



# **AGENDA FOR ORDINARY COUNCIL MEETING**

**Tuesday 27<sup>th</sup> September 2022**

**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 on **27 September 2022** commencing at **11:00am** to discuss the items listed in the Agenda.

**Please Note: The Council Meetings are recorded**

Michael Urquhart  
**GENERAL MANAGER**

## 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.

**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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## **Local Government Act 1993**

### **Chapter 3 section 8A**

#### **GUIDING PRINCIPLES FOR COUNCILS**

##### **(1) Exercise of functions generally**

*The following general principles apply to the exercise of functions by councils:*

- (a) Councils should provide strong and effective representation, leadership, planning and decision-making.*
- (b) Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.*
- (c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.*
- (d) Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.*
- (e) Councils should work co-operatively with other councils and the State government to achieve desired outcomes for the local community.*
- (f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.*
- (g) Councils should work with others to secure appropriate services for local community needs.*
- (h) Councils should act fairly, ethically and without bias in the interests of the local community.*
- (i) Councils should be responsible employers and provide a consultative and supportive working environment for staff.*

##### **(2) Decision-making**

*The following principles apply to decision-making by councils (subject to any other applicable law):*

- (a) Councils should recognise diverse local community needs and interests.*
- (b) Councils should consider social justice principles.*
- (c) Councils should consider the long term and cumulative effects of actions on future generations.*
- (d) Councils should consider the principles of ecologically sustainable development.*
- (e) Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.*

##### **(3) Community participation**

*Councils should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.*

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## PUBLIC FORUM PRESENTATIONS

*The Council may hold a public forum prior to each Ordinary Meeting of the Council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting (listed on the Agenda).*

*Public forums may also be held prior to Extraordinary Council Meetings and meetings of committees of the Council. Public forums are to be chaired by the mayor or their nominee.*

*The General Manager or their delegate may refuse to allow such material to be presented. A person may apply to speak on no more than 2 items of business on the agenda of the Council Meeting.*

*The General Manager or their delegate may refuse an application to speak at a public forum. No more than three (3) speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the Council Meeting. If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the General Manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.*

*Each speaker will be allowed five (5) minutes to address the Council. This time is to be strictly enforced by the Chairperson. The Chairperson of the meeting can grant one extension of up to a maximum of three (3) minutes, should further information, be considered to be important to the Council. This is solely at the discretion of the Chair.*

*Speakers at public forums must not digress from their nominated item on the agenda. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.*

*A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a Public Forum. Questions put to a speaker must be direct, succinct and without argument. Debate will not be permitted by the speaker, Councillors or staff. Speakers are under no obligation to answer a question. Answers by the speaker, to each question are to be limited to three (3) minutes. Speakers at public forums cannot ask questions of the Council, Councillors or Council staff.*

*The general manager or their nominee may, with the concurrence of the chairperson, address the council for up 5 minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.*

| <b>SPEAKER</b> | <b>TOPIC</b> |
|----------------|--------------|
| <b>Nil</b>     | <b>Nil</b>   |

## 1. OPENING OF MEETING

*Proceedings of the meeting commenced at \_\_\_\_\_am*

## 2. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

*I would like to acknowledge the traditional owners of the lands within the Walgett Shire and I would also like to acknowledge the Aboriginal and Torres Strait Islander people who now reside within this Shire.*

## 3. LEAVE OF ABSENCE

### Leave of Absence

#### Recommendation:

That the leave of absence received from \_\_\_\_\_ is accepted and leave of absence granted.

#### Moved:

#### Seconded:

## 4. DECLARATION OF PECUNIARY/NON PECUNIARY INTERESTS

*Councillors and senior staff are reminded of their obligation to declare their interest in any matters listed before them.*

*In considering your interest you are reminded to include pecuniary, non-pecuniary and conflicts of interest as well as any other interest you perceive or may be perceived of you.*

*Councillors may declare an interest at the commencement of the meeting, or alternatively at any time during the meeting should any issue progress or arise that would warrant a declaration.*

*Councillors must state their reasons in declaring any type of interest.*

| Councillor | Item No. | Pecuniary/Non-Pecuniary | Reason |
|------------|----------|-------------------------|--------|
|            |          |                         |        |
|            |          |                         |        |
|            |          |                         |        |
|            |          |                         |        |

## **5. CONFIRMATION OF MINUTES/MATTERS ARISING**

### **5.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 30 AUGUST 2022**

| <b>Minutes of Ordinary Council Meeting – 30 August 2022</b>                                                                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>That the minutes of the Ordinary Council meeting held 30 August 2022, having been circulated, be taken as read and confirmed as a true and accurate record of the proceedings on the meeting.</p> <p><b>Moved:</b><br/><b>Seconded:</b></p> |

**Attachments:**

Minutes of Ordinary Meeting held 30 August 2022



**MINUTES FOR THE  
ORDINARY COUNCIL  
MEETING**

**Tuesday 30<sup>th</sup> August 2022**

Michael Urquhart  
GENERAL MANAGER

|                                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>MINUTES OF THE ORDINARY MEETING OF THE WALGETT SHIRE COUNCIL HELD AT THE WALGETT SHIRE CHAMBERS ON TUESDAY 30<sup>TH</sup> AUGUST 2022 AT 11:00AM</b> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|

**OPEN FORUM****Public Presentations:**

Nil

The Mayor declared the meeting open at 12:20PM**PRESENT**

Mayor Jane Keir  
 Deputy Mayor Greg Rummery  
 Cllr Alf Seaton  
 Cllr Colin Hundy  
 Cllr Daniel Walford  
 Cllr Jasen Ramien  
 Cllr Michael Cooke  
 Cllr Sue Currey  
 Michael Urquhart (General Manager)  
 George McCormick (Manager Community Services)  
 Ramesh Selliah (Acting Director Engineering/Technical Services)  
 Kimley Talbert (Director Environmental Services)  
 Belinda Petersons (Minute Secretary)

**Leave of Absence:**

Cllr Ian Woodcock

**Declaration of Pecuniary/Non-Pecuniary Interests**

| Councillor   | Item No. | Report title/ Subject matter                            | Pecuniary/Non-Pecuniary | Reason                                      |
|--------------|----------|---------------------------------------------------------|-------------------------|---------------------------------------------|
| Mayor Keir   | 9.3.1    | Monthly Maintenance Grading Report – as at 31 July 2022 | Pecuniary               | Family Business interest                    |
| Cllr Ramien  | 9.1.5    | Reconnecting Regional NSW – Community Events Program    | Non-Pecuniary           | President of Collarenebri Fishing Club      |
| Cllr Ramien  | 9.3.1    | Monthly Maintenance Grading Report – as at 31 July 2022 | Pecuniary               | Family Business interest                    |
| Cllr Ramien  | 9.4.2    | Development Application No. DA2022/43                   | Pecuniary               | Family Business interest                    |
| Cllr Rummery | 9.4.2    | Development Application No. DA2022/43                   | Non-Pecuniary           | Provision of agronomy services to applicant |

**10/2022/1 Leave of Absence****Resolved:**

That the leave of absence received from Cllr Woodcock is accepted and leave of absence granted.

**Moved:** Cllr Ramien  
**Seconded:** Cllr Currey  
**CARRIED**

**10/2022/2 Minutes of Ordinary Council Meeting – 26 July 2022****Resolved:**

That the minutes of the Ordinary Council meeting held 26 July 2022, having been circulated, be taken as read and confirmed as a true and accurate record of the proceedings on the meeting.

**Moved:** Cllr Seaton  
**Seconded:** Cllr Currey  
**CARRIED**

**10/2022/3 Monthly Mayoral Report****Resolved:**

That the Mayoral report for August 2022 be received and noted.

**Moved:** Mayor Keir  
**Seconded:** Cllr Currey  
**CARRIED**

**10/2022/4 Council's Decision Action Report – July 2022****Resolved:**

That the Resolution Register as at July 2022 be received and noted.

**Moved:** Cllr Cooke  
**Seconded:** Cllr Seaton  
**CARRIED**

**10/2022/5 Circulars Received From the NSW Office of Local Government****Resolved:**

That the information contained in the following Department circular 22-22, from the Local Government Division Department of Premier and Cabinet be received and noted.

**Moved:** Cllr Walford  
**Seconded:** Cllr Ramien  
**CARRIED**

**10/2022/6 Important Dates for Councillors – Upcoming Meetings & Events****Resolved:**

That Council receive and note the list of upcoming meetings and events.

**Moved:** Cllr Rummery  
**Seconded:** Cllr Currey  
**CARRIED**

*Note: Additional dates were provided by the Mayor to be added to the table and re-circulated to all Councillors*

**10/2022/7 Council Policy and Procedure Review**

**Resolved:**

That:

1. The General Managers report be received;
2. Council adopts the revised policies and procedures as presented:
  - i) Advertising Vacant Positions
  - ii) Professional Institute Memberships & Accreditation

**Moved:** Cllr Cooke  
**Seconded:** Cllr Seaton  
**CARRIED**

**10/2022/8 Reconnecting Regional NSW – Community Events Program**

**Resolved:**

That Council allocate the recommended funding to the abovementioned events.

**Moved:** Cllr Hundy  
**Seconded:** Cllr Walford  
**CARRIED**

*Note: The name of Event 5 should be amended to 'Colly Cod Festival'.*

**10/2022/9 Stronger Country Communities Fund Round 5**

**Resolved:**

That applications be made for the abovementioned projects in order of the amended ranking 1 to 7 (Table 1.0) be submitted to the Stronger Country Communities Fund Round 5 program.

**Moved:** Cllr Rummery  
**Seconded:** Cllr Cooke  
**CARRIED**

*Note: Amended Ranking is as follows -*

1. Collarenebri Sportsground fence
2. Skate Park in Gray Park, Walgett
3. Footpath Cycle ways & K&G Onyx St, Lightning Ridge
4. Collarenebri K&G Wilson Street (main street) beautification (200)
5. Lightning Ridge Footpath Cycle Way, Pandora Street continuation (155)
6. Lighting Ovals 2 and 3, Walgett
7. Walgett Footpath Cycle way, Dewhurst Street & K&G (Stage 1) (160)

**10/2022/10 Monthly Outstanding Rates Report as at 31 July 2022****Resolved:**

The 31 July 2022 outstanding rates report be received and noted.

**Moved:** C/r Ramien

**Seconded:** C/r Hundy

**CARRIED**

**10/2022/11 Cash and Investments as at 31 July 2022****Resolved:**

That the Investment report be received and noted.

**Moved:** C/r Rummery

**Seconded:** C/r Currey

**CARRIED**

**10/2022/12 Public Interest Disclosure – Annual Report 2021/2022****Resolved:**

1. That the Chief Financial Officer's report be received; and
2. That Council adopt the 2021/2022 Public Interest Disclosures Annual Report.

**Moved:** C/r Cooke

**Seconded:** C/r Rummery

**CARRIED**

**10/2022/13 Annual Financial Statements 2021/2022****Resolved:**

That:

1. The Draft Annual Financial Reports for 2021/2022 be referred to Council's Auditor;
2. The Mayor, Deputy Mayor, General Manager and Chief Financial Officer be authorised to sign the necessary Financial Statements;
3. On receipt of the Audit Report, a copy be forwarded to the Office of Local Government and any other relevant statutory body;
4. Council delegate to the General Manager the authority to set the date at which the Auditor's report and the Financial Statements be presented to the public; and
5. The Financial Statements be reviewed / adopted by Council formally when completed, subject to Section 418 of the Local Government Act 1993 and its requirements.

**Moved:** C/r Walford

**Seconded:** C/r Currey

**CARRIED**

**10/2022/14 Revised Investment Policy**

**Recommendation:**

1. That the report be received; and
2. Council adopts the revised Investment policy as presented.

**Moved:** Clr Ramien

**Seconded:** Clr Seaton

**CARRIED**

**10/2022/15 Community Development Report – April to August 2022**

**Recommendation:**

That the report for Community Development: April 2022 – August 2022 be received.

**Moved:** Clr Walford

**Seconded:** Clr Ramien

**CARRIED**

*Note: George McCormick, Manager Community Development, will provide Belinda Petersons with list, each month, of upcoming Community Service events which is to be circulated to all Councillors.*

*At 1:02pm Mayor Keir and Clr Ramien declared a pecuniary interest and exited the Chamber. Deputy Mayor Rummery then presided over the meeting.*

**10/2022/16 Monthly Maintenance Grading Report – July 2022**

**Resolved:**

That Council receive and note the monthly maintenance grading works report for July 2022.

**Moved:** Clr Seaton

**Seconded:** Clr Currey

**CARRIED**

*At 1:04pm Mayor Keir and Clr Ramien returned to the Chamber. Mayor Keir resumed the chair.*

**10/2022/17 Service Progress Report as at 31 July 2022**

**Resolved:**

That Council receive and note the Engineering Services monthly works progress report for July 2022.

**Moved:** Clr Cooke

**Seconded:** Clr Seaton

**CARRIED**

**10/2022/18 Monthly Major Project Report - July 2022****Resolved:**

That Council receive and note the Monthly Major Projects Report for July 2022.

**Moved:** Clr Currey  
**Seconded:** Clr Walford  
**CARRIED**

**10/2022/19 Applications for Fixing Local Roads Program - Round 4****Resolved:**

That Council note and authorise the funding applications for the **Fixing Local Roads Program – Round 4** for the top three roads on priority basis from the following projects:

| <u>Road Name</u>           | <u>Priority</u> |
|----------------------------|-----------------|
| Cryon Road (SR5)           | 1               |
| Mercadool Road (SR16)      | 2               |
| Goangra Road (SR116)       | 3               |
| Wanourie Creek Road (SR38) | 4               |
| Teranyan Road (SR33)       | 5               |

**Moved:** Clr Ramien  
**Seconded:** Clr Hundy  
**CARRIED**

**20/2022/20 Development Approvals July 2022****Resolved:**

That Council receive and note the Development Approvals Report for July 2022.

**Moved:** Clr Seaton  
**Seconded:** Clr Rummery  
**CARRIED**

*At 1:29pm Clr Ramien declared a pecuniary interest and Deputy Mayor Rummery declared and non-pecuniary interest. Both Councillors exited the Chamber at this time.*

**10/2022/21 Development Application No. DA2022/43****LOST:**

Council as a whole to approve Development Application No. DA-2022/43 being for the Extension and Operation of an existing quarry providing road base material, on Lot 3189 DP765394, (Komalah) Millencowbah Road Lightning Ridge, along with the normal conditions placed on such a development.

*Note: The motion failed to be moved and seconded.*

At 1:39pm Cllr Ramien and Deputy Mayor Rummery returned to the Chamber.

**10/2022/22 Notice of Motion – Councillor Hundy**

**LOST:**

That Council invite Expressions of Interest, from suitably qualified and professional consultants, to undertake and report on an audit of Council's policies, procedures and finances and that:

1. Councillors appoint a representation of two (2) Councillors to manage the recruitment, appointment and reporting of such consultancy; and
2. Funding for this project be obtained from Council's contingency fund or make provision for required funding.

Note: The motion was **Moved** by Cllr Hundy, however failed to be **Seconded**.

Councillor Hundy also requested that his objection be recorded on the following matters:

- a) that this motion was rigorously discussed in the pre-meeting briefing discussions; and
- b) that this motion was discussed in front of Council staff, which attended the briefing discussions, who are not Councillors

The objections were noted and responded to by Mayor Jane Keir.

The General Manager read out the Questions on Notice, received from Councillor Hundy dated 17 August 2022, and responded to each of them.

It was agreed/understood that:

Q1. Making provision for the ability to allow a Walgett Shire ratepayer the provision to discuss any item listed on the agenda?

A1. That there is currently a provision in the Code of Meeting Practice for Walgett Shire residents to address Council on any item listed in the Agenda. There will be further provisions made in the revised Code of Meeting Practice, which will come to Council for ratification, for residents to address Council on items which are not on the meeting Agenda.

Q2. Making provision for a compost toilet on the Walgett to Brewarrina Road?

A2. The provision of a compost toilet on the Kamilaroi Highway (Walgett to Brewarrina Road) would fall under the responsibility of the Local Traffic Committee and will be discussed at their next meeting.

Q3. Discussion on lifting the ground height or run off where horses are located at the Pony Club?

A3. Council has no jurisdiction over the land where the Lightning Ridge Pony Club horses are kept and any animal health concerns would be a matter for the RSPCA.

Q4.Replacement of wood chips at play park in Opal Street?

A4. Council will look at the replacement of the wood bark chip, with softfall rubber surfacing, in Opal Street Park, Lightning Ridge.

Q5.Financial relief support regarding usage of access to the cooking facilities of the Multi Centre by the Rugby League?

A5. Council staff will be directed to look at an annual fee for organisations, such as local sporting clubs, who require regular access to the kitchen facilities at the Lightning Ridge Multi Purpose Centre and report back to Council. The fee will then be advertised for 28 days and a report tabled for Council consideration.

**10/2022/23 Move into Closed Session**

**Time: 2:05pm**

That the public be excluded from the meeting pursuant to Sections 10A 92) (a) (c) & (d) of the Local Government Act 1993 on the basis that the items deal with:

- (a) Personnel matters concerning particular individuals (other than Councillors)
- (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 Cooke**  
**Seconded: Clr Walford**  
**CARRIED**

**10/2022/24 Long-Term Strategy for Lots 1 to 75 DP838673**

**Resolved:**

That Council:

1. call for Expressions of Interest for the grazing rights to Lots 1 to 75 DP 838673 for an initial two (2) year period; and
2. develop a proposal for the staged development of the subdivision to be fully costed to include all services power, water, effluent, sealed internal roads and high speed NBN.

**Moved: Clr Hundy**  
**Seconded: Clr Seaton**  
**CARRIED**

| 10/2022/25 Section 713 Sale of Land for Unpaid Rates                                                               |             |
|--------------------------------------------------------------------------------------------------------------------|-------------|
| <b>Resolved:</b>                                                                                                   |             |
| That the properties listed in Attachment 1 be approved for sale under Section 713 of the Local Government Act 1993 |             |
| <b>Moved:</b>                                                                                                      | Clr Rummery |
| <b>Seconded:</b>                                                                                                   | Clr Cooke   |
| <b>CARRIED</b>                                                                                                     |             |

*Late Report "Matter of Urgency"*

| 10/2022/26 Fixing Local Roads Program – Lorne Road Reconstruction and Sealing of 5.79kms                                                                                                                               |            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>Resolved:</b>                                                                                                                                                                                                       |            |
| That Council:                                                                                                                                                                                                          |            |
| 1. Decline to accept the variation proposal submitted by McMahon Services Australia Pty Ltd;                                                                                                                           |            |
| 2. Enter into a deed of mutual termination with McMahon Services Australia Pty Ltd to bring responsibilities and obligations of both parties, under the contract, to an end;                                           |            |
| 3. Immediately commence reconstruction and sealing of 5.79kms of Lorne Road, Lightning Ridge, using Council day labour and local sub-contractors;                                                                      |            |
| 4. Immediately commence formal discussion with <del>TNSW</del> regarding possible cost overrun of all <del>TNSW</del> projects due to price escalations in fuel, road construction materials and sub-contractor rates. |            |
| <b>Moved:</b>                                                                                                                                                                                                          | Clr Cooke  |
| <b>Seconded:</b>                                                                                                                                                                                                       | Clr Ramien |
| <b>CARRIED</b>                                                                                                                                                                                                         |            |

| 10/2022/27 Return to open session    | Time: 2:18pm |
|--------------------------------------|--------------|
| <b>Resolved:</b>                     |              |
| That Council return to open session. |              |
| <b>Moved:</b>                        | Clr Ramien   |
| <b>Seconded:</b>                     | Clr Rummery  |
| <b>CARRIED</b>                       |              |

**10/2022/28 Adoption of closed session reports**

**Resolved:**

That Council adopt the recommendations of the Closed Committee Reports

**Moved:** Cllr Cooke

**Seconded:** Cllr Walford

**CARRIED**

**Close of Meeting** - The meeting closed at 2:20pm

To be confirmed at the next meeting of Council.

\_\_\_\_\_  
Mayor

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

## 6. REPORTS OF COMMITTEES/DELEGATES

### 6.1 MINING & ENERGY RELATED COUNCILS (NSW) DRAFT MINUTES OF ORDINARY MEETING HELD 2 SEPTEMBER 2022

MINUTES OF THE ASSOCIATION OF MINING & ENERGY RELATED COUNCILS (NSW) INC. ORDINARY MEETING HELD AT CLUB YORK, 2<sup>nd</sup> Floor YORK 2 ROOM, 99 YORK ST, SYDNEY 2<sup>nd</sup> SEPTEMBER 2022

#### Present in person

Cr Michael Banasik  
Cr Kevin Duffy  
Cr Dennis Brady  
Cr Denis Todd  
Cr Dom Figliomeni  
Cr Mathew Deeth  
Cr Chris Roylance  
Cr Peter Batten  
Steve Loane OAM  
Greg Tory  
Heather Nicholls  
Cr John Clements

Wollondilly Shire Council (Chair)  
Orange City Council (Dep Chair)  
Lachlan Shire Council (Ex Comm)  
Warrumbungle Shire Council (Ex Comm)  
Wollongong City Council  
Wollondilly Shire Council  
Forbes Shire Council  
Cabonne Shire Council  
Forbes Shire Council  
Lachlan Shire Council  
Cabonne Shire Council  
Narrabri Shire Council (Observer)

#### By Zoom

Cr Liz McGlynn  
Cr Jane Keir  
Mike Urquhart  
Mark Dicker  
Cath Blakey  
Peter Vlatko  
Kent Boyd  
Cr Jason Hamling  
Cr Des Kennedy  
Ron Zwicker  
Rob Williams

Bland Shire Council  
Walgett Shire Council  
Walgett Shire Council  
Blayney Shire Council  
Wollongong City Council  
Cobar Shire Council  
Parkes Shire Council  
Orange City Council  
Mid Western Regional Council  
Wollongong City Council  
Narrabri Shire Council (Observer)

#### Apologies

Cr Scott Ferguson  
Cr Phyllis Miller OAM  
Brad Cam  
Cr Mathew Dickerson  
Murray Wood  
Cr Jim Hickey  
Cr Peter Abbott  
Cr Jane Keir  
Gary Woodman  
Cr Ros Jackson  
Cr Katrina Walker  
Cr John Stafford  
Colleen Worthy  
Cr Aneillo Iannuzzi

Blayney Shire Council (Ex Comm)  
Forbes Shire Council (Dep Chair)  
Mid Western Regional Council  
Dubbo Regional Council  
Dubbo Regional Council  
Broken Hill City Council  
Cobar Shire Council  
Walgett Shire Council  
Warren Shire Council  
Warren Shire Council  
Warren Shire Council  
Upper Lachlan Shire Council  
Upper Lachlan Shire Council  
Warrumbungle Shire Council

#### In attendance

Greg Lamont, Executive Officer (Minute Taker); Liza Schiff (Melting Pot Planning); Roy Butler, MP Barwon & Troy Lennon - Shooters, Fishers & Farmers Party; Stephen Galilee, CEO and David Frith, Director Policy - NSW Minerals Council; Mike Young, Executive Director, Department Energy & Climate Change (Energy Corporation); Stephen Wills, Executive Director Programs, Kirstan Fulton, Director and Lana Hall, Program Manager, Resources for Regions, Regions NSW; Andrew Bray, CEO, RE-Alliance and Megan Dixon, CEO RDA Orana/N2N.

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**1. Welcome by Chair.**

The Chair, Councillor Michael Banasik, welcomed members and the Narrabri Shire Council delegates to the meeting and declared the meeting open at 9.10am.

**2. Acknowledgement of Country by Chair**

"I acknowledge the traditional custodians of the land that we meet on today and pay our respects to the Elders past, present & emerging".

**3. Apologies.**

OM 21/2022 Resolved (Cr Brady/Cr Todd) that the apologies as per the above list be received and noted

**4. Disclosures of Interest.**

OM 22/2022 Resolved (Cr Brady/Cr Todd) that the disclosures of interest by Cr Dom Figliomeni declared an interest as a shareholder in New Hope and Whitehaven mining companies & Ron Zwicker as shareholder in AGL shares be received and noted.

**SUSPENSION OF STANDING ORDERS AT 9.12AM TO RECEIVE PRESENTATIONS FROM THE FOLLOWING SPEAKERS AND FOR MORNING TEA.**

OM 23/2022 Resolved (Cr Figliomeni/Cr Duffy) that the meeting be suspended at 9.12am to receive the presentation from the following speakers and for morning tea:-

(a) Roy Butler, MP Barwon (Shooters, Fishers & Farmers Party) on concerns he has that the NSW State Government keeps focussing on creating more jobs and bolstering the economy in regions for mining and energy developments, however noting that whilst that is good for regional areas it is creating a major problem with competition for housing and accommodation for the itinerant workers and local residents.

