walgett Shire Council resolves to delegate to the General Manager the authority to accept the best quotes for the \$1m loan to be taken out in respect to the Wangan Bridge project and the \$1m loan to be taken out in respect to the Walgett Aerodrome Upgrade project.

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

**CARRIED**

**11/2012/23 Local Infrastructure Renewal Scheme Loan Subsidy Agreement**

**Resolved:**

That authorisation be allocated to the Mayor and General Manager to sign and affix the Council seal to two copies of the two Funding Agreements for the 4% interest subsidy under the NSW Government's Local Infrastructure Renewal Scheme (LIRS), as well as completing any other documentation associated with the funding agreement.

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

**CARRIED**



**11/2012/24 Report on information & Aboriginal Affairs August – October 2012**

**Resolved:**

That the quarterly report on Aboriginal Affairs and Information, August – October 2012 be received and noted.

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

**CARRIED**

**11/2012/25 Policy - National Quality Framework for Children Services**

**Resolved:**

That in accordance with the requirements of Sections 361, 362 and 363 of the Local Act 1993 as amended Council adopt the “Policy – National Quality Framework for Children’s services”.

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

**CARRIED**

**11/2012/26 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 Mr Andrew Fletcher and Mr David Honner be confirmed as members of the Walgett Shire Council Audit and Risk Management Committee and that the Mayor Cr G Murray be appointed as Alternate Delegate.

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

**CARRIED**

**11/2012/27 Development Application – Change of Use**

**Resolved:**

That Walgett Shire Council resolve to:

1. Refuse Development Application 2012/025 by Parthiv Mehta for a dwelling on lot 20 DP 662667 on the basis that:
  - (a) Would be likely to have a significant adverse impact on the commercial streetscape.
  - (b) Is inconsistent with the objective to “*conserve and enhance the unique sense of place of business centre precincts*” for the “B2 Local centre” within the draft Walgett Local Environmental Plan 2012.
  - (c) The site is inappropriate in a context where there is inadequate legal vehicular access.
  - (d) The site is inappropriate in a context where there is no provision for off street parking.
  - (e) Is not in the public interest to approve such a development when there are urban sites available which are more suitable for such residential development.

**Moved: Clr Greenaway**

**Seconded: Clr Walford**

**CARRIED**

Division - in favour

Clr B Murray (Mayor)  
Clr R Greenaway  
Clr J Keir  
Clr D Lane  
Clr D Cooper  
Clr M Taylor  
Clr L Walford  
Clr I Woodcock

Against

Nil

Absent

Clr M Martinez

**11/2012/28 2011-2012 State of the Environment Report**

**Resolved:**

That Walgett Shire Council resolve to:

1. Adopt and endorse the draft Walgett Shire State of the Environment Report for 2011-2012.
2. Submit the Walgett Shire State of the Environment Report for 2011-2012 to the Division of Local Government and the Department of Premier and Cabinet as a component of Council's Annual Report by 30 November 2012.
3. Publish the Walgett Shire State of the Environment Report for 2011-2012 on Council's website.

**Moved: Clr Woodcock**

**Seconded: Clr Keir**

**CARRIED**

Division -in favour

Clr B Murray (Mayor)

Clr R Greenaway

Clr J Keir

Clr D Lane

Clr D Cooper

Clr M Taylor

Clr L Walford

Clr I Woodcock

Against

Nil

Absent

Clr M Martinez

**11/2012/29 Draft Development Control Plan Public Exhibition**

**Resolved:**

That Walgett Shire Council resolve to:

1. Publicly exhibit the draft Walgett Shire Development Control Plan 2012 for a minimum of six weeks.
2. Undertake public exhibition consultation via:
  - (a) Advertising in Council's newspaper column within the Walgett Spectator and Lightning Ridge News.
  - (b) Notification letters to Council's precinct committees and community working parties.
  - (c) Making digital (PDF) copies of the document available via Council's web site.
  - (d) Making hard copies of the document available at the Council office at Walgett, Council office at Collarenebri and the Library at Lightning Ridge.
  - (e) Holding public information sessions at Walgett and Lightning Ridge.