- It was pointed out by delegates that the population figures from DPIE reflect poorly on rural councils, are not accurate with the modelling they use and have a negative impact on grant allocations.;
- Discussion was also held on the Jobs Summit and need for Federal Government to consider splitting tax rates for secondary employment to a lower level for the second job and allowing pensioners/grey nomads a higher threshold with their pension and still working part time to solve the employment issues in regional areas;
- There is a need for Planning Agreements to be made compulsory for mining & renewable energy developments and they be extended to take into account impacts on neighbouring LGA's where there are no active developments.

Roy was happy to pursue these issues with the NSW Minister for Planning, Hon Anthony Roberts and Minister for Energy, Hon Mathew Kean on State and Federally where required.

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- (b) Stephen Galilee, CEO, NSW Minerals Council and David Frith, Director Policy:
- The mining sector is growing in the metalliferous area (with world class production of rare earths, silver, gold, zinc, copper. etc.);
  - All miners are very conscious of their emissions abatement obligations and overtime the emissions have declined as a result of how they are addressing them overall particularly above ground working with EPA, DPIE and Resources Regulator, however the diesel fuel, electricity usage and underground coal mining still present challenges for the sector;
  - More needs to be done underground through use of technology and renewable energy options that are used where they can plus with the gradual introduction of autonomous and electric vehicles, but early days;
  - Power stations are more efficient when they use the high-quality coal that Australia produces however it exports 85% of coal for a premium price;
  - Delegates asked questions in relation to how the mining sector are addressing the skills shortage and accommodation; Net Zero Emissions targets set by State Government; Scope 1, 2 & 3 Emissions;
  - Nuclear Energy as a power source was discussed and Stephen felt that politicians are scared to consider the nuclear energy option in view of the impact at the polls.  
(See slides distributed separately)
- (c) Mike Young – Executive Director- Planning & Communities, Energy Co, Dept Energy & Climate Change:
- Energy Corporation of NSW is a statutory authority re-established in line with legislative functions under the Energy and Utilities Administration Act 1987 and Electricity Infrastructure Investment Act 2020 has been set up to “join the dots” with the design, delivery and coordination of Renewable Energy Zones (REZ’s) and other electricity infrastructure in a way that benefits consumers, investors and regional communities;
  - Transmission development is becoming increasingly controversial in local communities, with communities already raising concerns with compensation, consultation, land use conflict and cost recovery.
  - The loss of social licence has the potential to delay the rollout of transmission infrastructure which would jeopardise energy security, slow NSW’s transition to net zero emissions and increase electricity costs for consumers. To avoid this the government will need to actively build community support for the transition rollout.
  - Consequently, Mike is keen to work with MERC to establish a dedicated forum, with strategic planning & coordination, developing a governance model for community benefit funding for community projects. In the following areas:
    - Council Forum - establishing a dedicated forum to work on delivery of enabling services and infrastructure with Councils in each REZ;
    - Strategic Planning & Coordination - preparing and implementing coordinated strategies and funding models to address key issues in consultation with Councils, generators and government agencies (e.g. Local Roads Strategy, Workforce Accommodation Strategy, Waste Management Strategy, etc);
    - Community Benefit Funding - establishing a governance committee for distribution of access fees from generators, including Councils and other stakeholders – noting that the

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intention is to invite applications for community projects and programs;

- o Interactions with Planning System – all existing planning processes under the EP&A Act will continue to apply, including provision for planning agreements between proponents and councils – noting that there are some reforms proposed for developer contributions. Central West Orana Transmission Project.
- o Progress with Central West Orana REZ – Note the following data: ~180 km of 500kV/330kV • At least 3GW of transfer capacity • 3 major energy hubs to connect renewable energy projects • Appoint network operator to build, finance and operate – end 2022 • Planning approval – end 2023 • Construction – 2024/2025 • Operation – 2026/27.

- Given MERC's involvement with VPA's and Resources for Regions criteria working parties involving Department of Planning and stakeholder bodies like the NSW Minerals Council in the past he has suggested to delegates that MERC could work with Energy Co with some of the foregoing. If it comes off there may be funds available for this that MERC could be eligible for its involvement.  
(See slides distributed separately)

(d) Stephen Wills, Executive Director Programs, Regional NSW, ~~Kirstan~~ Kirstan Fulton, Director and Lana Hall, Program Manager on the current programs that are out for attention in September on Resources for Regions & Royalties for Rejuvenation. (Slides will be distributed separately when received).

(e) Andrew Bray, CEO RE-Alliance outlined what they do in relation to LGA's that have a REZ eg Central West Orana REZ:

- Aim to maximise outcomes for local communities;
- Organise communities around opportunities, eg, community benefit sharing & new industries;
- Mitigate cumulative impacts;
- Provide information through community workshops and webinars;
- Industry Roundtable in CWO;
- Lobbying government for better planning and community engagement approaches.

Andrew also raised some issues RE-Alliance have with the CWOREZ rollout:

- Concern around housing during peak construction;
- Communities start from a difficult position after ~~covid~~ covid, drought, fires, mice plagues and flood;
- Some are neighbours to multiple projects & transmission;
- High volume of approaches from developers;
- Opaque government decision-making processes;
- Burden of trying to handle so much project detail—engagement fatigue;
- Lack of access to information on what RE land use agreements should contain, and to legal experts with experience in RE land use agreements;
- Non-disclosure agreements can breed mistrust in communities;
- High levels of anxiety about the future, especially landholders in TX study corridor. (See slides distributed separately)

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(f) Megan Dixon, CEO RDA Orana outlined she had approached MERC to seek assistance as a partner to O2N chasing grant funding for the following two projects on the basis that they will support members:

(i) Development of a Business Case to establish a Zero Emissions Business Incubator & Innovation Zone.

The NSW Government has a Regional NSW – Business Case and Strategy Development Fund, which closes this Wednesday. O2N intends to seek funding to progress the business case, with a focus on 2 specific consultancies:

- Stakeholder engagement to consolidate and negotiates partnerships, design requirements, detailed feasibility and development of the operations and governance structures for the facility and the
- Design and documentation for the development of the Zero Hub buildings, as per the specs developed from the first consultancy.

This facility can be a catalyst to put the regions on the map for resources and energy, as identified by industry when we were doing our industry planning for O2N. Our focus is to drive innovation, collaboration and advancement in the resources, energy and construction sectors on a global scale.

It is intended that the facility be based on strong partnerships between industry, governments, education providers, researchers, and the community, and enable strong collaboration is critical in shaping the future of the METS and resources sector not only in the region but internationally.

The facility will build on and support the activity occurring across the region; including the establishment of the renewable energy zone, the critical minerals hub and the efforts by industry to move towards zero emissions production.

(ii) Development of a Business Case to Undertake a Transport Study for the Golden Highway

The NSW Government have funding available for business cases, and RDA Orana are planning to seek funding to update and expand the study done in 2013/14 to include rail and air as well as road; to take into account new projects including Inland Rail, mining and renewable energy developments.

RDA Orana know that studies are being done by NSW Transport but feel that this study will plug any gaps and enable their local Government partners and them to advocate for improvements. It will also take into account three modes of transport between the two regions and the flow of goods both from the Orana as well as the flow of goods from the Hunter.

**RESUMPTION OF STANDING ORDERS AT 12.45PM**

**OM 23/2022** Resolved (Cr Batten/Cr Blakey) that the meeting be resumed at 12.00pm to continue with the meeting items.

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**5. Adoption of the Minutes of the Ordinary Meeting held on 3<sup>rd</sup> June 2022**

OM 24/2022 Resolved (Cr Figliomeni/Loane) that the minutes of the Ordinary meeting held on 3<sup>rd</sup> June 2022 be received and noted.

**6. Business Arising from Minutes of the Ordinary meeting held on 3<sup>rd</sup> June 2022 - Nil**

**7. Adoption of the Minutes of the Executive Committee Meeting held on 30<sup>th</sup> August 2022**

OM 25/2022 Resolved (Cr Duffy/Cr Brady) that the minutes of the Executive Committee meeting held on 30<sup>th</sup> August 2022 be deferred until after the Executive Officer provides a background report on the items & recommendations.

**Executive Officer's Report**

The Mayor and Executive Officer went through the items in the Executive Officer's report that related to matters on the Agenda for this meeting prior to adoption of them as follows:

- Items (a) to (j) that the information be noted
- Item (j) Resources for Regions
  - (1) that the information be noted; and
  - (2) that MERC engage Oz Environmental (Warwick Giblin) in collaboration with the Executive Officer and Executive Committee, to prepare a submission with relevant case studies of affected members, to Hon Paul Toole, Minister for Regional NSW & Deputy Premier and forward a copy to the NSW State Government Opposition and Minor Party Leaders on:-
    - a) reviewing the current methodology used for Round 9 Resources for Regions program in order to address the inequities with the current "eligible criteria list of Local Government Areas (LGA's)" in relation to LGA's being neighbours of active mining developments and employment location anomalies but are not currently eligible for funding, albeit significantly affected;
    - b) implementing legislative changes to ensure that all State Significant Developments for mining and developments require the proponent to develop Planning Agreements in consultation with affected LGA's that neighbour active mines;
    - c) the establishment of a working party consisting of MERC delegates, MERC's consultant and Regional NSW to undertake input into (a) & (b).
- Item (k) Royalties for Rejuvenation
  - (1) that the information be noted;
  - (2) that MERC write to the Hon Paul Toole, Minister for Regional NSW & Deputy Premier (with a copy to go to the NSW State Government Opposition and Minor Party Leaders) to:
    - a) express MERC's disappointment with the exclusion of current Mayors and Councillors on the recently established Royalties for Rejuvenation Expert Panels when our delegates who consist of experienced elected persons that come from mining related LGA's who would have the expertise sought for the panels;

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- b) **consider** the appointment of relevant delegates from MERC such as the Executive Officer and/or other senior staff delegates to the regional Royalties for Rejuvenation Expert Panels and reimburse expenses for them to attend accordingly.

**OM 26/2022** Resolved (Loane/Cr Duffy) that the minutes of the Executive Committee meeting held on 30<sup>th</sup> August 2022 items (a) –(k) be received and noted.

**8. Business Arising from the Notes of Executive Committee Meeting held on 30<sup>th</sup> August 2022 - Nil**

**9. Delegates Reports – Nil.**

**10. Executive Officer's Report – Dealt with in Item 7**

**11. General Business**

**(a) Location/dates for next meetings in 2022/23**

**OM 27/2022** Resolved (Cr Banasik/Cr Duffy) That:

- (1) the next meeting of MERC in Dubbo be moved from 11<sup>th</sup> November 2022 to either 25<sup>th</sup> November subject to Dubbo Regional Council confirmation;
- (2) the quarterly meeting for late February early March 2023 to be held in Sydney a week after the CMA meeting;
- (3) the mini conference & Ordinary meeting be held in Dubbo at the Dubbo Regional Theatre & Convention Centre (DRTCC) in the period 21-29<sup>th</sup> May 2023, with the slot being reserved by staff at DRTCC until a MERC decision is made;
- (4) the Executive Officer to discuss with LGNSW Events team regarding their engagement on a fee basis to manage and market the event to target all Councils in NSW;
- (5) the Chair/Executive Officer to report back to delegates on dates for (1), (2) & (3) subject to availability and to fit in with member Council meeting schedules and the results of (4).

**(b) 2 Year Term for the Executive Committee**

**OM 28/2022** Resolved (Cr Banasik /Cr Brady) That no further action be taken in relation to changing the current constitution for Executive Committee terms at this stage.

**Cr Denis Todd left the meeting at 12.57pm**

**(c) Life Memberships**

**OM 29/2022** Resolved (Cr Banasik/Cr Duffy) That

- (1) life membership be granted to former Councillors Peter Shinton and Owen Hasler as meeting the requirements of Clause 4.5 of the Association's constitution ie "a retiring delegate with a minimum of two terms representing their Council and having made an outstanding, recognised contribution to the organisation";

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(2) ~~they~~ be invited to attend the next meeting of MERC in Dubbo on 25th November.

**Cr Denis Todd returned to the meeting at 12.58pm**

**Close – the meeting closed at 1.00pm**

The minutes (pages 1-8) were confirmed at a meeting of the Ordinary Meeting held on the 25<sup>th</sup> November 2022 and are a concise and accurate record of proceedings of the Ordinary General meeting held on 2<sup>nd</sup> September 2022.

.....  
**Cr Michael Banasik**  
Chairperson

## 7. MAYORAL MONTHLY REPORT

**REPORTING SECTION:** Office of Mayor  
**AUTHOR:** Jane Keir OAM  
**FILE NUMBER:** 22/10/0144

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### **Summary:**

This report provides Council with information regarding the activities of the Mayor for the past month.

### **Background:**

1.9.22 Mayor & GM met the Minister for Planning & Homes, the Hon Anthony Roberts at Lightning Ridge, Maxine OBrien presented a Strategic Plan for Lightning Ridge Towards 2030

1.9.22 Mayor & GM visited all potential sites for Mega Park at Lightning Ridge, Minister Roberts informed us that if a decision was not made & site selected, then the funding would go to Bourke NSW, GM investigating & has organised further community consultations.

1.9.22 Mayor & GM visited the road works on the Burranbaa road, progressing well & will be an asset for all the road users.

3.9.22 Mayor, GM with Councillors, Cooke, Ramien & Currey attended the NAIDOC awards lunch at Walgett Sporting Club, very well attended & organised by George McCormick & his team.

The guest speaker, Waverley Stanley, an indigenous man & founder of Yalari, a not-for-profit organisation providing educational scholarships for indigenous kids, his presentation was inspirational.

3.9.22 Mayor attended the Rugby grand finals at Walgett, it was great to see the women & men win both games on a freezing wet day.

Disappointing to see the Collarenebri races postponed on 14.9.22 due to the wet weather, hopefully they can race on their new date 8.10.22.

Come By Chance races cancelled for 24.9.22 again due to wet weather.

At the time of this report the Namoi River is in flood at Wee Waa, SES will be watching closely how the river affects the Come By Chance community this coming weekend.

14.9.22 Mayor met with Greg Grainger from Travel OZ, who is filming another tourist promotion tour for Walgett Shire, he was last here in 2020

21.9.22 Mayor & GM attended virtual meeting with Ben Walker, Advisor Western NSW to Minister Hon Dugald Saunders, Minister for Agriculture & Western NSW, we discussed the on-going wet weather, asked that our current project fundings are secure due to delays in delivery.

The minister will visit in the near future with a priority to meet with all stake holders in the ongoing fight to eradicate Hudson pear.

Our community has been deeply saddened by the death of Queen Elizabeth on 8.9.22, for many of us she has been there all our lives. The Queen has embodied the concept of service above self always.

| <b>Monthly Mayoral Report</b>                                                                                                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>That the Mayoral report for September 2022 be received and noted.</p> <p><b>Moved:</b></p> <p><b>Seconded:</b></p> |

## 8. CORRESPONDENCE AND PETITIONS

### 8.1 LETTER RECEIVED FROM COUNTRY WOMEN'S ASSOCIATION – WALGETT BRANCH, DATED 31 AUGUST 2022



*Country Women's Association of NSW*

Walgett Branch  
P. O. Box 255  
Walgett 2832

Walgett Shire Council  
Michael Urquhart  
General Manager  
77 Fox Street  
Walgett NSW 2832

31.08.2022

#### LETTER OF RECOGNITION AND APPRECIATION

Dear Michael

The Walgett Branch of the NSW Country Women's Association would like to acknowledge the improvement to grounds and gardens of the Walgett Showground.

Some members recently attended the Walgett Races and other events held at the showground, and they were impressed with the grounds and the renovations to the Colless Memorial Grandstand.

Walgett in the past was known as the mini-Randwick of the west and has gradually been allowed to deteriorate over the years to look like a rundown Racetrack, Showground.

To see the grounds with flowers blooming, green grass, rails painted, pavilions and toilets in clean working order and to have the ability to utilise the grandstand during the races was a delight and a joy to see and to be in.

We ask that you convey our thanks, appreciation and congratulations to Mr Shane Watts and his team for the work they have done to bring it back to a place that is full of life and a pleasure to be in.

Yours sincerely

Terry Holcombe  
Walgett Branch President

C Mrs J Keir Mayor

**President:**  
**Secretary:**  
**Treasurer:**

Mrs Terry Holcombe  
Mrs Julie Marshall  
Mrs Christine Ford

0428285224  
0424606918  
0429638300

## 8.2 LETTER RECEIVED FROM NSW GOVERNMENT, DEPARTMENT OF REGIONAL NSW, DATED 24 AUGUST 2022

Sensitive – NSW Government

Office of the Secretary  
Department of Regional NSW



BN22/5162  
24 August 2022

**Mr Michael Urquhart**  
General Manager  
Walgett Shire Council  
PO Box 31  
WALGETT NSW 2832

---

Re: Crown Leases around Lightning Ridge

Dear Mr Urquhart,

Thank you for your email regarding the matter of Crown Lease rentals for the opal fields around Lightning Ridge.

As you may be aware the rentals for Crown Leases are set under the *Crown Lands Management Act 2016* and the responsible Minister is now the Hon. Kevin Anderson MP.

I have had one of my officers reach out to Crown Lands (Department of Planning and Environment) and am advised that the leases you refer to have had the statutory minimum rental phased in over 5 years from the 2018/2019 financial year to the current statutory minimum amount which is \$535 per annum. This amount then increases by CPI annually. This amount is set by the legislation and only the appropriate Minister can consider any potential for a waiver or concession of these requirements.

I acknowledge that this has been a concern for some time and advise that my predecessor Mr Gary Barnes previously undertook inquiries to understand the background and operation of these rentals, which determined that these were statutory rents that affect a large number of tenures across NSW.

Due to changes in portfolios since the meetings you refer to in your email, I suggest that Council contact the appropriate Crown Lands (DPE) representative whom I believe to be Mr Andrew Bell, Director West, Crown Lands at [andrew.bell@crownland.nsw.gov.au](mailto:andrew.bell@crownland.nsw.gov.au) for any further context or information.

Yours sincerely,

A handwritten signature in black ink, appearing to read "RFox".

**Rebecca Fox**  
A/Secretary

cc [jamie.tripodi@regional.nsw.gov.au](mailto:jamie.tripodi@regional.nsw.gov.au)

cc [andrew.bell@crownland.nsw.gov.au](mailto:andrew.bell@crownland.nsw.gov.au)

### **8.3 EMAIL RECEIVED FROM INTERNATIONAL OPAL JEWELLERY DESIGN AWARDS ASSOCIATION INC., DATED 9 SEPTEMBER 2022**

**From:** IOJDAA Committee iojdaa <[iojdaa@bigpond.com](mailto:iojdaa@bigpond.com)>  
**Sent:** Friday, September 9, 2022 2:45 PM  
**To:** Michael Urquhart <[murquhart@walgett.nsw.gov.au](mailto:murquhart@walgett.nsw.gov.au)>  
**Subject:** Opal Festival

Michael Urquhart  
General Manager  
Walgett Shire Council

Dear Michael

The committee of the International Opal Jewellery Design Awards would like to thank the Walgett Shire Council for its support during the Opal Festival and the use of the Multi-Purpose Centre. Complimentary feedback was received from all about the facilities.

The committee would also like to extend a thank you to caretaker Simon Gordon for his assistance in facilitating the setup of the venue, co-ordinating with security during the festival and packing up after the event.

We look forward to working with you next year and hope to utilise the same facility between 22 July and 30 July 2023.

Yours sincerely,

Julie Privett,  
Secretary  
On behalf of Kavita Barron, President  
International Opal Jewellery Design Awards Association Inc.  
[iojdaa@bigpond.com](mailto:iojdaa@bigpond.com)  
[www.iojdaa.com.au](http://www.iojdaa.com.au)

## 9. REPORTS FROM OFFICERS

### 9.1 GENERAL MANAGER

#### 9.1.1 COUNCIL'S DECISION ACTION REPORT – SEPTEMBER 2022

**REPORTING SECTION:** Executive  
**AUTHOR:** Michael Urquhart  
**FILE NUMBER:** 12/14-03

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**Summary:**

This schedule summarises the current position of action taken in respect of matters considered at the previous meetings of Council when the outcomes have not been finalised.

**Background:**

Attached is the Resolution Register which summaries outstanding action in respect of all resolutions which required action and are still outstanding. The exception is for the last meeting where items that have been completed are included. Councillors are reminded that any queries should be raised with the General Manager prior to the meeting.

**Current Position:**

Details of actions taken/being taken are flagged for each motion. Over time the register has grown in size because, whilst resolutions are actioned after the meeting, it is not always possible to resolve issues quickly, especially if other government agencies are involved or Council's own in-house resources are stretched, Council has to prioritise work commitments.

In these circumstances the register become3s the simple tool of keeping track of matters awaiting attention.

Again, Councillors are reminded that any queries should be raised with the General Manager prior to the meeting as this would streamline the meeting process and also resolve minor issues more expediently.

**Relevant Reference Documents/Policies:**

Resolution Register.

**Governance Issues:**

Standard Procedure dictates that Council resolutions should be implemented as soon as practicably be achieved.

**Environmental Issues:**

Nil.

**Stakeholders:**

Council and Manex Team.

**Alternative Solutions/Options:**

Nil.

**Conclusion:**

That the Resolution Register be received and noted. It is requested that any queries be raised with the General Manager prior to meeting day to facilitate proceedings at the meeting.

**Council's Decision Action Report – September 2022**

**Recommendation:**

That the Resolution Register for September 2022 be received and noted.

**Moved:**

**Seconded:**

**Attachment:**

Action Resolution Register.

WALGETT SHIRE COUNCIL AGENDA – 27 SEPTEMBER 2022 – ORDINARY COUNCIL MEETING

|          |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                      |
|----------|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| 14.02.17 | 1/2017/15 | <p>Loan to Lightning Ridge Opal &amp; Fossil Centre Inc.</p> <p>(a) That the Chief Financial Officers report be received.</p> <p>(b) That the Council provide a zero interest loan of \$48,000 to the Lightning Ridge Opal and Fossil Centre Inc. for the purpose of completing a procurement plan, project management plan, risk management plan and asset management plan.</p> <p>(c) The loan be repaid over five (5) years as follows; 9/01/18 - \$10,000, 9/1/2019 - \$10,000, 9/1/20 - \$10000, 9/1/21 - \$10,000, 9/1/22 - \$8,000.</p> <p>(d) That Walgett Shire Council and the Lightening Ridge Opal and Fossil Centre Inc. enter into a formal loan agreement and the General Manager be authorised to execute the loan agreement and the Council Seal be affixed to the loan document.</p> <p>(e) That a Council officer nominated by the General Manager (Chief Financial Officer) becomes a Board Member of the Lightning Ridge Opal and Fossil Centre to oversee Council's financial interests.</p> | GM   | 30/05/22 Items (a) to (d) have been completed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | GM to report to Council              |
| 23.5.17  | 4/2017/34 | <p>Lightning Ridge Bore Baths</p> <ol style="list-style-type: none"> <li>1. Council receive the CFO report</li> <li>2. Council make provision of \$100,000 in the 2017/18 budget for renewal of the Lightning Ridge Bore Bath between Nov 17 and April 18</li> <li>3. Recommendations of the structural assessment be implemented</li> <li>4. The General Manager arrange for a design and cost of the bore bath renewal and submit this to Council for consideration</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | CFO  | <p>27.6.17 Quotation for design &amp; construction to be called in coming months. Work to be carried out during November 17 to March 18</p> <p>18.9.17 CFO in discussions with firm for engineers design</p> <p>18.10.17 CFO Issued purchase order for design of new tank</p> <p>22.11.17 Draft plan Received -RFQ to be issued</p> <p>13.12.17 Waiting on new specifications &amp; plan</p> <p>18.4.18 Project postponed until November 2018.</p> <p>18.4.18 RFQ to be issued and contractor engaged prior to October 2018</p> <p>17.4.19 RFT Underway for October March 19/20</p> <p>12.12.19 RFQ document under external review</p> <p>18.03.21 Options being investigated</p> <p>15.11.2021 GM to call tender for new pool when additional grant funds become available</p> | In progress                          |
| 26.09.17 | 9/2017/25 | <p>That Council resolve to acquire Mr. and Mrs Raymond Pike's land within which the current Council-maintained section of O'Neils Road runs, then surrender the Council-Controlled section of corridor to Mr And Mrs Raymond Pike.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | DETS | <p>8.9.17 DETS hold talks with Mr Raymond Pike and his wife. They verbally agreed to the swap.</p> <p>5.11.17 Quotes received for cadastral survey</p> <p>30.03.18 Cadastral survey completed</p> <p>16.06.19 Work in Progress</p> <p>22.10.2019 Work in progress</p> <p>14.02.2020 Work in progress</p> <p>17.03.2020 Work in progress</p> <p>20.05.2020 work in progress</p> <p>9/6/2020 work in progress</p> <p>22/7/2020 work in progress</p> <p>16/9/2020 collected all the information required and the process in completion stage.</p> <p>21/10/2020 Council's crown land manager is working on it.</p> <p>16/11/2020 " "</p> <p>14/02/2022 GM to follow up as current status</p> <p>14.09.2022 Waiting on transfer of ownership</p>                                    | In progress                          |
| 26.09.17 | 9/2017/26 | <ol style="list-style-type: none"> <li>1. That Council resolves to authorise acquisition by compulsory process, of the Walgett Levee corridor through Lot 7024 DP1021106, Lot 7012 DP1021112, Lot 7301 DP1155276, Lot 7013 DP1030416, Lot 7300 DP1155957, Lot 702 DP1051575, Lot 7001 DP1051908, Lot 3 DP1123824, Lot 703 DP1056310, Lot 7031 DP1055946 and Lot 7009 DP1055947.</li> <li>2. That Council resolves to make an application to the Minister to approve the compulsory acquisition process.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | DETS | <p>5.11.17 Quote received for cadastral survey</p> <p>10.1.18 Quote accepted</p> <p>16.08.18 Survey ongoing</p> <p>16.06.19 Work in progress</p> <p>9.09.2019 work in progress</p> <p>22.10.019 Work in progress</p> <p>14.02.2020 Work in progress</p> <p>17.03.2020 Received survey plan</p> <p>20.04.2020 Registration is in progress</p> <p>20.05.2020 work in progress</p> <p>9/6/2020 work in progress</p> <p>22/7/2020 work in progress</p> <p>16/9/2020 work in hold at this stage as the related staff has other important other commitments</p>                                                                                                                                                                                                                       | Waiting on approval from crown lands |

WALGETT SHIRE COUNCIL AGENDA – 27 SEPTEMBER 2022 – ORDINARY COUNCIL MEETING

|          |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                  |
|----------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| 8.02.18  | 1/2018/2  | <p>That Council:</p> <p>6. Investigate the re-establishment of precinct committees.<br/>7. Lobby the State Government to open Opal Prospecting Area (OPA) 4.</p>                                                                                                                                                                                                                                                                                                  | GM   | <p>18.03.21 Crown Lands to authorise licence</p> <p>19.03.18 ongoing<br/>17.06.2019 Crown Lands Commissioner visited LR in early June 2019 to complete report on various matters including road network management and future land zoning.<br/>23.10.19 – 5.community satisfaction survey agreed with Council within next 12months ie.by Oct 2020<br/>6.Work in progress – Collarenebri established under Economic Development<br/>7. No progress to date<br/>15/4/20 ratepayer survey to be undertaken July 2020<br/>16.09.20 Survey complete. Report to Oct 2020 meeting<br/>15.11.2021 The General Manager is participating in Minerals Environment and Geoscience community consultation process for opening up of OPA4.<br/>15.11.2021 The General Manager in the forthcoming year to investigate precinct committees.<br/>15.03.2022 Precinct committee to be established for Walgett &amp; Burren Junction, at request of community. GM attended Walgett meeting.<br/>20.06.2022 Committee for Walgett in progress<br/>27.07.2022 Burren Junction Progress Committee and Walgett Community Development Committee have been formalised by Council on 26/07/22 (Minute reference 8/2022/6).<br/>Advertising for members to commence early August 2022.</p> | Partly completed |
| 03.04.19 | 2/2019/23 | <p>That Council determines to make minor amendments to the Draft Walgett Shire Rural Residential Strategy that reflect "Lightning Ridge Candidate Area B" is the most appropriate site based on community consultation and the limited number of potential lots (4 stated in the strategy) for "Lightning Ridge Candidate Area C".</p>                                                                                                                            | DES  | <p>Council has received funding from Department of Planning Industry and Environment to undertake completion of the planning proposal. Consultants Cityplan have commenced work on the project.<br/>Cityplan's name has changed to "Gyde"</p> <ul style="list-style-type: none"> <li>Gyde has received a draft servicing report from SMEC and are working through it with them;</li> <li>The bridging report is under preparation with the intention of it being finalised shortly after the engineering issues are closed out; and</li> <li>The bridging report will be provided to Council's DES for review. Gyde will then amend the report as required.</li> </ul> <p>09/02/2022 – TEAMS meeting with Gyde Planning and DPIE representatives on Friday 4/02/2022 to discuss recommendations of Bridging Report.<br/>15/02/2022 – Further technical analysis required by Gyde Planning.<br/>14.09.2022 Waiting on response from consultant</p>                                                                                                                                                                                                                                                                                                               | In progress      |
| 17.12.19 | 12/2019/4 | <p>Council investigate the options of highlighting Mr Frederick York Wolseley's contribution towards the shearing industry in the form of a monument and associated historical information</p>                                                                                                                                                                                                                                                                    | GM   | <p>GM investigating tourist possibilities<br/>Rural Aid project<br/>11.07.2022 Signage wording underway</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | In Progress      |
| 25.02.20 | 1/2020/12 | <p>1. Council participate in the Museums &amp; Galleries of NSW – Museum Advisors Program.<br/>2. The Chief Financial Officer arrange to engage a suitably qualified and highly recommended advisor for the program.<br/>3. Other organisations in the shire having heritage/cultural and museum collections and facilities be invited to participate in the program<br/>4. Funding of \$10,000 be allocated annually and indexed for the next six (6) years.</p> | GM   | <p>15.11.2021 Awaiting information for advisors<br/>18.05.2022 GM has again contacted Museum &amp; Galleries requesting a list of advisors for engagement.<br/>20.06.2022 Waiting on contact from Museum and Galleries NSW<br/>11.07.2022 General Manager has advised M&amp;G NSW of preferred advisor<br/>14.09.2022 Agreement with advisor executed</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | COMPLETE         |
| 28.04.20 | 3/2020/15 | <p>That Council endorse Council Officers to advertise and write to owners of businesses that they believe require this Annual Fire Safety certificate, on the basis of the report to complete a tender for Council, but offsetting travel and accommodation costs for active community Business Owners whom wish to part of the process.</p>                                                                                                                      | DES  | <p>Delayed pending appointment of new DES.<br/>15.11.2021 To be followed up by DES in early 2022.<br/>15.02.2022 – Consultation with business owners to commence in March '22.<br/>19.04.2022 Acting Director Environmental Services to investigate<br/>14.09.2022 Health &amp; Building Surveyor to commence notifications</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Ongoing          |
| 25/08/20 | 9/2020/19 | <p>That Council note and accept the proposal to implement the 40 km/h speed zone in Walgett CBD in following sections of the roads:<br/>i. Fox street between Euroka Street and Warrena Street<br/>ii. Wee Waa Street between Peel Street and Pit Street</p>                                                                                                                                                                                                      | DETS | <p>16.9.2020 discussed in Traffic Committee meeting held on 10<sup>th</sup> September 2020 and advised to send council resolution to all traffic committee members.<br/>21.10.2020 Engineering department in process for community consultation<br/>16.11.2020 Community consultation is progress<br/>18.03.21 Funding being sought for signage</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | In progress      |

WALGETT SHIRE COUNCIL AGENDA – 27 SEPTEMBER 2022 – ORDINARY COUNCIL MEETING

|          |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                               |
|----------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
|          |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |     | 20.06.2022 Submitting grant application July 2022 – Collarenebri, Lightning Ridge & Walgett<br>14.09.2022 Grant application submitted.                                                                                                                                                                                                                                                                                                                  |                                                               |
| 25/08/20 | 9/2020/23  | 1. Prepare a Planning Proposal to amend the Walgett Local Environmental Plan 2013 by relocating "intensive plant agriculture" from Permitted with consent to Permitted without consent in the RU1 Primary Production zone.<br>2. Forward the planning proposal to NSW planning, industry & environment with a request for a gateway determination;<br>3. Request delegation from the Minister to "make" the amendment to the Walgett Local Environmental Plan 2013;<br>4. Give delegation to the General Manager to make any minor alterations as requested by NSW Planning, Industry & Environment; and<br>5. Undertake the state agency and public consultation as per the requirements of the Gateway Determination and Schedule 1, Clause 4 of the Environmental Planning & Assessment Act 1979, | DES | Work on this project is suspended due to high number of development applications and enquiries.<br>15.02.2022 – No change<br>14.09.2022 DES to apply for grant                                                                                                                                                                                                                                                                                          | Planning consultant to progress actions for planning proposal |
| 15.12.20 | 15/2020/17 | That Walgett Shire Council resolve to:<br>1. Conduct a trial of bin banks in the vicinity of the existing Landfills at Grawin and Sheeppyard.<br>2. Following the appointment of a casual Landfill Attendant site locations and number of bins be rolled out in a phased manner following a community consultation process.                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | DES | Negotiations with stakeholders has commenced.<br>19.04.2022 Acting Director Environmental Services to investigate<br>18.05.2022 Acting Director Environmental Services to investigating relevant licenses for land at Glengarry and Grawin<br>27.07.2022 DES has been in contact with land holder at proposed site and awaiting his return to discuss further.<br>14.09.2022 Health and Building Surveyor to progress in October 2022                   | Ongoing                                                       |
| 27.04.21 | 4/2021/15  | Council accepts the tender for the refurbishment of the grandstand at the Collarenebri Race Track from GLETAN GROUP in the sum of \$360,495.11 excluding GST                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | CFO | 22.07.21 Project underway<br>15.11.21 Bar area 95% complete, main steel supports are in place, holes for foundations being prepared<br>20.06.22 Gletan Group submitted a claim for extras which has been referred to the project manager at Barnson's<br>11.07.22 Gletan Group are continuing to drill holes for foundations and are anticipating a completion date of 12 August 2022<br>14.09.2022 Health & Building Surveyor to inspect and sign off. | In progress                                                   |
| 29.06.21 | 6/2021/3   | A. Council authorise the General Manager to further investigate the Walgett Aero Club proposal for an Avgas fuelling station at the Lightning Ridge Airport.<br>B. The General Manager report back to Council on the outcome of investigations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | GM  | 15.11.2021 The General Manager has spoken to Committee members and is waiting on financial information.<br>19.04.2022 GM to report to May 2022 meeting re tender option for provision of fuelling station.<br>20.06.2022 Airport Manager preparing scope of works<br>27.07.2022 Draft Scope of Works has been received and is in editing process                                                                                                        | In progress                                                   |
| 22.02.22 | 3/2022/22  | b) That Council agree to sell both Lot 156 and Lot 157 DP 882747 Duff Street Walgett to Michael Hughes Transport for \$85,000 (GST exclusive).<br>c) A condition of sale being, the blocks are land locked and Council is not obligated to provide access via Duff Street, with connection to water/septic services, power, and Council's half share of fencing, and removal of soiled fill, and relocation of the septic main to allow development be at the expense of Michael Hughes Transport.<br>d) The General Manager and Mayor be authorised to execute the sale of documents and the Council's Seal be affixed accordingly.                                                                                                                                                                 | GM  | 19.04.22 GM wrote to interested parties and has, so far, not received a response.                                                                                                                                                                                                                                                                                                                                                                       | Waiting on response from prospective purchasers               |
| 30.05.22 | 6/2022/6   | Reconnecting Regional NSW – Community Events Program<br>(a) Participate in the Community Events Program and submit a grant application for \$301,807<br>(b) Engage a part-time Community Events Co-ordinator for a fixed term nine (9) month contract, which is funded from the grant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | GM  | 20.06.2022 Program underway with events<br>11.07.2022 PD to be assessed by Council's Consultative Committee July 22 with recruitment to also commence July 22<br>27.07.2022 Advertising for commenced to Events Officer<br>22.08.2022 Report to Council for allocation to events<br>14.09.2022 Council approved at 30 August 2022 Ordinary Meeting                                                                                                      | COMPLETE                                                      |

WALGETT SHIRE COUNCIL AGENDA – 27 SEPTEMBER 2022 – ORDINARY COUNCIL MEETING

|          |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |            |                                                                                                                                                                                                                                                                                        |             |
|----------|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 30.05.22 | 6/2022/17 | <p>Construction Collarenebri Artesian Hot Spring</p> <p>(b) Enter into a contract with Lukas Building and Excavation for the construction of a 15m circular pool, associated amenities, park furniture, BBQ with shelter and seating, concrete paths, concourse and stormwater drainage, as per Quotation No. 264, at a price of \$1,127,400 (ex GST), and the General Manager and Mayor be authorised to execute the contract and other relevant documents on behalf of Council</p> <p>(c) The Council Seal be affixed to the Contract.</p> <p>(d) Allocate \$170,000 for the piping and pumping of water to and from the artesian hot spring pool.</p> <p>(e) Allocate \$205,876 additional funding for the construction of the pool and amenities.</p>                                                                                                                                                                                                                                                                                                                                                                                                                  | GM/<br>CFO | <p>20.06.2022 Design in progress</p> <p>27.07.2022 GM waiting on design of circular pool and children's pool</p> <p>22.08.2022 Design complete. Engineers design in progress</p>                                                                                                       | In progress |
| 28.06.22 | 7/2022/8  | <p>Audit, Risk and Improvement Committee</p> <p>1. Council join with the Far North West Joint Organisation (FNWJO) and all member Councils in establishing a Shared Audit, Risk and Improvement Committee (ARIC) in accordance with section 428B of the Local Government Act 19333</p> <p>2. Council delegate authority to the FNWJO to appoint the chair and 2 independent members to form the ARIC to serve the FNWJO and all 3 member Councils.</p> <p>4. Council adopt the Draft Terms of Reference developed for the operation of the ARIC, noting the initial revised term to cater for the shorter period to be served by the current Council and the fact that there is no current need for the Chair to be pre-qualified at this stage.</p> <p>6. Applications, as detailed in the Expression of Interest document, be called for by the placement of advertisements in the local papers circulating in each of the towns within the FNWJO area, together with the websites of each of the member Councils, to provide local residents the opportunity to apply to become a member of the shared committee, if they are suitably qualified and wish to apply.</p> | GM         | <p>11.07.2022 Deputy Mayor is Council delegate to ARIC. FNWJO recruiting the chair and independent members.</p>                                                                                                                                                                        | In progress |
| 26.07.22 | 8/2022/6  | <p>Section 355 Progress and Development Committees – Burren Junction Progress Committee and Walgett Community Development Committee:</p> <p>4. Council advertise, requesting interested community members nominate for membership to the abovementioned 355 committees of Council.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | GM         | <p>27.07.2022 Advertising for committee members to commence August 2022</p> <p>14.09.2022 Advertising complete. Report to September 2022 Ordinary Meeting</p>                                                                                                                          | In progress |
| 26.07.22 | 8/2022/7  | <p>Multi-Sport Community Facility Fund – Conversion of Jenny Wright Netball Courts to a Multi-Sport Complex:</p> <p>2. The General Manager be authorised to execute the grant funding agreement with the Office of Sport.</p> <p>3. Council approve a contribution of \$500,000 toward the cost of the project and this be included in the September 2022 Quarterly Budget Review</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | GM/<br>CFO | <p>22.08.2022 Waiting on funding deed</p>                                                                                                                                                                                                                                              | In progress |
| 26.07.22 | 8/2022/19 | <p>Purchase of Property at Carinda:</p> <p>2. Council approves the purchase of 23 Colin St, Carinda; being described as Lot 2 DP309612 having a purchase price of \$15,000</p> <p>3. The General Manager and Mayor be authorised to execute the necessary documents to finalise the purchase.</p> <p>4. The property be classified as operational</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | GM/<br>DES | <p>22.08.2022 Council's solicitor has commenced purchase process</p>                                                                                                                                                                                                                   | In progress |
| 26.07.22 | 8/2022/21 | <p>Lightning Ridge Mega Park – "Everyone Can Play":</p> <p>1. Council approves the purchase of Lot 102 DP11165265 from the Lightning Ridge Aboriginal Land Council, for a purchase price of \$53,900.</p> <p>2. The "Everyone Can Play Park" be located on Lot 10 DP11165265 Harlequin St, Lightning Ridge.</p> <p>3. Council to pay all legal and Native Title costs associated with the transfer of the property.</p> <p>4. The General Manager and Mayor be authorised to execute the necessary documents to finalise the purchase.</p> <p>5. The property be classified as operational</p> <p>6. The Council Seal be affixed to these documents, as required</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | GM         | <p>22.08.2022 Council solicitor has commenced purchase process</p> <p>30.08.2022 Council notified at 30 August 2022 Ordinary Meeting that the purchase of land has fallen through and would not be possible</p> <p>14.09.2022 Meeting to be held on site @ Apex Park on 19.09.2022</p> | In progress |

WALGETT SHIRE COUNCIL AGENDA – 27 SEPTEMBER 2022 – ORDINARY COUNCIL MEETING

|          |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |      |                                                                                      |             |
|----------|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|--------------------------------------------------------------------------------------|-------------|
| 30.08.22 | 10/2022/9  | That application be made for the abovementioned projects in order of the amended ranking 1 to 7 (Table1.0) and be submitted to the Stronger Country Communities Fund – Round 5 program                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | GM   | 14.09.2022 Grant application to be made 23.09.2022                                   | In progress |
| 30.08.22 | 10/2022/13 | Annual Financial Statements 2021/2022<br>1. The Draft Annual Financial Reports for 2021/2022 be referred to Council's Auditor<br>2. The Mayor, Deputy Mayor, General Manager and Chief Financial Officer be authorised to sign the necessary Financial Statements<br>3. On receipt of the Audit Report, a copy be forwarded to the Office of Local Government and any other relevant statutory body<br>4. Council delegate to the General Manager the authority to set the date at which the Auditor's report and the Financial Statements be presented to the public<br>5. The Finance Statements be reviewed / adopted by Council formally when completed, subject to Section 418 of the Local Government Act 1993 and its requirements | CFO  | 14.09.2022 Audit in progress                                                         | In progress |
| 30.08.22 | 10/2022/19 | That Council note and authorise the funding applications for the Fixing Local Roads Program – Round 4, for the top three roads on priority basis from the following projects:<br>1. Cryon Road (SR5)<br>2. Mercadool Road (SR16)<br>3. Goangra Road (SR116)<br>4. Wanourie Creek Road (SR38)<br>5. Teranyan Road (SR33)                                                                                                                                                                                                                                                                                                                                                                                                                   | DETS | 14.09.2022 Grant application has been submitted                                      | In progress |
| 30.08.22 | 10/2022/24 | Long-Term Strategy for Lots 1 to 75 DP838673<br>1. Call for Expressions of Interest for the grazing rights to Lots 1 to 75 DP838673 for an initial two (2) year period<br>2. develop a proposal for the staged development of the subdivision to be full costed to include all services; power, water, effluent, sealed internal roads and high speed NBN                                                                                                                                                                                                                                                                                                                                                                                 | GM   |                                                                                      |             |
| 30.08.22 | 10/2022/26 | Fixing Local Roads Program – Lorne Road Reconstruction and Sealing of 5.79kms<br>1. Decline to accept the variation proposal submitted by McMahon Services Australia Pty Ltd<br>2. Enter into a deed of mutual termination with McMahon Services Australia Pty Ltd to bring responsibilities and obligations of both parties, under the contract, to an end<br>3. Immediately commence reconstruction and sealing of 5.79kms of Lorne Road, Lightning Ridge, using Council day labour and local sub-contractors<br>4. Immediately commence formal discussion with TfNSW regarding possible cost overrun of all TfNSW projects due to price escalations in fuel, road construction materials and sub-contractor rates.                     | DETS | 14.09.2022 Deed of release executed. Subcontractors to commence work in October 2022 | In progress |

## 9.1.2 CIRCULARS RECEIVED FROM NSW OFFICE OF LOCAL GOVERNMENT

**REPORTING SECTION:** Executive  
**AUTHOR:** Michael Urquhart  
**FILE NUMBER:** 12/14-03

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### Summary:

Copies of circulars received from the Local Government Office Department of Premier and Cabinet are attached for Councillors information. Circulars are emailed to Councillors when published from LGNSW.

### Background:

The General Manager has flagged the following circulars as requiring the particular attention of Councillors:

- 22-23 / Audit of written returns of interests
- 22-24 / Consultation on draft Model Media Policy
- 22-25 / New standard contracts of employment for General Managers and Executive Officers and updated guidelines for the appointment and oversight of General Managers
- 22-26 / Her Majesty the Queen
- 22-27 / Discussion paper – Senior staff employment

### Governance Issues:

All circulars have Governance implications. Where necessary the subject of particular circulars will be raised in following reports.

### Stakeholders:

Councillors and Walgett Shire Council staff.

### Financial Implications:

Obviously some circulars will have a financial impact and where this is the case, Councillors particular attention will be drawn to them.

### Conclusion:

Council will need to comply with the various requirements set out in the circulars.

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

#### Recommendation:

That the information contained in the following Department circular 22-23 through to 22-27, from the Local Government Division Department of Premier and Cabinet, be received and noted.

#### Moved:

#### Seconded:

### Attachments:

Circulars

|                             |                                                                                                 |
|-----------------------------|-------------------------------------------------------------------------------------------------|
| <b>Circular Details</b>     | Circular No 22-23 / 25 August 2022 / A826280                                                    |
| <b>Previous Circular</b>    | N/A                                                                                             |
| <b>Who should read this</b> | Councillors / General Managers / 'designated persons' / council governance staff                |
| <b>Contact</b>              | Investigations Team / 02 4428 4100 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a> |
| <b>Action required</b>      | Information                                                                                     |

### Audit of written returns of interests

#### What's new or changing

- The Office of Local Government (OLG) will be undertaking an audit of written returns of interests lodged by councillors and designated persons.

#### What this will mean for your council

- Councillors, administrators, and other council officials (general managers, senior staff and other 'designated persons') should note that their written returns of interests may be subject to review as part of the OLG audit.
- Advance notice of the audit is being given to allow councillors, administrators, and designated persons the opportunity to ensure their returns are accurate and complete.
- Councils may wish to undertake their own review of returns to facilitate compliance, particularly to ensure all sections of the return have been completed, and that the return period and date are correct.

#### Key points

- Councillors and designated persons are required to lodge written returns of interest in accordance with the requirements set out in their council's code of conduct.
- Councillors and designated persons are required to lodge a new return with their council's general manager no later than 30 September 2022, unless exempt from doing so.
- A failure to correctly lodge and/or disclose interests is misconduct and can result in disciplinary action being taken.

#### Where to go for further information

- The OLG has issued guidance on the completion of disclosure of interest returns, which is available [here](#).
- For more information about the completion of returns of interests, please contact OLG's Council Governance Team by telephone on 4428 4100 or by email to [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).

#### Melanie Hawyes

#### Deputy Secretary, Crown Lands and Local Government

Office of Local Government  
5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541  
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
E [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au) W [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au) ABN 20 770 707 468

|                             |                                                                                                                                             |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Circular Details</b>     | Circular No 22-24 / 31 August 2022 / A832194                                                                                                |
| <b>Previous Circular</b>    | 21-08 Consultation on draft Model Social Media and Councillor and Staff Interaction Policies and on the development of a Model Media Policy |
| <b>Who should read this</b> | Councillors / General Managers / All council staff                                                                                          |
| <b>Contact</b>              | Council Governance / (02) 4428 4100 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>                                            |
| <b>Action required</b>      | Response to OLG                                                                                                                             |

### Consultation on draft Model Media Policy

#### What's new or changing

- The Office of Local Government (OLG) has issued a consultation draft of a *Model Media Policy*.
- OLG is seeking the views of councils and other stakeholders on the consultation draft prior to finalising the model policy.
- The model policy has been developed drawing on best practice across the local government sector.
- The model policy will not be mandatory, and councils will be free to choose whether to use the policy or to adapt it for their own purposes. If adopted, the policy will operate to supplement the provisions of councils' adopted codes of conduct.

#### What this will mean for your council

- OLG is inviting submissions from councils and other stakeholders on the consultation draft of the Model Media Policy.