**Moved: Clr Lane**

**Seconded: Clr Keir**

**CARRIED**

Division - in favour

Clr B Murray (Mayor)

Clr R Greenaway

Clr J Keir

Clr D Lane

Clr D Cooper

Clr M Taylor

Clr L Walford

Clr I Woodcock

Against

Nil

Absent

Clr M Martinez

**11/2012/30 Submission- Proposed changes to Codes SEPP**

**Resolved:**

Note and endorse the submission dated 2 November 2012 by Council's Director of Planning and Regulatory Services regarding proposed changes to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

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

**CARRIED**

Division -in favour

Clr B Murray (Mayor)  
Clr R Greenaway  
Clr J Keir  
Clr D Lane  
Clr D Cooper  
Clr M Taylor  
Clr L Walford  
Clr I Woodcock

Against

Nil

Absent

Clr M Martinez

**11/2012/31 Development and Complying Development Certificate Applications**

**Resolved:**

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

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

**CARRIED**

**11/2012/32 REVIEW OF WATER METER POLICY**

**Resolved:**

1. That Council approve the amended Water Meter Policy Rev. 2 effective 26 November 2012.
2. The Water Meter Policy Rev2 be placed on exhibition for 28 days.

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

**CARRIED**

**11/2012/33 NAMOI-PEEL CUSTOMER SERVICE COMMITTEE MEETING**

**Resolved:**

1. Council note the Namoi–Peel Customer Services Committee Minutes of Meeting held at State Water Conference Room, Keepit Dam on 05 September 2012.

**Moved: Clr Lane**

**Seconded: Clr Walford**

**CARRIED**

**11/2012/34 Heavy Vehicle Alternative Route - Walgett town – November 2012**

**Resolved:**

1. That Council endorse the option of using the Wimbledon Road and constructing an additional route along the Levee Bank to service north / south traffic as the proposed alternative Heavy Vehicle route for Walgett and
2. This issue be included for discussion in Councils review of the Ten Year Community Strategic Plan.

**Moved: Clr Woodcock**

**Seconded: Clr Keir**

**CARRIED**

**11/2012/35 Review on Policy – Gates & Grids on Public Roads- November 2012**

**Resolved:**

That:

1. Council adopt the revised Policy – Gates and Grids on Public Roads- (November 2012).
2. Council acknowledge receipt of the submission from the public.

**Moved: Clr Lane**

**Seconded: Clr Cooper**

**CARRIED**

**11/2012/36 Monthly RMCC works Report from Director Engineering Services – November 2012**

**Resolved:**

That Council receive and note the monthly RMCC works report for November 2012.

**Moved: Clr Cooper**

**Seconded: Clr Lane**

**CARRIED**

## WALGETT SHIRE COUNCIL MINUTES

*Clr Keir declared a Pecuniary Interest with the following item and left the Meeting at 2:55pm*

### **11/2012/37 Monthly flood works Report from Director Engineering Services**

**Resolved:**

That Council receive and note the monthly flood restoration works report for November 2012 and endorse action taken to endeavour to secure additional funds to maintain safe access to the Grawin / Glengarry Opal Fields via the Kurrajong road and access road across Western Lands Leases.

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

**CARRIED**

*Clr Keir returned to the Meeting at 3:08pm*

### **11/2012/38 Stabilisation and material improvement with Polycom on clay route on school route near Rowena Area**

**Resolved:**

- 1) That Council agrees to the use of "Polycom" on a suitable black soil local road after / and / or verifying validity of product effectiveness.
- 2) Sets aside \$30,000 from the Shire road maintenance budget to cover the costs of the trial.

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

**CARRIED**

## **Questions for the next Meeting**

### **Clr Walford**

**Question 1**

When will the Lightning Ridge netball courts be finalised?

**Response:**

The Director Engineering Services is to investigate.

### **Clr Taylor**

**Question 1**

Can a second rubbish bin be placed at the Dick O'brien Bridge (one for each end of the stop)?

**Response:**

The Director Urban Infrastructure Services is to investigate.

**Question 2**

Can Council investigate the current cost of electricity for the street lighting in the towns within the Shire and complete a cost comparison of the current street lighting to solar or LED.

**Response:**

The Director Urban Infrastructure Services is to investigate.

**Clr Lane**

**Question 1**

Can Council investigate the use of ipads for the distribution of the Council Business Paper?

**Response:**

The General Manager will investigate.

**Clr Woodcock**

**Question 1**

Can the Lightning Ridge subdivision be expedited?