#### Key points

- The draft Model Media Policy is available on OLG's website [here](#).
- Submissions may be made by email to [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).
- Submissions should be labelled "*Model Media Policy*" and marked to the attention of OLG's Council Governance Team.
- Submissions should be made before **26 October 2022**.

#### Where to go for further information

- For further information, contact OLG's Council Governance Team on (02) 4428 4100 or by email to [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).



**Melanie Hawyes**  
Group Deputy Secretary Crown Lands and Local Government

Office of Local Government  
5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541  
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
E [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au) W [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au) ABN 20 770 707 468

|                             |                                                                                                     |
|-----------------------------|-----------------------------------------------------------------------------------------------------|
| <b>Circular Details</b>     | Circular No 22-25 / 31 August 2022 / A812271                                                        |
| <b>Previous Circular</b>    | 22-12 <i>Proposed amendments to the standard contract of employment for general managers</i>        |
| <b>Who should read this</b> | Councillors / General Managers / Joint Organisation Executive Officers / Human Resources Staff      |
| <b>Contact</b>              | Council Governance Team / 02 4428 4100 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a> |
| <b>Action required</b>      | Councils and joint organisations to implement                                                       |

### **New standard contracts of employment for general managers and executive officers and updated guidelines for the appointment and oversight of general managers**

#### **What's new or changing**

- The "departmental chief executive" has approved new standard contracts of employment for general managers of councils and executive officers of joint organisations under section 338 of the *Local Government Act 1993* (the Act).
- The new standard contracts have been developed in consultation with the sector in response to recommendations arising from ICAC's investigation of the former Canterbury City Council (Operation Dasha).
- New *Guidelines for the Appointment and Oversight of General Managers* have also been issued under section 23A of the Act to assist councils in the implementation of the new contracts.
- The Guidelines have been updated to reflect the new standard contracts and to implement ICAC's recommendation that they include guidance that general managers' performance agreements include performance indicators related to the promotion of an ethical culture. The Guidelines also contain guidance on the importance of good working relationships between councils and general managers.
- The changes are summarised in the attachment to this circular.

#### **What this will mean for your council**

- Under section 338 of the Act, general managers and executive officers must be employed under contracts with terms of between 12 months and 5 years based on the standard contracts approved by the departmental chief executive of OLG.
- When appointing a new general manager or executive officer or renewing their contract, councils and joint organisations must use the new approved standard contracts.
- The approval of the new standard contracts does not affect existing employment contracts general managers and executive officers are employed under. However, clause 19.2 of existing contracts allows them to be varied by agreement between the employee and the council or joint organisation to be consistent with the provisions of the new approved standard contracts.

Office of Local Government  
5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541  
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
E [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au) W [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au) ABN 20 770 707 468

- A separate review is being undertaken of employment arrangements under the Act for “senior staff”. Until the review is completed, councils should continue to use the existing approved standard contract of employment for senior staff.
- Under section 23A of the Act, councils and joint organisations must consider the updated Guidelines when exercising their functions in relation to the recruitment and oversight of general managers.

**Where to go for further information**

- The new standard contracts of employment for general managers and executive officers and the updated Guidelines are available [here](#).
- Information about the amendments to the standard contracts is set out in the attachment to this circular.
- For further information please contact OLG’s Council Governance Team on (02) 4428 4100 or by email at [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).



**Melanie Hawyes**  
**Deputy Secretary, Crown Lands and Local Government**

Office of Local Government  
5 O’Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541  
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
E [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au) W [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au) ABN 20 770 707 468

## ATTACHMENT

### **What changes have been made to the standard contracts of employment for general managers of councils and executive officers of joint organisations to ensure greater security of employment?**

A key focus of the amendments to the standard contracts of employment for general managers and executive officers is to strengthen access to mediation under the contract to manage and address conflict in the relationship when it arises and to ensure more rigour in decisions by councils to terminate the employment of the general manager.

These amendments include the following:

- Before terminating a general manager's or executive officer's employment for poor performance, the council or joint organisation must have first conducted a performance review, concluded that the general manager's or executive officer's performance falls short of the performance criteria or the terms of their performance agreement, and afforded the general manager or executive officer a reasonable opportunity to utilise dispute resolution.
- Where a council or joint organisation intends to terminate the employment of its general manager or executive officer utilising the 'no fault' termination provision (clause 10.3.1(e)), if either party requests it and both parties agree, they may participate in mediation in relation to the proposed decision to terminate. If the council or joint organisation does not agree to participate in mediation, it must give the general manager or executive officer reasons for its decision where the general manager or executive officer requests it.
- Councils and joint organisations and their general managers or executive officer may agree on a mediator when the contract is made.
- Where a council or joint organisation terminates the general manager's or executive officer's employment under the "no fault" termination provision (clause 10.3.1(e)), the council or joint organisation must give the general manager or executive officer reasons for its decision to terminate their employment where the general manager or executive officer requests it.
- Serious and persistent breaches of the council's code of conduct by the general manager or executive officer constitute grounds for summary dismissal.

### **What changes are being made to the standard contracts of employment for general managers and executive officers relating to their remuneration?**

The following amendments have been made to the provisions of the contracts relating to general managers' and executive officers' remuneration:

- Clause 8.4 of the contract has been amended to clarify that a discretionary performance-based pay increase only applies for one year unless the council or joint organisation determines that it is to apply for the balance of the contract.

Office of Local Government  
5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541  
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
E [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au) W [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au) ABN 20 770 707 468

- Clause 8.4 also allows for the payment of a retention bonus on one occasion during the term of the contract. This accrues on an annual, pro-rata basis for the remainder of the term of the contract and is to be paid to the general manager or executive officer at the end of the contract period.

**What other changes are being made to the standard contracts of employment for general managers and executive officers?**

Other changes include:

- Definitions and other provisions have been updated to reflect legislative and administrative changes made since the previous standard contracts were approved.
- A new provision has been included (clause 5.5) empowering the departmental chief executive of OLG to approve an extension of the timeframes prescribed under clause 5 for the renewal of the contract in exceptional or unforeseen circumstances.
- Minor amendments have been made to the functions and duties of general managers and executive officers prescribed under clause 6 to reflect legislative changes and to place an obligation on general managers and executive officers to ensure a safe workplace and to facilitate compliance with the *Work Health and Safety Act 2011*.
- A new provision (clause 7.12) has been included that confirms that the performance agreement, action plan and any associated records that contain information about the work performance or conduct of the general manager or executive officer are to remain confidential unless otherwise agreed to by the general manager or executive officer or required by law.
- The provision that provides that the contract automatically terminates where the employee becomes bankrupt (clause 10.4.2) has been extended to also apply if the employee is disqualified from managing a corporation under Part 2D.6 of the *Corporations Act 2001*.
- The service of notice provisions, (clause 18), have been updated to allow service by email.

|                             |                                |
|-----------------------------|--------------------------------|
| <b>Circular Details</b>     | Circular No 22-26 / 09/09/2022 |
| <b>Who should read this</b> | Mayors / General Managers      |
| <b>Contact</b>              | Council Governance Team        |
| <b>Action required</b>      | Information                    |

### Her Majesty the Queen

Australians woke to the news this morning that Her Majesty Queen Elizabeth II passed away on 8 September 2022 at the age of 96.

Her Late Majesty played a vital role in the shaping of NSW. She visited NSW cities, suburbs and regional areas on many occasions throughout her reign and will be forever linked to our State and to our Nation.

Today is a day of mourning, with flags lowered to half mast, and there will be a number of official steps taken to recognise the Sovereign's death.

### Where to go for further information

More information on protocols and how NSW will pay tribute and observances will be provided at on the NSW Government website at <https://www.nsw.gov.au/sovereign>

Information is also available on the Department of Prime Minister and Cabinet website at: <https://www.pmc.gov.au/frequently-asked-questions>.

These websites are being updated frequently as new information emerges.

**Melanie Hawyes**  
Deputy Secretary, Crown Lands and Local Government

Office of Local Government  
5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541  
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
E [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au) W [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au) ABN 20 770 707 468

|                             |                                                                                                      |
|-----------------------------|------------------------------------------------------------------------------------------------------|
| <b>Circular Details</b>     | Circular No 22-27 / 19 September 2022 / A830472                                                      |
| <b>Previous Circular</b>    | N/A                                                                                                  |
| <b>Who should read this</b> | Councillors / General Managers / All council staff                                                   |
| <b>Contact</b>              | Council Governance Team / (02) 4428 4100/ <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a> |
| <b>Action required</b>      | Response to OLG                                                                                      |

### Discussion paper – Senior staff employment

#### What's new or changing

- In response to the findings and recommendations of the Independent Commission Against Corruption arising from its investigation of the former Canterbury City Council (Operation Dasha), the parties to the *Local Government (State) Award* (the Award), have requested the Government to amend the *Local Government Act 1993* (the Act) to remove the ability for councils to determine positions in their organisation structure to be "senior staff positions".
- The Office of Local Government (OLG) has issued a discussion paper to seek the views of the broader local government sector on the changes requested by the parties to the Award. This feedback will be used to inform the Government's position on this issue.
- The discussion paper is available on OLG's website [here](#).

#### What this will mean for your council

- Councils are invited to make submissions indicating whether they would support the making of the legislative amendments requested by the parties to the Award set out in the discussion paper.
- Submissions may be made by email to [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).
- Submissions should be labelled 'senior staff employment' and marked to the attention of OLG's Council Governance Team.
- Submissions should be made by **COB 15 November 2022**.

#### Key points

- Under the current provisions of the Act, the holders of positions determined by councils to be "senior staff positions" must be employed using standard contracts of between 1–5 years duration.
- A council can only determine a position to be a senior staff position if the responsibilities, skills, and accountability of the position are generally equivalent to those applicable to the Executive Band of the Award (executive level employees) and the total remuneration package is equal to or greater than the minimum remuneration package payable with respect to senior executives whose positions are graded Band 1 under the *Government Sector Employment Act 2013*.

Office of Local Government  
 5 O'Keefe Avenue NOWRA NSW 2541  
 Locked Bag 3015 NOWRA NSW 2541  
 T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
 E [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au) W [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au) ABN 20 770 707 468

- Under the model proposed by the parties to the Award, only the general manager would be employed under a standard contract and all other council staff, including senior executives, would be employed under the Award.

**Where to go for further information**

- The discussion paper is available on OLG's website [here](#).
- For further information, please contact OLG's Council Governance Team on 02 4428 4100 or by email at [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).



**Melanie Hawyes**  
**Deputy Secretary, Crown Lands and Local Government**

Office of Local Government  
5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541  
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
E [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au) W [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au) ABN 20 770 707 468

### 9.1.3 IMPORTANT DATES – UPCOMING MEETINGS AND EVENTS

**REPORTING SECTION:** Executive  
**AUTHOR:** Michael Urquhart  
**FILE NUMBER:** 12/14-03

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**Summary:**

A list of upcoming meetings and events is provided for Councillors to make notes of to avoid any clashes of commitments.

**Discussion (including issues and background):**

This report allows Councillors and senior management staff to plan their activities and spread their work load having regard to upcoming commitments. It also avoids situations where some Councillors missed meetings or are not aware of when they have been scheduled. In addition, outside organisations have been requested to send meeting notice and minutes direct to Council's various representatives. Where notification is received meeting dates will be listed on the strategic tasks, events and meetings calendar and the representative(s) names flagged.

**Current Position:**

Councillors are requested to raise any queries prior to the meetings listed.

**Governance Issues:**

Good governance centres in part on good communication and forward planning. Councillors are requested to advise the General Manager's Executive Assistant of any coming community or Councillor function so as to avoid any clashes of commitments.

**Environmental Issues:**

Not applicable.

**Stakeholders:**

Councillors and Walgett Shire Council staff.

**Alternative Solutions/Options:**

Not applicable.

**Conclusion:**

Provided there are no changes it is appropriate to receive and not the information.

| Important Dates For Councillors – Upcoming Meetings & Events                                                                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>That Council receive and note the list of upcoming meetings and events.</p> <p><b>Moved:</b></p> <p><b>Seconded:</b></p> |

**Attachments:**

Upcoming meetings and events schedule.

**IMPORTANT DATES – Upcoming Meetings and Events**

| DATE                 | MEETING/FUNCTION                              | LOCATION                         | NOTES                                                 |
|----------------------|-----------------------------------------------|----------------------------------|-------------------------------------------------------|
| 5 October 2022       | Local Traffic Committee Meeting               | Walgett Chambers                 | Mayor, Clr Hundy, Clr Cooke, Clr Rummery, GM and DETS |
| 11 October 2022      | Outback Arts Quarterly Meeting                | Coonamble                        | Mayor and Clr Currey                                  |
| 14 October 2022      | Western Alliance of Councils Ordinary Meeting | Bourke                           | Mayor and General Manager                             |
| 23 – 25 October 2022 | LGNSW Annual Conference                       | Crowne Plaza Hunter Valley       | Mayor, Councillor Cooke and GM                        |
| 27 October 2022      | Council Meeting                               | Walgett Chambers                 | Councillors, GM and Executive Staff to attend         |
| 31 October 2022      | Castlereagh Macquarie County Council Meeting  | Coonamble Shire Council Chambers | Clr Woodcock, Clr Cooke and General Manager           |
| 9 November 2022      | LEMC Meeting                                  | Walgett Police Station           | General Manager                                       |
| 22 November 2022     | Council Meeting                               | Walgett Chambers                 | Councillors, GM and Executive Staff to attend         |
| 23 November 2022     | Cross Border Disaster Management Conference   | Goondiwindi /Zoom                | Mayor, Deputy Mayor and General Manager               |
| 24 November 2022     | BROC General Meeting                          | Goondiwindi                      | Mayor & GM                                            |
| 8 December 2022      | Barwon Darling CAG Ordinary Meeting           | Bourke                           | Mayor, Deputy Mayor & General Manager                 |
| 19 December 2022     | Castlereagh Macquarie County Council Meeting  | Coonamble Shire Council Chambers | Clr Woodcock, Clr Cooke and General Manager           |
| 20 December 2022     | Council Meeting                               | Walgett Chambers                 | Councillors, GM and Executive Staff to attend         |

## 9.1.4 2022 COUNCIL POLICY AND PROCEDURE REVIEW

**REPORTING SECTION:** Executive  
**AUTHOR:** Michael Urquhart  
**FILE NUMBER:** 22/10/0107

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### **Summary:**

The attached policies are presented to Council for consideration and adoption.

1. Time in Lieu
2. Use of Council Chambers by Community Groups and Government Agencies
3. Workplace Display Material
4. Sharps & Other Possible Contaminant Injuries
5. Statement of Business Ethics

### **Background:**

Council from time to time Council must regularly review its various policies and procedures to ensure compliance with current legislation and relevant procedures applying at the time.

### **Current Position:**

The following policies have been reviewed by senior management and a number of cosmetic changes have been made to the documents.

### **Governance issues:**

As per the various policies  
Local Government Act 1993  
Local Government (General) Regulation 2005

### **Environmental issues:**

N/A

### **Stakeholders:**

Walgett Shire Council  
Walgett Community  
Walgett Shire Council Staff

### **Financial Implications:**

The revised policies do not present any financial issues for Council.

### **Alternative Solutions/Options:**

N/A

### **Conclusion:**

The writer is recommending Council adopts the revised policies as presented.

**Council Policy and Procedure Review**

**Recommendation:**

That:

1. The General Managers report be received;
2. Council adopts the revised policies and procedures as presented:
  - i) Time in Lieu
  - ii) Use of Council Chambers by Community Groups and Government Agencies
  - iii) Workplace Display Material
  - iv) Sharps & Other Possible Contaminate Injuries
  - v) Statement of Business Ethics

**Moved:**

**Seconded:**

**Attachments:**

The abovementioned policies and procedures.



## TIME IN LIEU

### POLICY AND PROCEDURE

Approval Date:

Next Review Date: March 2018/July 2025

Responsible Officer: General Manager

---

#### Policy Statement

Walgett Shire Council recognises the demands placed on Council and its employees, from time to time, and values the importance of providing an avenue which creates a quality work/life balance within the framework of the Local Government (State) Award 2020.

#### Purpose

The purpose of this policy is to ensure that:

- All Directors, Managers and staff have an understanding of the use of time in lieu arrangements in this organization.
- All Directors, Managers and staff are aware of the procedures for receiving time in lieu.

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#### **Objective**

To provide time in lieu opportunities where appropriate for Council and staff.

#### **Statutory Requirements**

Local Government Act 1993  
Local Government (State) Award 2014/2020  
Work Health and Safety Act 2011  
Anti-Discrimination Act 1977

#### **Related Policy/Procedure**

Conditions of Employment  
Higher Duties Allowance  
Equal Employment Opportunity  
Payment for Additional Duties  
Flexible Work Practices

#### Application

This Policy applies to all employees of Walgett Shire Council.

**Responsibilities**

**In accordance with Council's Conditions of Employment Policy and Procedure, it is the responsibility of each staff member to keep an accurate timesheet (supplied by Council), recording all hours worked, whilst in the employ of Walgett Shire Council.**

**All time worked for Council will be managed by each employees' direct supervisor/manager, who reports to the General Manager.**

**Approval for Time in Lieu**

Under the Walgett Shire Council Flexitime Agreement employees can accrue time in lieu for work in excess of their normal weekly ordinary hours.

**Limit for Time in Lieu**

A maximum of three (3) days time in lieu is allowed to be accrued by all employees (~~35-21~~ hours for indoor staff and ~~38-23~~ hours for outdoor staff). Once a staff member reaches this limit it is expected that the employee will take the time in lieu. The only exception to this limit is where there is a specific operational need for that employee to continue working. All exceptions for an accrual in excess of three (3) days must be approved in writing by the General Manager.

All time in lieu must be used before an application for annual leave is made.

**Payroll Notification**

Employees' timesheets ~~should will~~ detail time in lieu which then must be authorised and signed by the ~~employee's~~ relevant manager or supervisor.

Any discrepancies or disputes relating to time in lieu will be reported directly to the General Manager for clarification.

**Communication of this Policy**

**Walgett Shire Council will communicate this policy, and the rationale for it, to all employees upon commencement.**

**Procedure Review History**

| Date                     | Changes Made                                             | <del>Approved-Reviewed</del> By           |
|--------------------------|----------------------------------------------------------|-------------------------------------------|
|                          | Procedure Developed                                      | Ray Kent - General Manager                |
| 28 March 2017            | Reviewed                                                 | Don Ramsland – General Manager            |
| <u>18 September 2022</u> | <u>Reviewed – new Council term December 2021 to 2024</u> | <u>Michael Urquhart – General Manager</u> |

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## USE OF COUNCIL CHAMBERS BY COMMUNITY GROUPS AND GOVERNMENT AGENCIES POLICY & PROCEDURE

Adoption Date:

Next Review Date: September 2025

Responsible Officer: General Manager

---

### POLICY STATEMENT

WSC-Walgett Shire Council will make the Council Chambers and Upstairs Meeting Room available, during normal business hours when not otherwise in use by Council or Council staff, for use by Community Groups and/or Government Agencies. Council will not normally make these facilities available outside normal business hours, unless the meeting or function to be held involves the personal attendance of a member of Council's Management Staff.

---

### OBJECTIVES:

~~This policy has the objective of making~~To make a community resource available for community use, as far as possible, without compromising Council operations and/or building security.

### STATUTORY REQUIREMENTS

Local Government Act 1993

Anti-Discrimination Act 1977

### RELATED POLICY/PROCEDURE

Code of Conduct

Asset Management

Complaints Management

Customer Service

### PROCEDURES:

#### Bookings

Requests to use the Council Chambers and/or Upstairs Meeting Room shall be taken by Council's Customer Service Team and shall be accepted, when the facility is not otherwise in use by Council or Council staff on a first come, - first served basis. ~~Booking requests make of staff shall be referred to a member of the Customer Service Team to avoid double booking or accepting a booking when Council use has priority.~~

#### Servicing the Facilities

Where meeting of community groups need to be serviced, by way of set up and/or clean up, Council reserves the right to make a charge to defray costs.

~~A modest charge of \$10, exclusive of an servicing costs, shall apply when other groups use the facilities.~~

~~A servicing charge of \$30 per hour shall apply where a meeting necessitates Council staff undertaking set up and/or cleanup work.~~

A minimum charge of \$15 shall apply for servicing, where this is undertaken, either at the request of the group using the facility, or as a result of the group leaving the facility in a condition requiring cleanup.

~~A servicing charge of \$30 per hour shall apply where a meeting necessitates Council staff undertaking set up and/or cleanup work.~~

Invoicing

Council’s Customer Service Team is authorized to create an invoice, using Walgett Shire Council’s current Fees and Charges schedule, and any servicing fee encompassed within this Policy.

Disputes

Disputes over unavailability or fees and charges, for the usage of the Council Chambers and/or the Upstairs Meeting Room, shall be referred to the General Manager who will make a determination which is final and must be adhered to.

**Procedure Review History**

| <u>Date</u>              | <u>Changes Made</u>                                      | <u>Reviewed By</u>                        |
|--------------------------|----------------------------------------------------------|-------------------------------------------|
|                          | <u>Procedure Developed</u>                               | <u>Ray Kent - General Manager</u>         |
| <u>9 December 2016</u>   | <u>Reviewed</u>                                          | <u>Don Ramsland – General Manager</u>     |
| <u>18 September 2022</u> | <u>Reviewed – new Council term December 2021 to 2021</u> | <u>Michael Urquhart – General Manager</u> |

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## WORKPLACE DISPLAY MATERIAL POLICY AND PROCEDURE

Adoption Date:

Next Review Date: July 2025

Responsible Officer: Human Resources Manager

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### POLICY STATEMENT

~~WSC is committed to eliminate from all council workplaces the display of sexually, and racially, denigrating material and any other material likely to cause offence.~~

Walgett Shire Council has a duty of care to protect its employees, contractors and visitors to all Council owned building and work sites from the display of any material which may cause offence, including, but not limited to, material of a sexual, racist and/or denigrating nature.

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### OBJECTIVES:

- To ensure that Council recognizes its legal obligation regarding the health and safety of those who work in and/or visit Council buildings and work sites, in conjunction with the statutory requirements provided by law.
- To provide clear guidelines stating that the display of any material which is offensive (according to prevailing community standards) in context, presentation, tone and/or language will not be tolerated.
- To ensure that Council workplaces reflect community expectations and do not have the potential to vilify or cause offense.
- To provide a clear framework when dealing with displayed material which may be deemed to be in contravention of this Policy.

### STATUTORY REQUIREMENTS

NSW Local Government Act 1993

Work Health and Safety Act 2011

Anti-Discrimination Act 1977

Disability Discrimination Act 1992

Human Rights and Equal Opportunity Commission (HREOC) Act 1986

Racial Discrimination Act 1975

Racial Hatred Act 1995

Sex Discrimination Act 1984

Crimes Act 1900 No. 40

NSW Workers Compensation Act 1987

### RELATED POLICY/PROCEDURE

Code of Conduct

Counselling and Disciplinary

Bullying and Harassment

Conditions of Employment

Work Health and Safety

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DEFINITIONS:

Community A social unit with commonality such as place, norms, religion, values, customs or identity

Material Material includes graphics such as pictures, posters, cartoons, picture calendars, graffiti, painted or printed clothing (T-shirts, etc.) and written or printed material such as poems, quotes, notes and jokes.

Offence Annoyance or resentment brought about by a perceived insult to and/or disregard for oneself and/or others.

Vilify To speak or write about oneself or others in an abusively disparaging manner.

Workplace A place where people work

APPLICATION:

This Policy applies to all Councillors and Council staff when working in a Council owned building and/or on a Council worksite, whether it be either indoors, outdoors or within the confines of Council vehicles and equipment.

RESPONSIBILITIES:

Under the Work Health and Safety Act 2011 the employer (Walgett Shire Council) has the primary duty of care to ensure the health and safety of workers in its employ. It follows that Council has an obligation to monitor all workplaces in this respect and take whatever action is necessary to eliminate and remove any materials which may cause offence by virtue of their perceived discriminatory, intimidatory, coercive and/or misleading nature.

All managers and supervisors must enforce this policy by removing offensive materials and taking appropriate action to eliminate the possibility of recurrence.

Council's human resources policies do not apply to non-employees, however if contractors and suppliers commence work on Council premises, provisions should be made to include compliance with Council's requirements on workplace display material.

ALLOWABLE MATERIALS:

Walgett Shire Council understands that visual workplace materials can enhance efficiency, productivity and staff morale and therefore will allow suitable materials around the workplace to that end. Allowable materials can include, but are not limited to, calendars, reference materials, maps, family photos, children's drawings and the like.

BANNED MATERIALS:

Any material which may be deemed offensive (according to prevailing community standards) in context, presentation, tone and/or language. Banned materials include, but are not limited to, material that is racist, ageist, sexist, homophobic, libelous or derogatory to any individual or group.

NON COMPLIANCE:

Staff adherence to the Workplace Display Materials Policy and Procedure is a condition of employment and any breach of this Policy will lead to normal disciplinary procedures being applied, as per Council's Counselling and Disciplinary Policy and Procedure.

Note: employees cannot be disciplined by Council if they display banned material away their workplace, during their own time.

DISPUTES:

Disputes over contents of display material must be referred to the General Manager, who will make a determination which is final and must be adhered to.

**COMMUNICATION OF THIS POLICY:**

Walgett Shire Council will communicate this policy and the rationale for it to all employees, suppliers to Council and contractors to Council, and may require that the standards of this Policy are incorporated in contracts.

**Procedure Review History**

| <u>Date</u>              | <u>Changes Made</u>                                      | <u>Reviewed By</u>                        |
|--------------------------|----------------------------------------------------------|-------------------------------------------|
|                          | <u>Procedure Developed</u>                               | <u>Ray Kent – General Manager</u>         |
| <u>13 January 2017</u>   | <u>Reviewed</u>                                          | <u>Don Ramsland – General Manager</u>     |
| <u>18 September 2022</u> | <u>Reviewed – new Council term December 2021 to 2024</u> | <u>Michael Urquhart – General Manager</u> |

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**POLICY IMPLEMENTATION PROCEDURES, GUIDELINES AND DOCUMENTS**

- ▲ ~~Insert Title~~

**RELATED WSC POLICIES**

- ▲ ~~Insert Title~~

**OBJECTIVES:**

- ▲ ~~Applicability~~  
~~This policy applies to all employees and workplaces.~~

- ▲ ~~Display of offensive material in the workplace~~

~~The display of sexually denigrating materials in workplaces constitutes a form of sexual harassment.~~  
~~Council has a responsibility to ensure that its workplaces reflect community expectations and do not~~

WSC – Policy – Workplace Display Material

~~\_\_\_\_\_ have the potential to be offensive, for example, there is no validity in the argument or assertion that,  
\_\_\_\_\_ because no women work in a certain workplace, display of material sexually denigrating to women  
\_\_\_\_\_ is offensive.~~

~~• Offensive display material as a form of vilification~~

~~Display of racially denigrating material constitutes a form of racial vilification. Council's responsibilities and obligations in this area are the same as for sexually denigrating material.~~

~~• Council's responsibility~~

~~Legally, offensive materials in the workplace are the responsibility of the employer. It follows that there is an obligation on council to monitor workplaces in this respect and to take whatever action is necessary to eliminate or remove such materials.~~

~~• Workplace image~~

~~Council should be aware of the adverse image of the workplace which is generated by the display of offensive material.~~

~~• Contractors and suppliers~~

~~Council's human resources policies do not apply to non-employees. If contractors and suppliers work on council premises, provisions are to include compliance with Council's requirements on workplace display material.~~

~~• Banned workplace display materials~~

~~The display of sexist, racist, sexually denigrating, racially denigrating or otherwise offensive material is banned from council premises, workplaces, vehicles, plant and equipment.~~

~~• Responsibility of managers and supervisors~~

~~All managers and supervisors must enforce this policy by removing offensive materials or taking appropriate action.~~

~~• Disputes~~

~~Disputes over contents of display material to be referred to the Executive (General Manager, Chief Executives and Mayor) for determination.~~

~~• Council may exercise the option of disciplinary action~~

~~Council will regard breaches of the policy very seriously; offenders may be subject to disciplinary action.~~

~~• Communication of this policy~~

~~Council will communicate this policy and the rationale for it to all employees, suppliers to council and contractors to council, and may require that the standards of this policy are incorporated in contracts.~~

~~• Variation~~

~~Council reserves the right to vary or revoke this policy.~~

**DEFINITIONS:**

~~Material \_\_\_\_\_ Material includes graphics such as pictures, posters, cartoons, picture calendars, graffiti,  
\_\_\_\_\_ painted or printed clothing (T-shirts etc) and written or printed material such as poems,  
\_\_\_\_\_ quotes, notes and jokes, which are sexist, racist, sexually denigrating or racially denigrating  
\_\_\_\_\_ or offensive.~~

~~Vilification \_\_\_\_\_ Vilification is unlawful under the NSW Anti-Discrimination Act on the grounds of race,  
\_\_\_\_\_ homosexuality and actual or alleged HIV/AIDS infection. Vilification concerns the use of~~

~~\_\_\_\_\_ verbal communication or non-verbal conduct which, on the grounds outlined above, incites  
\_\_\_\_\_ hatred towards, serious contempt for, or severe ridicule of, a person or group of persons.~~



# SHARPS & OTHER POSSIBLE CONTAMINANT INJURIES POLICY & PROCEDURE

Approval Date:           

Next Review Date: ~~November 2014~~ September 2022 2024

Responsible Officer: ~~Director Corporate and Community Services~~  
                                  Manager Human Resources

~~Policy Statement needs to be developed~~

Policy Statement

Walgett Shire Council has a duty of care to ensure the health, welfare and safety of all employees, contractors and visitors at council work sites. Employees are also responsible for maintaining a safe and healthy workplace and complying with any and all council policies and procedures relevant to each place of work.

**Objective**

To minimise the impact of coming into contact with sharps as well as other contaminated waste on staff and the community.

**Statutory Requirements**

- NSW Local Government Act 1993
- Work Health and Safety Act ~~2000~~ 2011
- Work Health and Safety Regulation ~~2001~~ 2017
- NSW Workers Compensation Act 1987

**Related Policy/Procedure**

Work Health & Safety

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**Prevention and Treatment of Sharps & Other Possible Contaminant Injuries**

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**1. Returning used needles and syringes**

Used needles found in the street or other areas of Walgett Shire Council’s operations present a danger to both employees and the general public.

Employees finding used syringes or needles should:

- a) If available use an approved “Sharps Only” container or if not available:
- b) Obtain a strong plastic screw top container of the type used for fruit juice.
- c) Always take the container to the syringe and avoid unnecessary handling of the syringe.
- d) Pick up the syringe by the blunt end away from the needlepoint. If the plastic cap is nearby **DO NOT** try to recap it.
- e) Place the container on the ground and put the syringe into the container – **NEVER** hold the container while you are disposing of a syringe.
- f) Make sure the container is tightly sealed.

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**2. To arrange for the container’s disposal you can:**

- ~~Ring Alcohol & Drug Information Service for disposal options on 02 008 422 599; or~~
- Contact Council’s **OH&S** WHS Officer on ~~68 286 110~~ 6828 6110 or 0417 249 929
- ~~Ring the Needle and Syringe Exchange Program for advice.~~

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**3. What to do if you injure yourself with a syringe or sharp**

- a) Where possible retain the syringe/sharp, which caused the injury.
- b) Gently squeeze the wound so that it bleeds.
- c) Wash the affected area with soap and water.
- d) Apply antiseptic and dress the wound.
- e) Contact your supervisor as soon as possible and report the incident.
- f) Contact your local Community Health Centre or Doctor who will advise you of the need for HIV testing, counselling and possible Hepatitis vaccination.
- g) Report the injury on Council’s Incident Report Form and forward to the Human Resources Officer or the ~~OH&S and Risk Management Officer.~~ WHS Officer.

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**4. Clearing Blocked Mains**

- a) Use pliers to remove any blockage that is not visible.
- b) Keep clear sight distance where hands are being placed as rods or water snorter hose are being retrieved from sewer mains.
- c) Use heavy duty gloves when removing rods or water snorter hose from sewer mains.
- d) Use pliers to free entanglements around equipment that has been in sewer mains.
- e) If a sharp or needle is found, secure the area and follow the procedures for Returning Used Needles and Syringes.

**5. Solid Waste Management.**

- a) Items contaminated with wastewater, blood or body substances are potentially infectious.
- b) Clinical waste is any waste which has the potential to cause sharp injury, infection or offence.

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WSC - Procedure - Sharps & Other Possible Contaminant Injuries

- c) Clinical waste will be disposed of in the appropriate containers. If there is any doubt as to the appropriate container, advice should be obtained from the supervisor.
- d) If a sharp or needle is found, secure the area and follow the procedures for Returning Needles and Syringes.

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**6. Wastewater Spills**

- a) Always wear personal protective equipment as required.
- b) Contain and confine the spill – **DO NOT** allow access to the contaminated area.
- c) Mop up the bulk of the spill using disposable absorbent towel – ensure the entire spill is mopped up.
- d) Treat debris as clinical waste: and
- e) Wash area with neutral detergent and dry.
- f) For outside spills spread liquid detergent over affected area and explain to affected resident that ultra-violet (UV) disinfection is one of the best ways to neutralize wastewater.

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**7. Sharps Containers in WSC Vehicles.**

- a) Only approved sharps containers must be used.
- b) The sharps containers lid must be securely closed before transportation.
- c) The container is to be transported in the boot or the floor of the vehicle.
- d) Sharps containers must be delivered to the receiving point as soon as practical or to the WHS Officer for disposal.
- ~~e) Used sharps containers should not be kept in vehicles overnight or over weekends.~~
- f) Any incident involving sharps containers during transportation must be documented on an Incident form and reported to your supervisor at the time of the incident. This allows for the immediate investigation of the incident.

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### 8. Universal Precautions

A universal or standard precaution is a concept whereby **ALL** blood and body substances are considered to be potentially infectious. This is the concept to be adopted by all employees of Walgett Shire Council when dealing with sharps, needles and waste materials.

All Walgett Shire Council employees will practice the concept of universal precautions through the use of these procedures and the appropriate work methods and protective equipment.

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### 9. Hand Washing/Personal Hygiene

Hand washing is considered the single most important procedure any person can do to minimise the spread of infection.

Hand washing should be practiced by all employees regardless of what role they play within Council.

Additionally employees should check skin integrity on a daily basis, prior to the commencement of duty. A water resistant occlusive dressing should cover any breaks in the skin. The dressing should be changed as necessary or when soiled.

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### 10. Protective Equipment.

- a) Gloves must be worn when handling wastewater or sanitary substances.
- b) Gloves must be replaced when torn or punctured. Gloves will be discarded in the appropriate receptacle.
- c) Gloves are not a replacement for hand washing and good hygiene practices.
- d) Goggles/Eye Protection must be worn at all times when undertaking any procedure where splashing of wastewater can occur.
- e) Employees must ensure they have protective eyewear available at all times.
- f) Protective footwear must be worn at all times.
- g) Supervisors will periodically inspect all protective equipment to ensure that it is being maintained and is in good condition.

WSC - Procedure - Sharps & Other Possible Contaminant Injuries

**Procedure Review History**

| Date              | Changes Made                                                                    | Approved/Reviewed By               |
|-------------------|---------------------------------------------------------------------------------|------------------------------------|
|                   | Complete Review                                                                 | Ray Kent - General Manager         |
| 20 September 2022 | <del>Complete Review</del> Reviewed - new Council term<br>December 2021 to 2024 | Michael Urquhart - General Manager |
|                   |                                                                                 |                                    |

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WSC - Procedure – Statement of Business Ethics



## STATEMENT OF BUSINESS ETHICS POLICY & PROCEDURE

Approval Date:

Next Review Date: ~~November 2011~~ September 2024

Responsible Officer: General Manager

### POLICY STATEMENT

Walgett Shire Council SC is committed to promoting integrity, ethical conduct and accountability through its work practices and standards. All organisations and individuals are required to observe certain principles when doing business with Walgett Shire Council.

### OBJECTIVES:

- To ensure that Council complies with the Local Government Act 1993 and that its policies, procedures and practices are in accordance with best practice.
- To ensure that the services provided to customers are provided in a manner consistent with sound business principles and in the most ethical and economically favorable way.
- To provide standards and guidelines to the business community when dealing with Council which outline Council's ethical standards and the expectation that goods and service providers will comply with these standards when dealing with Council.
- To ensure that Councillors, staff and service providers who undertake work on Council's behalf maintain a high standard of integrity and ethical conduct.

### Statutory Requirements

[NSW Local Government Act 1993](#)

### Related Policy/Procedure

[Walgett Shire Council](#) Code of Conduct

### Government References

[Department of Local Government Promoting Better Practice Program](#)

### Application

This procedure applies to all Councillors, employees, service providers, contractors, suppliers, the business community and external parties who deal with Council. This statement must be provided to all suppliers, contractors, constituents and business partners.

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## 1. Key Business Principles

- Value for money: This is the core of all business relationships. Council considers all relevant factors when undertaking or engaging the procurement of goods and services which includes:
  - Initial cost and whole of life costing
  - quality and reliability
  - customer service
  - WH&S compliance
  - technical/mechanical
  - environmental sustainability
  - legislative compliance
- Fairness: Council treats all parties involved in a fair and impartial manner. All purchases are made in accordance with the Walgett Shire Council Disposal and Procurement Policy.
- Prevention of Corruption: Council has a high standard of ethical behavior and is committed to all parties including Councillors, staff, suppliers and contractors to act honestly and report any possible fraud, maladministration, corruption or illegal activities.
- Objectivity: Council establishes a procurement criteria and objectively assesses all tenders and quotes accordingly against the criteria. All procurement for goods & services are made in accordance with the Walgett Shire Disposal and Procurement Policy.
- ~~Council will assess factors including initial cost, long term costs, quality, reliability and timeliness when assessing value for money.~~
- ~~Council will ensure that business relationships are honest and ethical when assessing value for money.~~
- ~~All business dealings will be transparent unless there is a legitimate reason for not making information available to the public.~~

## 2. Guidance Notes

### Inducements Gifts and Benefits

Individual council staff are expected to decline gifts, benefits, travel or hospitality offered during the course of their tenure with Council. If a gift is accepted it must be recorded in the Walgett Shire Council Gift Register maintained by the Executive Assistant to the General Manager.

### Conflicts of Interest

Conflicts of interest include both pecuniary and non-pecuniary interests. A pecuniary interest is an interest that a person has in a matter because of the reasonable likelihood or expectation of appreciable gain or loss to the person. A non-pecuniary interest may include family relationships, friendships or other interest that do not involve a direct financial gain.

All Councillors and staff are required to disclose, in writing, any potential conflicts of interest. This obligation also extends to business partners, contractors and suppliers.

### Confidentiality and Use of Information

Any confidential Council information must not be revealed to persons other than those with a genuine need and appropriate authority. Private, confidential, commercial-in-confidence

WSC - Procedure – Statement of Business Ethics

or proprietary information obtained as a result of doing business with Council, must never be given to competing interests or unauthorized persons. Suppliers and Contractors handling private and personal information when working for Council must adhere to Council's Privacy Management Plan.

All Walgett Shire Council information should be treated as confidential unless otherwise indicated.

Communication

All communication should be clear, concise and direct to minimise the risk of misunderstanding.

Use of Council Resources

All Council equipment, resources and information should only be used for authorised official business. Council resources includes material, equipment, motor vehicles, documents, records, data and information. Contractors, subcontractors, suppliers and business associates may only use Council resources and equipment if it is in accordance with specific conditions of a formal contract.

Employment of Council Staff

All suppliers and contractors who deal with Council are not permitted to offer Council staff outside employment of business proposals of any kind. Council staff have a duty to maintain public trust and confidence, and not use commercially sensitive information to facilitate future employment opportunities in the private sector. Under Councils Code of Conduct, all staff are required to seek approval from the General Manager prior to undertaking secondary employment. Approval will not be given if the secondary employment is likely to result in unmanageable conflict or the appearance of conflict with their Council duties.

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Canvassing Support

During a Tender process, any prospective supplier or contractor shall not directly or indirectly discuss their tender bid with a Councillor, or canvass support from an employee of Council, at any time. Any supplier or contractor involved in such activity will result in their tender being rejected.

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Contractors

All contractors employed by Walgett Shire Council are expected to comply with this statement of business ethics. They must be supplied with this statement prior to commencing work.

Complying with the statement

By complying with the principles and standards of behaviour outlined in this Statement. All parties will be able to advance their objectives and interests in a fair and ethical manner. Failure to comply with this statement may be deemed as a breach of contract. Council may terminate its contract or take other actions considered appropriate.

Intellectual Property Rights

In all business relationships, parties will respect each others intellectual property rights and will formally negotiate any access, license or use of intellectual property.

Information Released to the Media (Public Comment)

All contractors are expected to refrain from discussing Council information with the media unless otherwise authorised ~~authorized~~, they must not make any public comments or statements what would lead anyone to believe they are representing Council, or expressing

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WSC - Procedure – Statement of Business Ethics

its views or policies. This includes comments or statements made at public and community meetings, via the media including social media or when it is reasonably foreseeable that the comments or statements will become known to the public at large.

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WSC - Procedure – Statement of Business Ethics

**3. Who to Contact**

To report any unethical behavior in doing business with Council or if there are any questions regarding this statement or to provide information relating to this statement, please contact:

General Manager  
Walgett Shire Council  
PO Box 31  
Walgett NSW 2832  
Phone: (02) 6828 1399  
Fax: (02) 6828 1608  
Email: [admin@walgett.nsw.gov.au](mailto:admin@walgett.nsw.gov.au)

**Procedure Review History**

| Date                     | Changes Made                                             | <u>Reviewed/Approved</u> By               |
|--------------------------|----------------------------------------------------------|-------------------------------------------|
|                          | Complete Review                                          | Ray Kent - General Manager                |
| <u>17 September 2022</u> | Reviewed – <u>new Council term December 2021 to 2024</u> | <u>Michael Urquhart – General Manager</u> |
|                          |                                                          |                                           |

## **9.1.5 2022 MODEL SOCIAL MEDIA AND COUNCILLOR STAFF INTERACTION POLICIES**

**REPORTING SECTION:** Executive  
**AUTHOR:** Michael Urquhart  
**FILE NUMBER:** 22/10/0134

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### **Summary:**

The attached model “Social Media” and “Councillor and Staff Interaction” policies are presented to Council for consideration and adoption.

### **Background:**

The key to a successful and functional Council is the relationship between Councillors and Council staff. Poor relationships and lack of policy direction for social media and staff interaction can lead to low morale and motivation of staff that can result in high staff turnover or a worst a dysfunctional Council.

### **Current Position:**

To support a professional and functional relationship between Councillors and staff the Office of Local Government has developed model Councillor and Staff Interaction and Social Media policies for local Councils.

The model policies have been developed following two (2) rounds of consultation with the NSW local government sector and represents a “best practice” approach. Advice was also provided by key NSW Government Agencies including the Independent Commission Against Corruption, Information and Privacy Commission, State Archives and Records Authority and Resilience NSW.

The policies will operate to supplement the provisions of Councils adopted “Code of Conduct” but more importantly they provide a framework that outlines rules for interaction with staff, the receiving advice from staff and access to information. A breach of the “Councillor and Staff Interaction” policy will also be a breach of the “Code of Conduct”.

The Social Media policy provides a structured robust framework for “Best Practice” use of social; media. The policy sets out a standard for all council officials who use their social media in their official capacity.

Training in these policies will be provided to Councillors and staff.

### **Governance issues:**

As per the various policies  
Local Government Act 1993  
Local Government (General) Regulation 2021

### **Environmental issues:**

N/A

### **Stakeholders:**

Walgett Shire Council  
Walgett Community  
Walgett Shire Council Staff

**Financial Implications:**

The revised policies do not present any financial issues for Council.

**Alternative Solutions/Options:**

N/A

**Conclusion:**

There writer is recommending Council adopts the new policies as presented.

**Model Social Media and Councillor Staff Interaction Policies**

**Recommendation:**

1. That the report be received.
2. That Council adopts the Social Media and Councillor Staff Interaction policies as presented.

**Moved:**

**Seconded:**

**Attachment:**

Social Media Policy and Procedure

Councillor and Staff Interaction Policy and Procedure



## SOCIAL MEDIA POLICY AND PROCEDURE

Adoption Date:

Next Review Date: September 2023

Responsible Officer: General Manager

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### POLICY STATEMENT

Walgett Shire Council recognises the value of using social media as an effective communication tool and is committed to actively using social media as a form of community engagement.

### AIM

This policy aims to ensure that all Councillors and Council employees understand Council's expectations of them when making public comment both in their professional and personal lives, when using social media.

### OBJECTIVES:

- To enhance community engagement through effective use of social media to build trust and confidence in Walgett Shire Council and the information it provides.
- To ensure that Council recognises its legal obligations regarding the use of social media in conjunction with the statutory requirements provided by law.
- To provide clear guidelines regarding the approved social media platforms for Council use and establish best practice operation.
- To ensure the use of social media is consistent with Council strategies, policies and its position regarding strategic and operational matters.

### Statutory Requirements

NSW Local Government Act 1993  
Privacy and Personal Information Protection Act 1998  
Health Records and Information Privacy Act 2002  
Anti-Discrimination Act 1977  
Government Information (Public Access) Act 2009  
Privacy and Personal Information Protection Act 1998  
Archives Act 1983  
Spam Act 2003

### Related Policy/Procedure

Code of Conduct  
Counselling and Disciplinary  
Bullying and Harassment  
Conditions of Employment  
Access to Information  
Media

### Statutory Requirements

Councillor Handbook (OLG) December 2021  
Model Code of Conduct for Local Council in NSW  
Model Social Media Policy (OLG) 2022

## INTRODUCTION:

Social media is at the heart of modern communication. Since its inception, social media has grown in popularity and influence and is now fundamental to not just how people interact with one another, but also to how we work, play and consume information and ideas.

Social media can be broadly defined as *online platforms and applications - such as social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards - that allow people to easily publish, share and discuss content*<sup>1</sup>. Significantly, one of social media's key features is its unprecedented reach and accessibility, in that anyone with a computer or mobile device can use social media to generate content which has the potential to be viewed and shared by hundreds of millions of people worldwide.

Despite its obvious benefits, social media also presents a variety challenges and risks.

These include:

- the emergence of new, harmful forms of behaviour, such as cyber-bullying and trolling;
- maintaining the accuracy, reliability and integrity of information disseminated from multiple sources;
- organisations can be held liable for content uploaded onto their social media platforms by third parties<sup>2</sup>;
- content uploaded in a person's private capacity can adversely affect their employment and cause significant reputational damage to colleagues and employers; and
- rapid innovation can make it difficult to keep pace with emerging technologies and trends.

In addition, potential corruption risks may arise due to social media use.

These include:

- customers, development proponents / objectors, tenderers, or other stakeholders grooming public officials by behaviours such as 'liking' specific posts, reposting content, or sending personal or private messages;
- public officials disclosing confidential or sensitive information;
- using social media for sponsorship opportunities, which may unfairly advantage one sponsor over another and lack transparency; and
- public agencies or officials promoting certain businesses by behaviours such as 'following' them, 'liking' content, or making comments, which may result in those businesses being favoured over others.

## SOCIAL MEDIA AND LOCAL GOVERNMENT IN NSW:

As in the federal and state jurisdictions, social media has become an important tool in government and political discourse at the local level. In the context of NSW local government, social media has two primary functions:

- a) it is used by councils to interact and share information with their communities in an accessible and often more informal format.

- b) it enables councillors to promote their achievements and address their constituents directly about community issues and events in ways that either complement or bypass traditional news and print media.

In addition, many councils use social media as the platform through which they webcast their meetings. This increases transparency by providing visibility of council decision making in real time.

**PART 1 - PRINCIPALS:**

1.1 We, the councillors, staff and other officials of Walgett Shire Council, are committed to upholding and promoting the following principles of social media engagement:

|                  |                                                                                                                                                                                                                                       |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Openness</b>  | Our social media platforms are places where anyone can share and discuss issues that are relevant to our Council and the community we represent and serve.                                                                            |
| <b>Relevance</b> | We will ensure our social media platforms are kept up to date with informative content about our Council and community                                                                                                                |
| <b>Accuracy</b>  | The content we upload onto our social media platforms and any other social media platform will be a source of truth for our Council and community and we will prioritise the need to correct inaccuracies when they occur.            |
| <b>Respect</b>   | Our social media platforms are safe spaces. We will uphold and promote the behavioral standards contained in this policy and our Council's code of conduct when using our social media platforms and any other social media platform. |

**PART 2 – ADMINISTRATIVE FRAMEWORK FOR COUNCIL’S SOCIAL MEDIA PLATFORMS:**

**Platforms**

2.1 Council will maintain a presence on the following social media platforms:

- <https://www.facebook.com/walgettshire>
- <https://www.facebook.com/walgett.nsw.gov.au>
- <https://www.instagram.com/visitwalgettregion/>
- <https://www.instagram.com/walgettshirecouncil/>
- <https://www.linkedin.com/company/walgett-shire-council/>

2.2 Council's social media platforms must specify or provide a clearly accessible link to the 'House Rules' for engaging on the platform.