**Response:**

The General Manager will investigate.

**Clr Keir**

**Question 1**

Has any discussion taken place with the street sweeper in regards to his services provided?

**Response:**

The General Manager will investigate.

**Question 2**

Has the Carinda Cemetery re-gravelling commenced?

**Response:**

The Director Engineering Services to advise.

**Question 3**

When will the Burren Junction Bore Baths be closed?

**Response:**

The Director Urban Infrastructure Services to advise.

**Question 4**

Have we decided on the format the Dick Colless scholarship will take?

**Response:**

The General Manager to advise.



**Confidential Reports/Closed Council meeting**

**11/2012/39 MOVE INTO CLOSED SESSION AT 3:10PM**

**Resolved:**

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

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

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

**CARRIED**

**11/2012/40 Engagement of IMF (Australia) Ltd to act on behalf of Council to lodge a claim against Lehman Brothers (Asia) Ltd**

**Resolved:**

That Council endorse the action of the General Manager in the engagement of IMF (Australia) Ltd to act on behalf of Walgett Shire Council in relation to the action against Lehman Brothers (Asia) Ltd as per this report.

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

**CARRIED**

**11/2012/41 Proposed Sale of Residential Lots 40 and 58 DP 837866**

**Resolved:**

That Council:

- 1) Endorses the General Manager's action in accepting the offer of \$26,000 each including GST for Lot 40 & Lot 58 DP837866
- 2) Instruct solicitors Booth, Brown, Samuels and Olney to draw up the Contracts of Sale for Lots 40 and 58 DP 837866 at Lightning Ridge at \$26,000 each including GST.
- 3) That the Contracts be executed under the Common Seal of Council.
- 4) Income from the Land Sale be used to fund the development of the proposed new residential subdivision at Lightning Ridge.

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

**CARRIED**

**11/2012/42 RFT12/010- Replacement of Collarenebri Boat Ramp at Barwon River**

**Resolved:**

That Council accepts the tender for RFT12/010 from Deniliquin Irrigation Contracting Pty. Ltd. in the sum of \$48,235.00 being the lowest tender received.

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

**CARRIED**

**11/2012/43 Walgett Levee Refurbishment and Rehabilitation**

**Resolved:**

That the Council accept the submitted variation cost from Batterline Earthmoving Pty Ltd in the sum of \$493,000 (inc GST) as a variation to the contract entered into for stage one as per the NSW Public Works Procurement plan and report dated 22/11/2012 and further that it be noted that sourcing all of the material for the further works from Borrow Area 5 would involved an additional variation of \$63,140

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

**CARRIED**

**11/2012/44 Walgett Levee Refurbishment and Rehabilitation Stage Three Funding Proposal**

**Resolved:**

That Council advise the NSW Office of Environment and Heritage that it will provide additional funding of \$166,166 in the 2012 / 2013 Budget for its proportion of the project funding should funding of \$1m be made available by the NSW Office of Environment for the Walgett Levee Refurbishment and Rehabilitation Project.

That the General Manager be delegated the authority to accept a funding offer should one be received.

**Moved:       Clr Lane**  
**Seconded:   Clr Taylor**

**CARRIED**

## WALGETT SHIRE COUNCIL MINUTES

### 8/2012/45 Return To Open Session at 3:58pm

**Resolved:**

That Council return to open session.

**Moved:** Clr Woodcock

**Seconded:** Clr Taylor

**CARRIED**

### 8/2012/46 Adoption of Closed Session Reports

**Resolved:**

That Council adopt the following recommendation of the Closed Committee:

Engagement of IMF (Australia) Ltd to act on behalf of Council to lodge a claim against Lehman Brothers (Asia) Ltd  
Proposed Sale of Residential Lots 40 and 58 DP837866  
RFT12/010 – Replacement of Collarenebri Boat Ramp at Barwon River  
Walgett Levee Refurbishment and Rehabilitation  
Walgett Levee Refurbishment and Rehabilitation Stage Three Funding Proposal

**Moved:** Clr Taylor

**Seconded:** Clr Lane

**CARRIED**

## **Close of Meeting**

The meeting closed at 4.01pm

To be confirmed at the meeting of Council to be held on 18 December 2012.

\_\_\_\_\_  
Mayor

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