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### **Establishment and deletion of Council social media platforms**

- 2.3 A new council social media platform, or a social media platform proposed by a council related entity (for example, a council committee), can only be established or deleted with the written approval of the General Manager or their delegate.
- 2.4 Where a council social media platform is established or deleted in accordance with clause 2.3, the General Manager or their delegate may amend clause 2.1 of this policy without the need for endorsement by the Council's governing body.

### **The role of the General Manager**

- 2.5 The role of the General Manager is to:
- a) approve and revoke a staff member's status as an authorised user;
  - b) develop and/or approve the training and/or induction to be provided to authorised users;
  - c) maintain a register of authorised users;
  - d) maintain effective oversight of authorised users;
  - e) ensure the Council adheres to the rules of the social media platform(s); and
  - f) co-ordinate with the Council's Information Services Co-ordinator to ensure the Council's social media platforms are set up and maintained in a way that maximises user friendliness and any technical problems are resolved promptly.
- 2.6 The General Manager is an authorised user for the purposes of this policy.

### **Authorised users**

- 2.7 Authorised users are members of council staff who are authorised by the General Manager to upload content and engage on social media on the Council's behalf.
- 2.8 Authorised users should be members of council staff that are responsible for managing, or have expertise in, the events, initiatives, programs or policies that are the subject of the social media content.
- 2.9 The General Manager will appoint one (1) member of Council staff from each division of the Council to be the authorised users for social media content relating to the work of that division.
- 2.10 An authorised user must receive a copy of this policy and induction training on social media use and Council's obligations before uploading content on Council's behalf.
- 2.11 The role of an authorised user is to:
- a) ensure, to the best of their ability, that the content they upload onto social media platforms is accurate;
  - b) correct inaccuracies in Council generated content;
  - c) engage in discussions and answer questions on Council's behalf on social media platforms;
  - d) keep the Council's social media platforms up to date;
  - e) moderate the Council's social media platforms in accordance with Part 5 of this policy; and
  - f) ensure the Council complies with its record keeping obligations under the *State Records Act 1998* in relation to social media (see clauses 7.1 to 7.4 of this policy)
- 2.12 When engaging on social media on Council's behalf (such as, but not limited to, on a community social media page), an authorised user must identify themselves as a member of Council staff but they are not obliged to disclose their name or position within the Council.

2.13 Authorised users must not use Council's social media platforms for personal reasons.

**Administrative tone**

2.14 Authorised users upload content and engage on social media on the Council's behalf. Authorised users must use language consistent with that function and avoid expressing or appearing to express their personal views when undertaking their role.

2.15 Authorised users may use more personal, informal language when engaging on Council's social media platforms, for example when replying to comments.

**Register of authorised users**

2.16 The General Manager will maintain a register of authorised users. This register is to be reviewed six monthly to ensure it is fit-for-purpose.

**Ceasing to be an authorised user**

2.17 The General Manager may revoke a staff member's status as an authorised user, if:

- a) the staff member makes such a request
- b) the staff member has not uploaded content onto any of the Council's social media platforms in the last 12 months.
- c) the staff member has failed to comply with this policy
- d) the General Manager is of the reasonable opinion that the staff member is no longer suitable to be an authorised user.

**PART 3 – ADMINISTRATIVE FRAMEWORK FOR COUNCILLORS' SOCIAL MEDIA PLATFORMS**

3.1 For the purposes of this policy, councillor social platforms are not council social media platforms. Part 2 of this policy does not apply to councillors' social media platforms.

3.2 Councillors are responsible for the administration and moderation of their own social media platforms (in accordance with Parts 3 and 5 of this policy), and ensuring they comply with the record keeping obligations under the *State Records Act 1998* (see clauses 7.1 to 7.4 of this policy) and council's records management policy in relation to social media.

3.3 Clause 3.2 also applies to Councillors in circumstances where another person administers, moderates, or uploads content onto their social media platform.

3.4 Councillors must comply with the rules of the platform when engaging on social media.

**Induction and training**

3.5 Councillors who engage, or intend to engage, on social media must receive induction training on social media use. Induction training can be undertaken either as part of the councillor's induction program or as part of their ongoing professional development program.

**Identifying as a councillor**

3.6 Councillors must identify themselves on their social media platforms in the following format:

*Councillor "First Name and Last Name".*

3.7 A Councillor's social media platform must include a profile photo which is a clearly identifiable image of the Councillor.

- 3.8 If a Councillor becomes or ceases to be the mayor, deputy mayor, or the holder of another position (for example, chairperson of a committee), this must be clearly stated on the councillor's social media platforms and updated within 24 hours of a change in circumstances.

**Other general requirements for councillors' social media platforms**

- 3.9 Councillor social media platforms must specify or provide a clearly accessible link to the 'House Rules' for engaging on the platform.

- 3.10 A councillor's social media platform must include a disclaimer to the following effect:

*"The views expressed and comments made on this social media platform are my own and not that of the Council".*

- 3.11 Despite clause 3.10, mayoral or councillor media releases and other content that has been authorised according to the Council's media and communications protocols may be uploaded onto a councillor's social media platform.

- 3.12 Councillors may upload publicly available Council information onto their social media platforms.

- 3.13 Councillors may use more personal, informal language when engaging on their social media platforms.

**Councillor queries relating to social media platforms**

- 3.14 Questions from councillors relating to their obligations under this policy, technical queries relating to the operation of their social media platforms, or managing records on social media may be directed to the General Manager in the first instance, in accordance with Council's councillor requests protocols.

**Other social media platforms administered by councilors**

- 3.15 A councillor must advise the General Manager of any social media platforms they administer on which content relating to the Council or council officials is, or is expected to be, uploaded. The councillor must do so within:

- a) 7 days of becoming a councillor, or
- b) 7 days of becoming the administrator

**PART 4 – STANDARDS OF CONDUCT ON SOCIAL MEDIA**

- 4.1 This policy only applies to council officials' use of social media in an official capacity or in connection with their role as a council official. The policy does not apply to personal use of social media that is not connected with a person's role as a council official.

- 4.2 Council officials must comply with the Council's code of conduct when using social media in an official capacity or in connection with their role as a council official.

- 4.3 Council officials must not use social media to post or share comments, photos, videos, electronic recordings or other information that:

- a) is defamatory, offensive, humiliating, threatening or intimidating to other council officials or members of the public
- b) contains profane language or is sexual in nature

- 
- c) constitutes harassment and/or bullying within the meaning of the *Model Code of Conduct for Local Councils in NSW*, or is unlawfully discriminatory
  - d) is contrary to their duties under the *Work Health and Safety Act 2011* and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety
  - e) contains content about the Council, council officials or members of the public that is misleading or deceptive
  - f) divulges confidential Council information
  - g) breaches the privacy of other council officials or members of the public
  - h) contains allegations of suspected breaches of the Council's code of conduct or information about the consideration of a matter under the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*
  - i) could be perceived to be an official comment on behalf of the Council where they have not been authorised to make such comment
  - j) commits the Council to any action
  - k) violates an order made by a court
  - l) breaches copyright
  - m) advertises, endorses or solicits commercial products or business
  - n) constitutes spam
  - o) is in breach of the rules of the social media platform.

4.4 Council officials must:

- a) attribute work to the original author, creator or source when uploading or linking to content produced by a third party
- b) obtain written permission from a minor's parent or legal guardian before uploading content in which the minor can be identified.

4.5 Council officials must exercise caution when sharing, liking, retweeting content as this can be regarded as an endorsement and/or publication of the content.

4.6 Council officials must not incite or encourage other persons to act in a way that is contrary to the requirements of this Part.

4.7 Councillors must uphold and accurately represent the policies and decisions of the Council's governing body but may explain why they voted on a matter in the way that they did. (see section 232(1)(f) of the *Local Government Act 1993*).

## PART 5 – MODERATION OF SOCIAL MEDIA PLATFORMS

*Note: Councils and council officials should be aware that they may be considered a 'publisher' of any content uploaded onto a social media platform they administer, including content that:*

- *is uploaded by a third party; and/or*
- *appears on their social media platform because they have 'liked', 'shared', or 'retweeted' the content, or similar.*

5.1 Council officials who are responsible for the moderation of the Council's or councillors' social media platforms may remove content and 'block' or ban a person from those platforms. Such actions must be undertaken in accordance with this Part.

5.2 For the purposes of this Part, 'social media platform' and 'platform' means both the Council's and councillors' social media platforms.

#### House Rules

5.3 Social media platforms must state or provide an accessible link to the 'House Rules' for engaging on the platform.

5.4 At a minimum, the House Rules should specify:

- a) the principles of social media engagement referred to in clause 1.1 of this policy;
- b) the type of behaviour or content that will result in that content being removed or 'hidden', or a person being blocked or banned from the platform;
- c) the process by which a person can be blocked or banned from the platform and rights of review;
- d) a statement relating to privacy and personal information (see clause 7.4 of this policy);
- e) when the platform will be monitored (weekdays 9am – 4pm, during the Council's business hours);
- f) that the social media platform is not to be used for making complaints about the Council or council officials; and
- g) include information about, or a link to, Council's complaints handling policy.

5.5 For the purposes of clause 5.4(b), third parties engaging on social media platforms must not post or share comments, photos, videos, electronic recordings or other information that:

- a) is defamatory, offensive, humiliating, threatening or intimidating to council officials or members of the public;
- b) contains profane language or is sexual in nature;
- c) constitutes harassment and/or bullying within the meaning of the *Model Code of Conduct for Local Councils in NSW*, or is unlawfully discriminatory;
- d) contains content about the Council, council officials or members of the public that is misleading or deceptive;
- e) breaches the privacy of council officials or members of the public;
- f) contains allegations of suspected breaches of the Council's code of conduct or information about the consideration of a matter under the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*;
- g) violates an order made by a court;
- h) breaches copyright;
- i) advertises, endorses or solicits commercial products or business;

- 
- j) constitutes spam; and
  - k) would be in breach of the rules of the social media platform.

#### **Removal or 'hiding' of content**

- 5.6 Where a person uploads content onto a social media platform that, in the reasonable opinion of the moderator, is of a kind specified under clause 5.5, the moderator may remove or 'hide' that content.
- 5.7 Prior to removing or 'hiding' the content, the moderator must make a record of it (for example, a screenshot).
- 5.8 If the moderator removes or 'hides' the content under clause 5.6, they must, where practicable, notify the person who uploaded the content that it has been removed and the reason(s) for its removal and their rights of review.
- 5.9 A person may request a review of a decision by a moderator to remove or 'hide' content under clause 5.6. The request must be made in writing to the General Manager and state the grounds on which the request is being made.
- 5.10 Where a review request is made under clause 5.9, the review is to be undertaken by the General Manager or a member of staff nominated by the General Manager who is suitably qualified and who was not involved in the decision to remove or 'hide' the content.

#### **Blocking or banning**

- 5.11 If a person uploads content that is removed or 'hidden' under clause 5.6 of this policy on three (3) occasions, that person may be blocked or banned from all social media platforms.
- 5.12 A person may only be blocked or banned from a Council social media platform with the approval of the General Manager. This clause does not apply to blocking or banning a person from a councillor's social media platform.
- 5.13 Prior to blocking or banning a person from a social media platform, the person must, where practicable, be advised of the intention to block or ban them from the platform/all platforms and be given a chance to respond. Any submission made by the person must be considered prior to a determination being made to block or ban them.
- 5.14 The duration of the block or ban is to be determined by the General Manager or in the case of a councillor's social media platform, the councillor.
- 5.15 Where a determination is made to block or ban a person from a social media platform/all social media platforms, the person must, where practicable, be notified in writing of the decision and the reasons for it. The written notice must also advise the person which social media platforms they are blocked or banned from and the duration of the block or ban and inform them of their rights of review.
- 5.16 Despite clauses 5.11 to 5.15, where a person uploads content of a kind referred to under clause 5.5, and the moderator is reasonably satisfied that the person's further engagement on the social media platform poses a risk to health and safety or another substantive risk (such as the uploading of defamatory content), an interim block or ban from the platform/all platforms may be imposed on the person immediately for a period no longer than 12 months.
- 5.17 A person who is blocked or banned from the platform/all platforms under clause 5.16 must, where practicable, be given a chance to respond to the interim block or ban being imposed.

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Any submission made by the person must be considered when determining whether the interim block or ban is to be removed or retained under clauses 5.11 to 5.15.

- 5.18 A person may request a review of a decision to block or ban then from a social media platform. The request must be made in writing to the General Manager and state the grounds on which the request is being made.
- 5.19 Where a review request is made under clause 5.18, the review is to be undertaken by the General Manager or a member of staff nominated by the General Manager who is suitably qualified and who was not involved in the decision to block or ban the person. Where the decision to block or ban the person was made by the General Manager, the review must be undertaken by another senior and suitably qualified member of staff who was not involved in the decision.
- 5.20 Where a person that is the subject of a block or ban continues to engage on a social media platform(s) using an alternative social media account, profile, avatar, etc., a moderator may block or ban the person from the platform(s) immediately. In these circumstances, clauses 5.11 to 5.19 do not apply.

#### **PART 6 – USE OF SOCIAL MEDIA DURING EMERGENCIES**

- 6.1 During emergencies, such as natural disasters or public health incidents, the General Manager will be responsible for the management of content on the Council's social media platforms.
- 6.2 To ensure consistent messaging both during and after an emergency, authorised users and council officials must not upload content onto the Council's or their own social media platforms which contradicts advice issued by the agency coordinating the emergency response, or agencies supporting recovery efforts.
- 6.3 Training on social media use during emergencies should be included in training and/or induction provided to authorised users and councillors.

#### **PART 7 – RECORDS MANAGEMENT AND PRIVACY REQUIREMENTS**

##### **Records management**

- 7.1 Social media content created, sent and received by council officials (including councillors) acting in their official capacity is a council record and may constitute open access information or be subject to an information access application made under the Government Information (Public Access) Act 2009. These records must be managed in accordance with the requirements of the State Records Act 1998 and the Council's approved records management policies and practices.
- 7.2 You must not destroy, alter, or remove social media content unless authorised to do so. If you need to alter or remove social media content, you must do so in accordance with this policy, and consult with the Council's Information Services Co-ordinator and comply with the requirements of the State Records Act 1998.
- 7.3 When/if a councillor's term of office concludes, the councillor must contact the Council's Information Services Co-ordinator and General Manager to manage/transfer records of social media content created during their term of office and comply with the requirements of the State Records Act 1998.

- 7.4 In fulfilling their obligations under clauses 7.1 to 7.3, council officials should refer to any guidance issued by the State Archives and Records Authority of NSW relating to retention requirements for councils' and councillors' social media content<sup>ii</sup>.

#### **Privacy considerations and requirements**

- 7.5 Social media communications are in the public domain. Council officials should exercise caution about what personal information, if any, they upload onto social media.
- 7.6 The Privacy and Personal Information Protection Act 1998 applies to the use of social media platforms by the Council and councillors. To mitigate potential privacy risks, council officials will:
- a) advise people not to provide personal information on social media platforms
  - b) inform people if any personal information they may provide on social media platforms is to be used for official purposes
  - c) moderate comments to ensure they do not contain any personal information
  - d) advise people to contact the Council or councillors through alternative channels if they have personal information they do not want to disclose in a public forum.
- 7.7 Council officials must ensure they comply with the Health Records and Information Privacy Act 2002 when engaging on and/or moderating social media platforms. In fulfilling their obligations, council officials should refer to any guidance issued by the Information and Privacy Commission of NSW, such as, but not limited to, the Health Privacy Principles.

#### **PART 8 – PRIVATE USE OF SOCIAL MEDIA**

*Notes: Activities on social media websites are public activities. Even though privacy settings are available, content can still be shared and accessed beyond the intended recipients.*

*The terms and conditions of most social media sites state that all content becomes the property of the site on which it is posted<sup>iii</sup>.*

#### **What constitutes 'private' use?**

- 8.1 For the purposes of this policy, a council official's social media engagement will be considered 'private use' when the content they upload:
- a) is not associated with, or does not refer to, the Council, any other council officials, contractors, related entities or any other person or organisation providing services to or on behalf of the Council in their official or professional capacities, and
  - b) is not related to or does not contain information acquired by virtue of their employment or role as a council official.
- 8.2 If a council official chooses to identify themselves as a council official, either directly or indirectly (such as in their user profile), then they will not be deemed to be acting in their private capacity for the purposes of this policy.

#### **Use of social media during work hours**

- 8.3 Council staff may only access and engage on social media in their private capacity while at work during breaks.

**PART 9 – CONCERNS OR COMPLAINTS**

- 9.1 Concerns or complaints about the administration of a council’s social media platforms should be made to the council’s General Manager in the first instance.
- 9.2 Complaints about the conduct of council officials (including councillors) on social media platforms may be directed to the general manager.
- 9.3 Complaints about a General Manager’s conduct on social media platforms may be directed to the Mayor.

**PART 10 – ENFORCEMENT**

- 10.1 Clause 3.1(b) of the Model Code of Conduct for Local Councils in NSW provides that council officials must not conduct themselves in a manner that his contrary to a council’s policies. A breach of Council’s adopted policies will, therefore constitute a breach of Council’s Code of Conduct.
- 10.2 Staff adherence to Council’s policies and procedures is a condition of employment and any breach of this policy will lead to normal disciplinary procedures being applied as per Walgett Shire Council’s Counselling and Disciplinary Policy and Procedure.

**PART 11 - DEFINITIONS**

In this Policy and Procedure, the following terms have the following meanings:

|                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>authorised user</b>      | members of council staff who are authorised by the General Manager or SMC to upload content and engage on the Council’s social media platforms on the Council’s behalf                                                                                                                                                                                                                                                                                                                                                                       |
| <b>council official</b>     | in the case of a council - councillors, members of staff and delegates of the council (including members of committees that are delegates of the council);<br><br>in the case of a county council – members, members of staff and delegates of the council (including members of committees that are delegates of the council);<br><br>in the case of a joint organisation – voting representatives, members of staff and delegates of the joint organisation (including members of committees that are delegates of the joint organisation) |
| <b>minor</b>                | for the purposes of clause 4.4(b) of this policy, is a person under the age of 18 years                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>personal information</b> | information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion                                                                                                                                                                                                                                                                                    |
| <b>SMC</b>                  | is a council’s social media coordinator appointed under clause 2.7 of this policy                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>social media</b>         | online platforms and applications - such as but not limited to social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards - that allow people to easily publish, share and discuss content. Examples of social media platforms include, but are not limited to Facebook, Twitter, Snapchat, LinkedIn, Yammer, YouTube, Instagram, Flickr and Wikipedia                                                                                                                                             |

<sup>i</sup> NSW Department of Education, Social media policy: Implementation procedures – November 2018

<sup>ii</sup> As confirmed by the High Court of Australia in *Fairfax Media Publications Pty Ltd v. Voller*, *Nationwide News Pty Limited v. Voller*, and *Australian News Channel Pty Ltd v. Voller*, 8 September 2021.

<sup>iii</sup> See State Archives and Records Authority of NSW 'Government Recordkeeping / Advice and Resources / Local Government' and 'Social media recordkeeping for councillors'

<sup>iv</sup> Social Media: Guidance for Agencies and Staff (Government of South Australia) – page 9

### Procedure Review History

| Date              | Changes Made        | Approved By                        |
|-------------------|---------------------|------------------------------------|
| 17 September 2022 | Procedure Developed | Michael Urquhart - General Manager |
|                   |                     |                                    |
|                   |                     |                                    |



# COUNCILLOR AND STAFF INTERACTION POLICY AND PROCEDURE

Adopted Date:

Next Review Date: July 2025

Responsible Officer: General Manager

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## POLICY STATEMENT

Walgett Shire Council is committed to facilitating a respectful and harmonious relationship between Councillors and Council employees. This Policy seeks to provide clear guidelines, in accordance with Council's Code of Conduct, for the interaction and provision of information between Councillors and Council staff, so that Councillors may exercise their civic leadership and represent the views of the community.

## OBJECTIVES:

- To establish positive, effective and professional working relationships between Councillors and Council staff, defined by mutual respect and courtesy.
- To enable Councillors and Council staff to work together appropriately and effectively to support each other in their respective roles.
- To ensure that Councillors receive advice in an orderly, courteous and appropriate manner to assist them in the performance of their civic duties.
- To ensure Councillors have adequate access to information to exercise their statutory roles.
- To provide direction on, and guide Councillor interaction with, Council staff for both obtaining information and in general situations.
- To maintain transparent decision making and good governance arrangements.
- To ensure the reputation of Council is enhanced by Councillors and Council staff interacting consistently, professionally and positively in their day-to-day duties.
- To provide a clear and consistent framework through which breaches of the Policy will be managed in accordance with the Code of Conduct.

## Statutory Requirements

Model Code of Meeting Practice for Local Councils in NSW

Model Code of Conduct and Procedures 2020

Local Government Act 1993

Local Government (General) Regulation 2021

Model Councillor and Staff Interaction Policy 2020

Government Information (Public Access) Act 2009

Privacy and Personal Information Protection Act 1998

Health Records & Information Privacy Act 2002

### Government References

Councillor Handbook (OLG) December 2021

Good Conduct & Administrative Practice – Guidelines for Councils (NSW Ombusman)

Under Careful Consideration: Key issues for Local Government (ICAC), 1997

### Related Policy/Procedure

Code of Conduct

Code of Meeting Practice

Bullying and Harassment

Access to Information

Privacy and Personal Information and Protection

Protected Disclosures

### Part 1 – Introduction

- 1.1 The Councillor and Staff Interaction Policy (the Policy) provides a framework for Councillors when exercising their civic functions by specifically addressing their ability to interact with, and receive advice from, authorised staff.
- 1.2 The Policy complements and should be read in conjunction with Walgett Shire Council's Code of Conduct (the Code of Conduct).
- 1.3 The aim of the Policy is to facilitate a positive working relationship between Councillors, as the community's elected representatives, and staff, who are employed to administer the operations of the Council. The Policy provides direction on interactions between Councillors and staff to assist both parties in carrying out their day-to-day duties professionally, ethically and respectfully.
- 1.4 It is important to have an effective working relationship that recognises the important but differing contribution both parties bring to their complementary roles.

### Part 2 – Application

- 2.1 This Policy applies to all Councillors and Council Staff.
- 2.2 This Policy applies to all interactions between Councillors and staff, whether face-to-face, online (including social media and virtual meeting platforms), by phone, text message and/or in writing.
- 2.3 This Policy applies whenever interactions between Councillors and staff occur, including inside or outside of work hours, and at both Council and non-Council venues and events.
- 2.4 This Policy does not confer any delegated authority upon any person. All delegations to staff are made by the General Manager.
- 2.5 Clause 3.1 (b) of the Code of Conduct provides Council officials must not conduct themselves in a manner that is contrary to a Council's Policy and Procedure. A breach of the Policy will be a breach of the Code.

### Part 3 – Principles, Roles and Responsibilities

- 3.1 Several factors contribute to a good relationship between Councillors and staff. These include goodwill, understanding of roles, communication, protocols, and a good understanding of legislative requirements.
- 3.2 The Council's governing body and its administration (being staff within the organisation) must have a clear and sophisticated understanding of their different roles, and the fact that these operate within a hierarchy. The administration is accountable to the General Manager, who in turn, is accountable to the Council's governing body.
- 3.3 Section 232 of the Local Government Act 1993 (the LGA) state that the role of a Councillor is as follows:
- a) to be an active and contributing member of the governing body;
  - b) to make considered and well-informed decisions as a member of the governing body;
  - c) to participate in the development of the integrated planning and reporting framework;
  - d) to represent the collective interests of residents, ratepayers and the local community;
  - e) to facilitate communication between the local community and the governing body;
  - f) to uphold and represent accurately the policies and decision of the governing body; and
  - g) To make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor.
- 3.4 The administration's role is to advise the governing body, implement Council's decisions and to oversee service delivery.
- 3.5 It is beneficial if the administration recognizes the complex political environments in which elected members operate and acknowledge that they work within a system that is based on democratic governance. Councillors similarly need to understand that it is a highly complex task to prepare information and provide quality advice on the very wide range of issues that Council operations cover.
- 3.6 Council commits to the following principles to guide interactions between Councillors and Council staff:

| <b>Principal</b>                     | <b>Achieved by</b>                                                                                                                                                    |
|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Equitable and consistent</b>      | Ensuring appropriate, consistent and equitable access to information for all Councillors within established service levels                                            |
| <b>Considerate and respectful</b>    | Councillors and staff working supportively together in the interests of the whole community, based on mutual respect, and consideration of their respective positions |
| <b>Ethical, open and transparent</b> | Ensuring that interactions between Councillors and staff are ethical, open, transparent, honest and display the highest standards of professional conduct             |

|                                   |                                                                                                                                                                                                |
|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Fit for purpose</b>            | Ensuring that the provision of equipment and information to Councillors is done in a way that is suitable, practical and of an appropriate size, scale and cost for a client group of 9 people |
| <b>Accountable and measurable</b> | Providing support to Councillors in the performance of their role in a way that can be measured, reviewed and improved based on qualitative and quantitative data                              |

3.7 Councillors are members of the Council's governing body, which is responsible for directing and controlling the affairs of the Council in accordance with the LGA.

Councillors need to accept that:

- a) responses to request for information from Councillors may take time and consultation to prepare and be approved prior to responding;
- b) staff are not accountable to them individually;
- c) they must not direct staff, except by giving appropriate direction to the General Manager, by way of a Council or Committee Resolution, or by the Mayor exercising their functions under Section 226 of the LGA;
- d) they must not, in any public or private forum, direct or influence, or attempt to direct or influence, a member of staff in the exercise of their functions;
- e) they must not contact a member of staff on Council-related business unless in accordance with this Policy; and
- f) they must not use their position to attempt to receive favorable treatment for themselves or others.

3.8 The General Manager is responsible for the efficient and effective day-to-day operation of the Council and for ensuring that the lawful decisions of the Council are implemented without undue delay.

Council staff need to understand:

- a) they are not accountable to individual Councillors and do not take direction from them. They are accountable to the General Manager, who in turn is accountable to the Council's governing body;
- b) they should not provide advice to Councillors unless it has been approved by the General Manager;
- c) they must carry out reasonable and lawful directions given by any person having the authority to give such directions in an efficient and effective manner;
- d) they must ensure that participation in political activities outside the service of the Council does not interfere with the performance of their official duties; and
- e) they must provide full and timely information to Councillors sufficient to enable them to exercise their civic functions in accordance with this Policy.

## Part 4 – The Councillor requests system

- 4.1 Councillors have a right to request information provided it is relevant to Councillor's exercise of their civic functions. This right does not extend to matters about which a Councillor is merely curious.
- 4.2 Councillors do not have a right to request information about matters that they are prevented from participating in decision-making on because of a conflict of interest, unless the information is otherwise publicly available.
- 4.3 The General Manager may identify Council support staff (the Councillor support officer) under this Policy for the management of requests from Councillors.
- 4.4 Councillors can use the Councillor request system (Annexure 1) to:
  - a) request information and ask questions that relate to the strategic position, performance or operation of the Council;
  - b) bring concerns that have been raised by members of the public to the attention of staff, and/or
  - c) request ICT or other support from the Council administration.
- 4.5 Councillors must, to the best of their knowledge, be specific about what information they are requesting, and make their requests respectfully. Where a Councillor's request lacks specificity, the General Manager or staff member authorized to manage the matter is entitled to ask the Councillor to clarify their request and the reason(s) why they are seeking the information.
- 4.6 Staff must make every reasonable effort to assist Councillors with their requests and do so in a respectful manner.
- 4.7 The General Manager or the staff member authorized to manage a Councillor request will provide a response within five (5) working days. Where a response cannot be provided within that timeframe, the Councillor will be advised, and the information will be provided as soon as practicable.
- 4.8 Councillors are required to treat all information provided by staff appropriately and to observe any confidentiality requirements.
- 4.9 Staff will inform Councillors of any confidentiality requirements for information they provide so Councillors can handle the information appropriately.
- 4.10 Where a Councillor is unsure of confidentiality requirements, they should contact the General Manger, or the staff member authorized to manage their request.
- 4.11 The General Manager may refuse access to information requested by a Councillor if:
  - a) the information is not necessary for the performance of the Councillor's civic functions, or
  - b) the Councillor has previously declared a conflict of interest in the matter and removed themselves from decision-making on it, or
  - c) the General Manager is prevented by law from disclosing the information, or
  - d) if responding to the request would, in the General Manager's opinion, result in an unreasonable diversion of staff time and resources.

- 4.12 Where the General Manager refuses to provide information requested by a Councillor, they must act reasonably. The General Manager must advise a Councillor in writing of their reasons for refusing access to the information requested.
- 4.13 Where a Councillor's request for information is refused by the General Manager on the grounds referred to under paragraph c) of clause 4.11, the Councillor may instead request the information through a resolution of the Council by way of a notice of motion.
- 4.14 Where a Councillor persistently makes requests for information which, in the General Manager's opinion, results in a significant and unreasonable diversion of staff time and resources the Council may, on the advice of the General Manager, resolve to limit the number of requests the Councillor may make.
- 4.15 A report will be provided to Councillors regularly (at least quarterly) regarding the performance and efficiency of the Councillor requests system, against established key performance indicators.

## **Part 5 – Access to Council staff**

- 5.1 Councillors may directly contact members of staff that are listed at Schedule 1 of this Policy. The General Manager may amend this list at any time and will advise Councillors promptly of any changes.
- 5.2 Councillors can contact staff listed at Schedule 1 about matters that relate to the staff member's area of responsibility.
- 5.3 Councillors should as far as practicable, only contact staff during normal business hours.
- 5.4 If Councillors would like to contact a member of staff not listed on Schedule 1, they must receive permission from the General Manager.
- 5.5 If a Councillor is unsure which authorised staff member can help with their enquiry, they can contact the General Manager, who will provide advice about which authorised staff member to contact.
- 5.6 In some instances, the General Manager or a member of the Council's executive leadership team will direct a Council staff member to contact Councillors to provide specific information or clarification relating to a specific matter.
- 5.7 A Councillor or member of staff must not take advantage of their official position to improperly influence other Councillors or members of staff in the performance of their civic or professional duties for the purposes of securing a private benefit for themselves or for another person.

## **Part 6 – Councillor access to Council buildings**

- 6.1 Councillors are entitled to have access to the Council Chamber, committee room, Mayor's Office (subject to availability), Councillors' rooms, and public areas of Council's buildings during normal business hours for meetings. Councillors needing access to these facilities at other times must obtain approval from the General Manager.
- 6.2 Councillors must not enter staff-only areas of Council buildings without the approval of the General Manager.

## Part 7 – Appropriate and inappropriate interactions

7.1 Examples of appropriate interactions between Councillors and staff include, but are not limited to, the following:

- a) Councillors and Council staff are courteous and display a positive and professional attitude towards one another.
- b) Council staff ensure that information necessary for Councillors to exercise their civic functions is made equally available to all Councillors, in accordance with the Policy and any other relevant Council policies.
- c) Council staff record the advice they give to Councillors in the same way they would if it was provided to members of the public.
- d) Council staff, including Council's executive team members, document Councillor requests via the Councillor requests system.
- e) Council meetings and Councillor briefings are used to establish positive working relationships and help Councillors to gain an understanding of the complex issues related to their civic duties.
- f) Councillors and Council staff feel supported when seeking and providing clarification about Council related business.
- g) Councillors forward requests through the Councillor Requests system and staff respond in accordance with the timeframes stipulated in the Policy.

7.2 Examples of inappropriate interactions between Councillors and staff include, but are not limited to, the following:

- a) Councillors and Council staff conducting themselves in a manner which:
  - i) is contrary to their duties under the Work Health and Safety Act 2011 and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety
  - ii) constitutes harassment and/or bullying within the meaning of clauses 3.7 and 3.9 of the Code of Conduct, or is unlawfully discriminatory.
- b) Councillors approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters.
- c) Staff approaching Councillors to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters.
- d) Subject to paragraph b) of clause 4.11, staff refusing to give information that is available to other Councillors to a particular Councillor.
- e) Councillors who have lodged an application with the Council, discussing the matter with staff in staff-only areas of the Council.
- f) Councillors being overbearing or threatening to staff.

- g) Staff being overbearing or threatening to Councillors.
  - h) Councillors making personal attacks on staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of the Code of Conduct in public forums including social media.
  - i) Councillors directing or pressuring staff in the performance of their work, or recommendations they should make.
  - j) Staff providing ad hoc advice to Councillors without recording or documenting the interaction as they would if the advice was provided to a member of the community.
- 7.3 Where a Councillor engages in conduct that, in the opinion of the General Manager, puts the health, safety or welfare of staff at risk, the General Manager may restrict the Councillor's access to staff.
- 7.4 Any concerns relating to the conduct of staff under this Policy should be raised with the General Manager.

## **Part 8 - Enforcement**

- 8.1 Clause 3.1 (b) of the Model Code of Conduct provides that Council officials must not conduct themselves in a manner that is contrary to a Council's policies. A breach of Council's adopted policies will, therefore, constitute a breach of Council's Code of Conduct.
- 8.2 Concerns or complaints about the administration of a Council's Councillor request system should be raised with the General Manager, in the first instance.

**Schedule 1 – Authorised staff contacts for Councillors**

1. Clause 5.1 of this Policy provides that Councillors may directly contact members of staff that are listed below. The General Manager may amend this list at any time.
2. Councillors can contact staff listed below about matters that relate to the staff member's area of responsibility.
3. If Councillors would like to contact a member of staff not listed below, they must receive permission from the General Manager.
4. In some instances, the General Manager or a member of the Council's executive leadership team will direct a Council staff member to contact Councillors to provide specific information or clarification relating to a specific matter.

**Councillor Contact Table**

|    |                 |                  |
|----|-----------------|------------------|
| 1. | GENERAL MANAGER | Michael Urquhart |
|----|-----------------|------------------|

*Note:*

*Should a Council officer be acting in any of the nominated positions included in the schedule, the person so acting will be a nominated officer unless otherwise determined by the General Manager.*

|

### Annexure 1 – Part 4 – The Councillor Requests System



## Councillor Information Request Form

Councillor Name: .....

Date of Request: .....

Phone:..... Email.....

Urgency:       Urgent       7 Days       In the normal course of business

TYPE OF REQUEST

- Public Query
- Written advice on Council projects
- Access to Council documents
- Discussion on Council services/projects

DETAILS OF REQUEST

.....

.....

.....

.....

REASON FOR REQUEST

.....

.....

.....

DO YOU HAVE A PECUNIARY OR NON-PECUNIARY INTEREST?     YES     NO

If 'yes', please provide details:

.....

.....

COMPLETION REPORT

I, ....., General Manager of Walgett Shire Council have taken action in the following form:

- Email to all Councillors
- Written report to Council
- Telephone Discussion

Signed \_\_\_\_\_

Date \_\_\_\_\_

s:\Forms\Councillor Forms\Councillor Information Request Form

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**Policy and Procedure Review History**

| Date              | Changes Made     | Reviewed By                        |
|-------------------|------------------|------------------------------------|
| 14 September 2022 | Policy developed | Michael Urquhart – General Manager |

## 9.1.6 2022 PECUNIARY INTEREST RETURNS 2021/2022

**REPORTING SECTION:** Executive  
**AUTHOR:** Michael Urquhart – General Manager  
**FILE NUMBER:** 22/10/0141

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### **Summary:**

In accordance with Clause 4.21 of the Walgett Shire Council Code of Conduct (section 440AAA of the Local Government Act 1993) all Councillors, General Manager and other designated persons must complete the ordinary return each year.

### **Background:**

Section 421 of the Model Code, states “A Councillor or designated person holding that position as at 30 June in any year must complete and lodge with the General Manager within 3 months after that date a return in the form prescribed by the regulations”.

### **Current Position:**

The information collected is for compliance with the Local Government Act 1993 and the completed returns must be lodged with the General Manager by the 30<sup>th</sup> September 2022.

New Councillors and designated persons must complete and lodge with the General Manager, within 3 months after becoming a councillor or designated person, a return in the form prescribed by the regulations (Section 421 (a) of the Code of Conduct.

In accordance with Section 425 the register of completed returns is tabled for information.

### **Governance issues:**

Council has adopted the Model Code of Conduct in accordance with Section 440 AAA of the Local Government Act 1993 and must comply with the provisions as outlined.

### **Environmental issues:**

NIL.

### **Stakeholders:**

Walgett Shire Council Councillors  
Walgett Shire Council Designated Staff

### **Financial Implications:**

NIL

### **Alternative Solutions/Options:**

NIL

### **Conclusion:**

All the pecuniary interest returns for 2022 will be tabled on the day.

**Pecuniary Interest Returns 2021/2022**

**Recommendation**

That the General Manager's report be received and noted

**Moved:**

**Seconded:**

**Attachments:**

The Annual Pecuniary Interest Returns will be tabled at the 27 September 2022 Ordinary Meeting.

## 9.1.7 2024 LOCAL GOVERNMENT ELECTION

**REPORTING SECTION:** Executive  
**AUTHOR:** Michael Urquhart – General Manager  
**FILE NUMBER:** 22/10/0142

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### **Summary:**

This report is tabled for Council decision on the administration of the 2024 Local Government election to be held September 2024.

### **Background:**

Council in accordance with section 296AA of the Local Government Act 1993 (the Act) must make a decision on how their September 2024 ordinary election is to be administered.

Council must resolve either:

- To enter into an election arrangement with the NSW Electoral Commissioner (NSWEC) to administer all the Council's elections, polls and constitutional referenda or
- That the Council elections are administered by the General Manager of the Council.

If a Council fails to engage the NSWEC to administer its elections before March 2023, it will be required to administer its own election.

### **Current Position:**

Councils that are confident they have the capacity to administer the election will manage their own election.

Walgett Shire Council has traditionally engaged the NSWEC to administer the Walgett Shire elections.

### **Governance issues:**

Local Government Act 1993  
Local Government (General) Regulation 2020

### **Environmental issues:**

N/A

### **Stakeholders:**

Walgett Shire Council  
Walgett Community  
NSW Electoral Commission

### **Financial Implications:**

Provision of \$80,000 has been made in the Long-term Financial Plan for the NSWEC to administer the 2024 ordinary election.

### **Alternative Solutions/Options:**

Council administer the 2024 Council election.

### **Conclusion:**

The writer is recommending Council engage the NSW Electoral Commission to conduct all Walgett Shire elections, Council polls and Constitutional referenda up to 18 months before the 2028 ordinary election when the contract will expire. Council will then have to make another decision on its service provider for the 2028 election.

**2024 Local Government Election**

**Recommendation**

That the Walgett Shire Council (“the Council”) resolves:

1. Pursuant to S.296(2) and (3) of the Local Government Act 1993 (NSW) (“the Act”) that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
2. Pursuant to S.296(2) and (3) of the Act, as applied and modified by S.18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
3. Pursuant to S.296(2) and (3) of the Act, as applied and modified by S.18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

**Moved:**

**Seconded:**

**Attachments:**

Nil.

## 9.1.8 COMMUNITY ASSISTANCE SCHEME – 2022/23 APPLICATIONS

**REPORTING SECTION:** Executive Services  
**AUTHOR:** Michael Urquhart – General Manager  
**FILE NUMBER:** 22/10/0143

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### Summary:

This report relates to the assessment of applications for financial assistance through the Community Assistance Scheme 2022/23 (Round 1). Council has received a total of 11 applications, with six (6) organisations being recommended to receive financial assistance, one (1) being deemed ineligible and four (4) were incomplete requiring further information to be submitted for later determination.

The Community Assistance Scheme is proving very popular with more and more organisations applying for assistance.

### Background:

Applications were invited from community organisations for financial assistance under the Community Assistance Scheme. The scheme was advertised Shire wide, with applications closing in October 2021.

Applicants must be non-profit organisations and based in, or affiliated with, Walgett Shire. The maximum amount per project is \$3,000 and is limited to one donation per organisation per year. The Council reserves the right to part fund applications.

The Community Assistance Scheme objectives are to:

- Support charities and community projects, events and activities which occur within the Walgett Shire area, and are a benefit to the community;
- Foster or support new services, initiatives and resources within the Shire;
- Improve awareness and use of community services and resources within the Shire;
- Encourage increased participation in local community events within the Shire.

At the Council 26 July 2022 Ordinary Meeting Council were notified that the incomplete applications would be brought forward to a later meeting of Council once the additional information had been received.

### Current Position:

An amount of \$30,000 has been provided for in the 2022/23 budget, to fund eligible applications for donations under Section 356 of the Local Government Act 1993.

A total of 11 Community organisations submitted applications to be considered for funding. Of those applications six (6) were resolved to receive funding, to a total amount of \$9,868, one (1) was deemed ineligible and four (4) applications were incomplete requiring additional information.

The details of two (2) out of the four (4) applications have now been received. Out of the two (2) applications, one (1) has now been deemed ineligible and a recommendation for funding is being made for the other.

### Relevant Reference Documents/Policies:

WSC Procedures – AFM – Requests for Assistance  
Section 356 Local Government Act 1993  
Local Government (General) Regulation 2005

**Governance issues:**

Council is able to grant financial assistance to community organisations in accordance with Section 356 of the Local Government Act 1993.

**Environmental issues:**

No environmental issues have been identified in relation to this matter.

**Stakeholders:**

Walgett Shire Council  
Community organisation applicants  
Walgett Shire Community

**Financial Implications:**

A total of \$30,000 is budgeted for the Community Assistance Scheme in 2022/23. An amount of \$9,868 has been granted, to date, leaving a balance of \$20,132, with Round 2 funding applications yet to be advertised.

**Alternative Solutions/Options:**

That Council resolve to approve or disapprove applications on a different basis to that recommended.

**Conclusion:**

Provide financial assistance to one (1) organisations, with a total allocation of \$3,000, and the remaining two (2) incomplete applications will be brought forward to a future meeting of Council when the additional information has been received. Refer to attachment for more information.

Council will also monitor the progress of the projects/activities through the acquittal process ensure the project objectives are met and Council is satisfied with the outcomes.

**Community Assistance Scheme – 2022/23 Applications**

**Recommendation:**

That the following eligible applicants be granted financial assistance under Section 356 of the Local Government Act 1993 for Round Two of the 2021/22 Community Assistance Scheme.

|                                            |         |
|--------------------------------------------|---------|
| Let's Dance Carinda Tribute Committee Inc. | \$3,000 |
|--------------------------------------------|---------|

**Moved:**

**Seconded:**

**Attachments:**

Applications list.

**Community Assistance Scheme 2022/2023 - Round 1 Remaining Applications Summary**

| Organisation                               | Project                                                                                                                                             | Cost of Project/Activity | Amount Requested | Recommended Amount Max. \$3000 | Previous Funding |
|--------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|------------------|--------------------------------|------------------|
| Let's Dance Carinda Tribute Committee Inc. | Seeking financial assistance with advertising costs to attract attendees to the Carinda Let's Dance Music Festival                                  | \$ 3,355.00              | \$ 3,000.00      | \$ 3,000.00                    | Yes              |
| Sweeney's Art & Craft Cottage              | Seeking financial assistance to renovate coottage, toilet and external grounds in order to address safety concerns for both volunteers and visitors | \$ 3,000.00              | \$ 3,000.00      | Ineligible                     | No               |
| Lightning Ridge Redbacks Football Club     | Seeking financial assistance for equipment fro training/games, development courses, club banner and skill/development day for players & members     | \$ 3,000.00              | \$ 3,000.00      | Application incomplete         | No               |
| Lightning Ridge Piranhas Swimming Club     | Seeking financial assistance for training equipment, storage containers for flippers and a development day for coashes and swimmers                 | \$ 3,000.00              | \$ 3,000.00      | Application incomplete         | No               |

**Applications resolved at 27th July, 2022 meeting - Meeting Minute No. 8/2022/11**

| Organisation                                       | Project                                                                                                                                                                                            | Cost of Project/Activity | Amount Requested | Recommended Amount Max. \$3000 | Previous Funding |
|----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|------------------|--------------------------------|------------------|
| Walgett Charity Bushmans Carnival                  | Seeking financial assistance with cost of headline entertainers in order to garner a larger crowd, due to the carnival having been cancelled the past 2 years as a result of the COVID-19 Pandemic | \$ 15,000.00             | \$ 7,500.00      | \$ 1,500.00                    | Yes              |
| Lightning Ridge Community Radio Inc.               | Seeking financial assistance with the cost of a new computer and printer                                                                                                                           | \$ 1,368.00              | \$ 1,368.00      | \$ 1,368.00                    | Yes              |
| Walgett District Pony Club                         | Seeking financial assistance with purchase of 20' General Purpose (water & vermin proof) shipping container to protect club equipment                                                              | \$ 6,985.00              | \$ 3,000.00      | \$ 2,000.00                    | Yes              |
| Walgett Amateur Swimming Club                      | Seeking financial assistance with the instructor training and new learn to swim equipment                                                                                                          | \$ 5,374.00              | \$ 3,000.00      | \$ 2,000.00                    | Yes              |
| S.I. Lightning Ridge                               | Seeking financial assistance with the purchase and planting of trees at Shire Schools and Farms who have suffered loss of trees during the 7 year drought                                          | \$ 5,000.00              | \$ 3,000.00      | \$ 1,000.00                    | No               |
| Balonne Barwon Junior Rugby League                 | Seeking financial assistance to help 32 children and their families attend the Zone 5 Rugby League Carnival                                                                                        | \$ 25,000.00             | \$ 3,000.00      | \$ 2,000.00                    | No               |
| Police Citizens Youth Clubs NSW Ltd (PCYC Walgett) | Seeking financial assistance with the purchase of video conferencing equipment to allow for meetings, conferences & training sessions for up to 12 people                                          | \$ 3,340.80              | \$ 2,780.80      | Ineligible                     | Yes              |

## **9.1.9 PARTIAL ROAD CLOSURE - BILL O'BRIEN WAY, LIGHTNING RIDGE**

**REPORTING SECTION:** Executive Services  
**AUTHOR:** Michael Urquhart – General Manager  
**FILE NUMBER:** 22/10/01xx

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### **Summary:**

This report is presented for Council's consideration regarding the location of the proposed Mega Park at Lightning Ridge funded under the "Everyone Can Play funding program" and the partial closure of Bill O'Brien Way.

### **2. Background:**

Council in 2020 made application to DPIE under the "Everyone Can Play" program for a new park at Lot 9 DP 1123745 Pandora Street, Lightning Ridge.

The proposal was to incorporate a new park for all ages alongside the existing skate park, and this facility would complement the existing recreational pool and gym complex located adjacent to the park. In May 2021 Council formally resolved to endorse the General Managers actions in executing the funding agreement with Council making a contribution allocation of \$79,975 in the 2021/22 Operational Plan. The project grant funding totals \$431,952.50.

It was subsequently revealed an Aboriginal Land Claim had been lodged over Lot 9 DP 1123745 and is currently being processed by the Crown Lands Aboriginal Land Claims Unit. Crown Lands advise the determination process may take years to complete.

This being the case Council staff began investigations into an alternative site that was under Council management.

### **3. Current position:**

Council staff have investigated yet again another alternative site for the "Anyone Can Play Park" after the Harlequin street site was apparently under offer for an undisclosed sum much higher than the agreed sale price to Walgett Shire Council.

On the 19<sup>th</sup> September 2022 DPIE Parks Commissioner and Director met with Councillors and staff to review the now proposed site in Lions Park adjacent to the Lightning Ridge Visitor Information Centre.

It was agreed by all attendees this was the preferred site that ticks all the boxes for compliance with Crime Prevention through Environmental Design guidelines.

### **4. Relevant Reference Documents:**

Local Government Act 1993

### **5. Governance issues:**

Council's charter:- Section 8 of the Local Government Act 1993 establishes Council's charter, which includes:

- \* to exercise community leadership
- \* to have regard to the long term and cumulative effects of its decisions
- \* to engage in long-term strategic planning on behalf of the local community
- \* to exercise its functions in a manner that is consistent with and promotes social justice principles of equity, access, participation and rights

**6. Environmental issues:**

None.

**7. Stakeholders:**

NSW Government  
Walgett Shire Council  
Walgett Shire Community

**8. Financial implications:**

None

**9. Alternative solutions / options:**

Council not accept the grant

**10. Conclusion:**

The writer is recommending the partial closure of the road reserve, southern side of Bill O'Brien Way from Lot 79 DP 820469 to the western end of Lot 78 being the Crown reserve 230076.

**Partial Road Closure – Bill O'Brien Way, Lightning Ridge**

**Recommendation:**

That Walgett Shire Council resolve to:

1. The partial closure of Bill O'Brien Way from Lot 79 to the western end of Lot 78 DP820469, being Crown Reserve 230076, as proposed in the above report.
2. Council approve construction of 'Anyone Can Play Park' on that part of the partially closed road (Bill O'Brien Way) and Lot 78 DP820469 (being Crown Reserve 230076).
3. Council construct a small toilet facility with one (1) unisex ambulant and one (1) accessible toilet, if required by DPIE recommendations.

**Moved:**

**Seconded:**

**Attachments:**

Map showing proposed partial closure of Bill O'Brien Way

## 9.2 CHIEF FINANCIAL OFFICER

### 9.2.1 MONTHLY OUTSTANDING RATES AS AT 31 AUGUST 2022

**REPORTING SECTION:** Corporate Services  
**AUTHOR:** Tony Hughes – Chief Financial Officer  
**FILE NUMBER:** 22/10/0147

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**Summary:**

Council's debt recovery policy is aimed at having outstanding rates and annual charges debts recovered in a timely manner to support Council in its objectives by providing sufficient funding to enable the continued provision of services to the local government area. The aim of this process is to achieve a recovery of rates and annual charges levied in any given financial year of greater than 90%.

**Background:**

Council is obliged to report on a number of Key Performance Indicators (KPIs) as part of their statutory reporting regime. One of these KPIs is the Rates, Annual Charges, Interest & Extra Charges Outstanding Percentage. The purpose of this KPI is "to assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts."

Walgett Shire Council is classified as a Regional and Rural Council and the benchmark used for these councils in the Local Government Code of Accounting Practice and Financial Reporting is less than 10% for the Rates, Annual Charges, Interest & Extra Charges Outstanding Percentage as at the end of the financial year.

**Current Position:**

Collection of the current years levy and arrears as at 31 August 2022 is 25.19% which is 4.82% less than the previous year collection at 31 August 2021 of 30.01%. Collections have increased in the first week of September with a total of 30.57% collected.

**Relevant Reference Documents/Policies:**

Outstanding Rates Report.

**Governance issues:**

Council is obliged to act in the community's best interest and to ensure adequate service provision is upheld through measures of sustaining, maintaining and improving long term financial sustainability. A key area is to show the ongoing effective management of outstanding rates and annual charges recovery by reducing the outstanding rates percentage to an acceptable benchmarked value each year.

**Environmental issues:**

Nil

**Stakeholders:**

Walgett Shire Council Community  
Walgett Shire Ratepayers  
Walgett Shire Council

**Financial Implications:**

The recovery of rates and charges is a key performance indicator that is analysed by external bodies such as Treasury Corp in conjunction with the Local Government Review Panel. Efforts

to improve and lower the levels of outstanding rates and charges strengthen Walgett Shire Council's long term financial position.

**Alternative Solutions/Options:**

There are no alternative solutions or options.

**Conclusion:**

The report recommends that Council note the outstanding rates and annual charges percentage.

| <b>Monthly Outstanding Rates Report as at 31 August 2022</b>                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>The 31 August 2022 outstanding rates report be received and noted.</p> <p><b>Moved:</b></p> <p><b>Seconded:</b></p> |

**Attachments:**

Monthly Report – Outstanding Rates Report

Monthly Report - Outstanding Rates & Annual Charges as at 31 August 2022

|                                                         | 11 September 2022     | 31 August 2022        | 31 August 2021        |
|---------------------------------------------------------|-----------------------|-----------------------|-----------------------|
| Arrears from previous year                              | 1,571,511.85          | 1,571,511.85          | 1,178,458.83          |
| Adjustment                                              |                       |                       |                       |
| Sub Total                                               | 1,571,511.85          | 1,571,511.85          | 1,178,458.83          |
| <b>Current Year Activity</b>                            |                       |                       |                       |
| Legal fees (Including write off's)                      | 0.00                  | 0.00                  | (11,278.00)           |
| Adjusted Levy                                           | 10,547,703.73         | 10,555,131.19         | 10,153,606.27         |
| Interest (Including write off's)                        | 15,383.61             | 15,237.61             | 10,619.29             |
| Adjustments (Including Write Off's)                     | (194.23)              | (50.00)               | (1,953.39)            |
| Sub Total                                               | 10,562,893.11         | 10,570,318.80         | 10,150,994.17         |
| <b>Total Arrears and Adjusted Levy</b>                  | <b>12,134,404.96</b>  | <b>12,141,830.65</b>  | <b>11,329,453.00</b>  |
| Payments                                                | (3,534,215.27)        | (2,885,710.66)        | (3,203,678.75)        |
| Pensioner Concessions - Govt                            | (96,215.18)           | (95,264.41)           | (95,605.57)           |
| Pensioner Concessions - Council                         | (78,724.96)           | (77,947.05)           | (78,226.75)           |
| Discount                                                | 0.00                  | 0.00                  | 0.00                  |
| Special Rebate Council                                  | 0.00                  | 0.00                  | (22,487.25)           |
| Sub Total                                               | (3,709,155.41)        | (3,058,922.12)        | (3,399,998.32)        |
| <b>Total Remaining Levy</b>                             | <b>\$8,425,249.55</b> | <b>\$9,082,908.53</b> | <b>\$7,929,454.68</b> |
| Current                                                 | 6,790,744.46          | 7,407,957.64          | 6,695,769.56          |
| Arrears                                                 | 1,255,047.13          | 1,294,901.58          | 895,861.19            |
| Interest b/f from previous years                        | 243,908.68            | 244,234.79            | 200,433.49            |
| Current year interest                                   | 14,445.63             | 14,710.87             | 10,422.11             |
| Legals                                                  | 121,103.65            | 121,103.65            | 126,968.33            |
| <b>Total Remaining Levy</b>                             | <b>\$8,425,249.55</b> | <b>\$9,082,908.53</b> | <b>\$7,929,454.68</b> |
| <b>Variance</b>                                         | <b>\$0.00</b>         | <b>\$0.00</b>         | <b>\$0.00</b>         |
| <b>Total YTD Collected</b>                              |                       |                       |                       |
| Collected YTD % of Levy, Arrears, Interest & Legal Fees | 30.57%                | 25.19%                | 30.01%                |
| Collected YTD % of Levy                                 | 33.46%                | 27.30%                | 31.56%                |

## 9.2.2 CASH & INVESTMENTS AS AT 31 AUGUST 2022

**REPORTING SECTION:** Corporate Services  
**AUTHOR:** Tony Hughes – Chief Financial Officer  
**FILE NUMBER:** 22/10/0125

---

### **Summary:**

This report provides a summary and analysis of Council's cash and investments for the period ending 31<sup>st</sup> August 2022.

### **Background:**

The investment portfolio consists of on-call bank accounts and fixed rate interest bearing term deposits. The portfolio is regularly reviewed to maximise investment performance and minimise risk. Council's investment portfolio does not have a secondary market available for the trading of investments and is not subject to share market volatility.

Comparisons are regularly made between existing investments and other available products that meet Council policy guidelines. A comparison of Council's investment portfolio results is also made monthly to that of other NSW Councils and Walgett Shire's results from the portfolio continue to better than average.

The investments are compliant with the Relevant Reference Documents and Policies listed in this report.

### **Current Position:**

Council at month end held a total of \$34,336,649 in on-call bank accounts and interest-bearing term deposits with financial institutions in Australia. The investments are compliant with the Local Government Act (NSW), the associated Regulations and Ministerial Order and Council's Investment Policy.

Council's detailed investment portfolio and compliance information is shown in Attachment 1 to this report. This information is represented graphically as well as digitally and shows Council's compliance to the investment policy for all key performance indicators in the policy.

The official cash rate was raised by the RBA a further 0.50% in August 2022 to 1.85%, and the RBA statement repeated that "the Board expects to take further steps in the process of normalising monetary conditions over the months ahead". However, the Board also stated that policy "is not on a pre-set path", indicating that it will prioritise "a soft landing" if inflation expectations remain as they are currently.

Council's investment portfolio continues to perform well in comparison with other LGAs in NSW.

### **Relevant Reference Documents/Policies:**

Local Government Act (NSW), 1993  
Local Government (General) Regulation 2005  
Ministerial Investment Order 5<sup>th</sup> January 2016  
Investment Policy (Revised and adopted in August 2022)

### **Governance issues:**

Nil

**Environmental issues:**

Nil

**Financial Implications:**

As per report

**Alternative Solutions/Options:**

Nil

**Stakeholders:**

Walgett Shire Council  
Residents of Walgett Shire Council  
Financial Institutions

**Conclusion:**

At 31<sup>st</sup> August 2022 Walgett Shire Council's total cash and invested funds totalled \$34,336,649, increasing the portfolio by \$1,129,674 from the previous month.

**Attachment:** Attachment 1 Walgett Shire Council's Portfolio reports from Imperium Markets.

**Certification – Responsible Accounting Officer**

1. I hereby certify that the investments listed in the attached report have been made in accordance with Section 625 of the *Local Government Act 1993*, clause 212 of the *Local Government (General) Regulation 2005*, the *Investment Order (of the Minister) 5<sup>th</sup> January 2016*.
2. I hereby certify that Council's Cash Book and General Ledger have been reconciled to the bank statement as at the end of month.

Tony Hughes

**Chief Financial Officer – Responsible Accounting Officer**

| <b>Cash and Investment Report as at 31<sup>st</sup> August 2022</b>                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>That the Investment report be received and noted.</p> <p><b>Moved:</b></p> <p><b>Seconded:</b></p> |

**Attachment:**

Walgett Shire Council's Portfolio report from Imperium Markets



# Investment Report

01/08/2022 to 31/08/2022



## Portfolio Valuation as at 31/08/2022

| Issuer              | Rating | Type | Alloc   | Interest    | Purchase   | Maturity   | Rate   | Capital Value | Accrued  | Accrued MTD |
|---------------------|--------|------|---------|-------------|------------|------------|--------|---------------|----------|-------------|
| AMP Bank            | BBB    | TD   | GENERAL | Annual      | 10/03/2021 | 07/09/2022 | 0.7500 | 1,000,000.00  | 3,595.89 | 636.99      |
| Members Equity Bank | BBB+   | TD   | GENERAL | At Maturity | 22/06/2022 | 21/09/2022 | 2.2000 | 1,000,000.00  | 4,279.45 | 1,868.49    |
| NAB                 | AA-    | TD   | GENERAL | At Maturity | 23/06/2022 | 28/09/2022 | 2.2800 | 1,000,000.00  | 4,372.60 | 1,936.44    |
| Suncorp             | A+     | TD   | GENERAL | At Maturity | 23/06/2022 | 28/09/2022 | 2.2900 | 1,000,000.00  | 4,391.78 | 1,944.93    |
| AMP Bank            | BBB    | TD   | GENERAL | At Maturity | 29/09/2021 | 28/09/2022 | 0.8000 | 1,000,000.00  | 7,386.30 | 679.45      |
| JUDO BANK           | BBB-   | TD   | GENERAL | Annual      | 22/10/2021 | 26/10/2022 | 0.9000 | 1,000,000.00  | 7,742.47 | 764.38      |
| Macquarie Bank      | A+     | TD   | GENERAL | Monthly     | 02/08/2022 | 31/10/2022 | 4.2500 | 1,000,000.00  | 3,493.15 | 3,493.15    |
| JUDO BANK           | BBB-   | TD   | GENERAL | At Maturity | 24/11/2021 | 23/11/2022 | 1.0100 | 1,000,000.00  | 7,775.62 | 857.81      |
| JUDO BANK           | BBB-   | TD   | GENERAL | At Maturity | 28/02/2022 | 30/11/2022 | 0.9000 | 1,000,000.00  | 4,561.64 | 764.38      |
| MyState Bank        | BBB    | TD   | GENERAL | At Maturity | 09/03/2022 | 15/03/2023 | 1.0700 | 1,000,000.00  | 5,159.45 | 908.77      |
| Members Equity Bank | BBB+   | TD   | GENERAL | At Maturity | 13/07/2022 | 20/04/2023 | 3.8200 | 1,000,000.00  | 5,232.88 | 3,244.38    |
| Commonwealth Bank   | AA-    | TD   | GENERAL | Semi-Annual | 20/04/2022 | 26/04/2023 | 2.2200 | 1,000,000.00  | 3,770.96 | 1,885.48    |
| Commonwealth Bank   | AA-    | TD   | GENERAL | Semi-Annual | 20/04/2022 | 26/04/2023 | 2.2200 | 1,000,000.00  | 3,770.96 | 1,885.48    |
| Commonwealth Bank   | AA-    | TD   | GENERAL | Semi-Annual | 20/04/2022 | 03/05/2023 | 2.2500 | 1,000,000.00  | 3,821.92 | 1,910.96    |
| Commonwealth Bank   | AA-    | TD   | GENERAL | Semi-Annual | 06/05/2022 | 10/05/2023 | 3.1900 | 1,000,000.00  | 5,418.63 | 2,709.32    |
| Commonwealth Bank   | AA-    | TD   | GENERAL | Semi-Annual | 20/04/2022 | 10/05/2023 | 2.2600 | 1,000,000.00  | 3,838.90 | 1,919.45    |
| NAB                 | AA-    | TD   | GENERAL | Annual      | 11/08/2021 | 16/08/2023 | 0.6000 | 1,000,000.00  | 345.21   | 345.21      |
| AMP Bank            | BBB    | TD   | GENERAL | Annual      | 24/08/2022 | 31/08/2023 | 4.2500 | 1,000,000.00  | 931.51   | 931.51      |



| Issuer            | Rating | Type | Alloc   | Interest    | Purchase   | Maturity   | Rate   | Capital Value        | Accrued           | Accrued MTD      |
|-------------------|--------|------|---------|-------------|------------|------------|--------|----------------------|-------------------|------------------|
| AMP Bank          | BBB    | TD   | GENERAL | Annual      | 01/02/2019 | 31/01/2024 | 3.1500 | 1,000,000.00         | 18,295.89         | 2,675.34         |
| ING Direct        | A      | TD   | GENERAL | At Maturity | 27/04/2022 | 01/05/2024 | 3.2800 | 1,000,000.00         | 11,412.60         | 2,785.75         |
| BOQ               | BBB+   | TD   | GENERAL | Annual      | 12/06/2019 | 12/06/2024 | 2.5500 | 1,000,000.00         | 5,519.18          | 2,165.75         |
| Suncorp           | A+     | TD   | GENERAL | At Maturity | 13/07/2022 | 17/07/2024 | 4.2000 | 1,000,000.00         | 5,753.42          | 3,567.12         |
| AMP Bank          | BBB    | TD   | GENERAL | Annual      | 07/08/2019 | 07/08/2024 | 2.0000 | 1,000,000.10         | 1,315.07          | 1,315.07         |
| MyState Bank      | BBB    | TD   | GENERAL | Annual      | 04/03/2022 | 05/03/2025 | 2.2200 | 1,000,000.00         | 11,008.77         | 1,885.48         |
| BOQ               | BBB+   | TD   | GENERAL | Annual      | 27/04/2022 | 30/04/2025 | 3.7500 | 1,000,000.00         | 13,047.95         | 3,184.93         |
| BOQ               | BBB+   | TD   | GENERAL | Annual      | 06/08/2020 | 06/08/2025 | 1.3000 | 1,000,000.00         | 854.79            | 854.79           |
| Westpac           | AA-    | TD   | GENERAL | Annual      | 21/02/2022 | 24/02/2027 | 2.4600 | 1,000,000.00         | 12,940.27         | 2,089.32         |
| Commonwealth Bank | AA-    | CASH | GENERAL | Monthly     | 31/08/2022 | 31/08/2022 | 0.0000 | 57,202.85            | -                 | -                |
| Macquarie Bank    | A+     | CASH | GENERAL | Monthly     | 31/08/2022 | 31/08/2022 | 1.8500 | 3,553,688.74         | 3,918.43          | 3,918.43         |
| Commonwealth Bank | AA-    | CASH | GENERAL | Monthly     | 31/08/2022 | 31/08/2022 | 0.4000 | 1,773,023.15         | 273.58            | 273.58           |
| Commonwealth Bank | AA-    | CASH | GENERAL | Monthly     | 31/08/2022 | 31/08/2022 | 0.4000 | 1,952,645.34         | 94.19             | 94.19            |
| Macquarie Bank    | A+     | CASH | GENERAL | Monthly     | 31/08/2022 | 31/08/2022 | 0.9000 | 89.05                | 0.02              | 0.02             |
| <b>TOTALS</b>     |        |      |         |             |            |            |        | <b>34,336,649.23</b> | <b>164,323.47</b> | <b>53,496.35</b> |



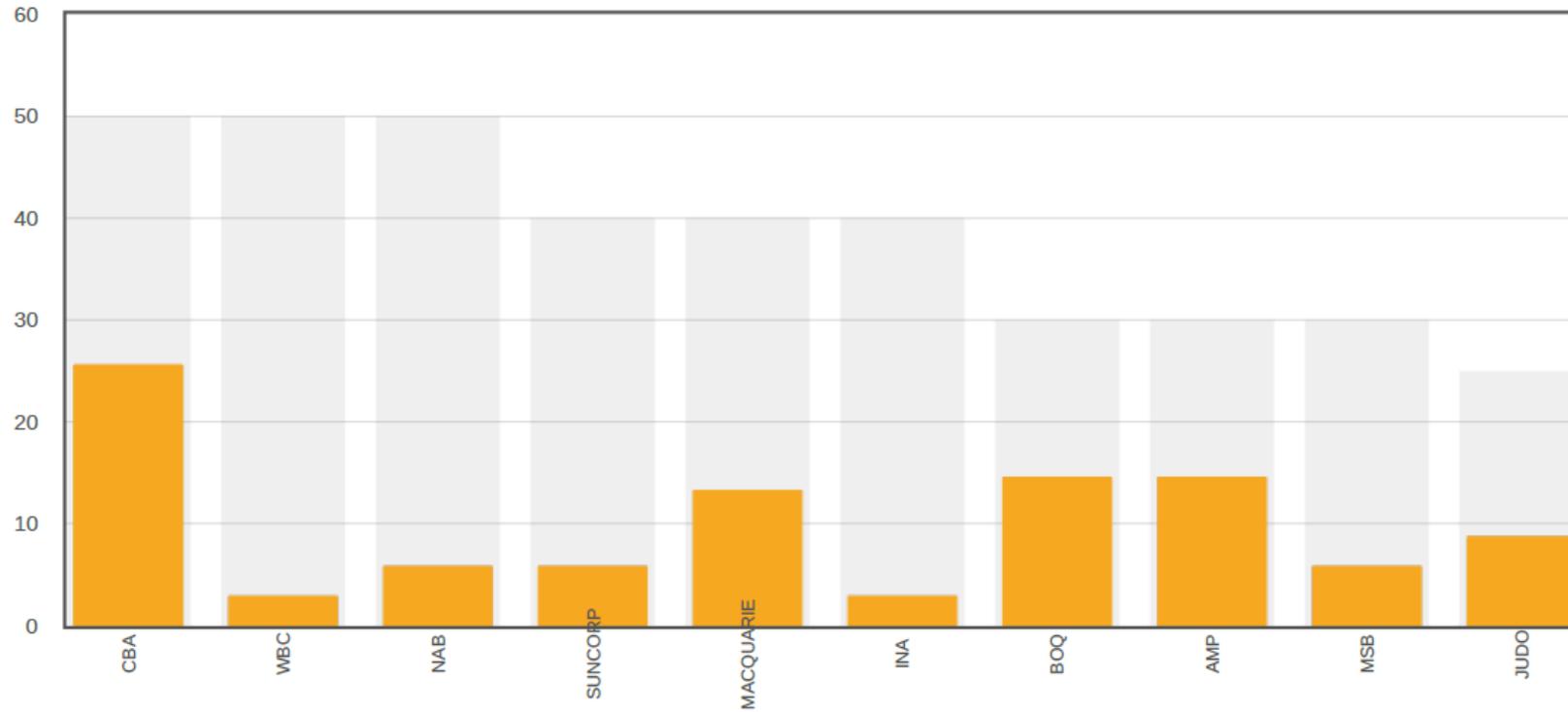
## Counterparty Compliance as at 31/08/2022

### Long Term Investments

| Compliant     | Bank Group        | Term | Rating | Invested             | Invested (%)  | Limit (%) | Limit (\$) | Available     |
|---------------|-------------------|------|--------|----------------------|---------------|-----------|------------|---------------|
| ✓             | Commonwealth Bank | Long | AA-    | 8,782,871.34         | 25.58         | 50.00     | -          | 8,385,453.28  |
| ✓             | Westpac           | Long | AA-    | 1,000,000.00         | 2.91          | 50.00     | -          | 16,168,324.62 |
| ✓             | NAB               | Long | AA-    | 2,000,000.00         | 5.83          | 50.00     | -          | 15,168,324.62 |
| ✓             | Suncorp           | Long | A+     | 2,000,000.00         | 5.83          | 40.00     | -          | 11,734,659.69 |
| ✓             | Macquarie Bank    | Long | A+     | 4,553,777.79         | 13.26         | 40.00     | -          | 9,180,881.90  |
| ✓             | ING Direct        | Long | A      | 1,000,000.00         | 2.91          | 40.00     | -          | 12,734,659.69 |
| ✓             | BOQ               | Long | BBB+   | 5,000,000.00         | 14.56         | 30.00     | -          | 5,300,994.77  |
| ✓             | AMP Bank          | Long | BBB    | 5,000,000.10         | 14.56         | 30.00     | -          | 5,300,994.67  |
| ✓             | MyState Bank      | Long | BBB    | 2,000,000.00         | 5.83          | 30.00     | -          | 8,300,994.77  |
| ✓             | JUDO              | Long | BBB-   | 3,000,000.00         | 8.74          | 25.00     | -          | 5,584,162.31  |
| <b>TOTALS</b> |                   |      |        | <b>34,336,649.23</b> | <b>100.00</b> |           |            |               |



### Counterparty Compliance - Long Term Investments



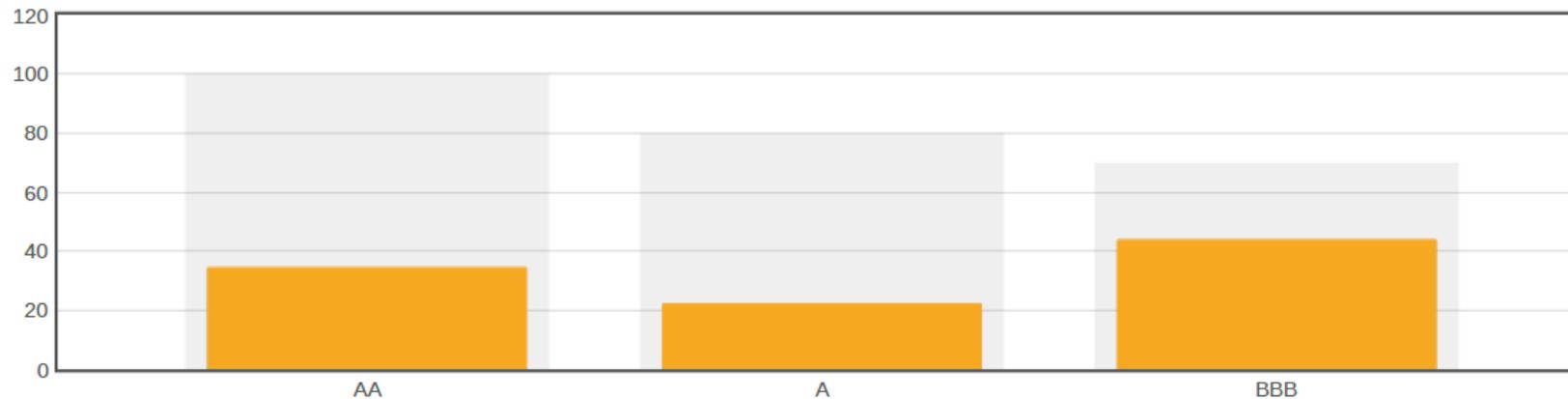


## Credit Quality Compliance as at 31/08/2022

### Long Term Investments

| Compliant | Rating | Invested (\$) | Invested (%) | Limit (%) | Available     |
|-----------|--------|---------------|--------------|-----------|---------------|
| ✓         | AA     | 11,782,871.34 | 34.32        | 100.00    | 22,553,777.89 |
| ✓         | A      | 7,553,777.79  | 22.00        | 80.00     | 19,915,541.59 |
| ✓         | BBB    | 15,000,000.10 | 43.69        | 70.00     | 9,035,654.36  |
| TOTALS    |        | 34,336,649.23 | 100.00       |           |               |

### Credit Quality Compliance - Long Term Investments

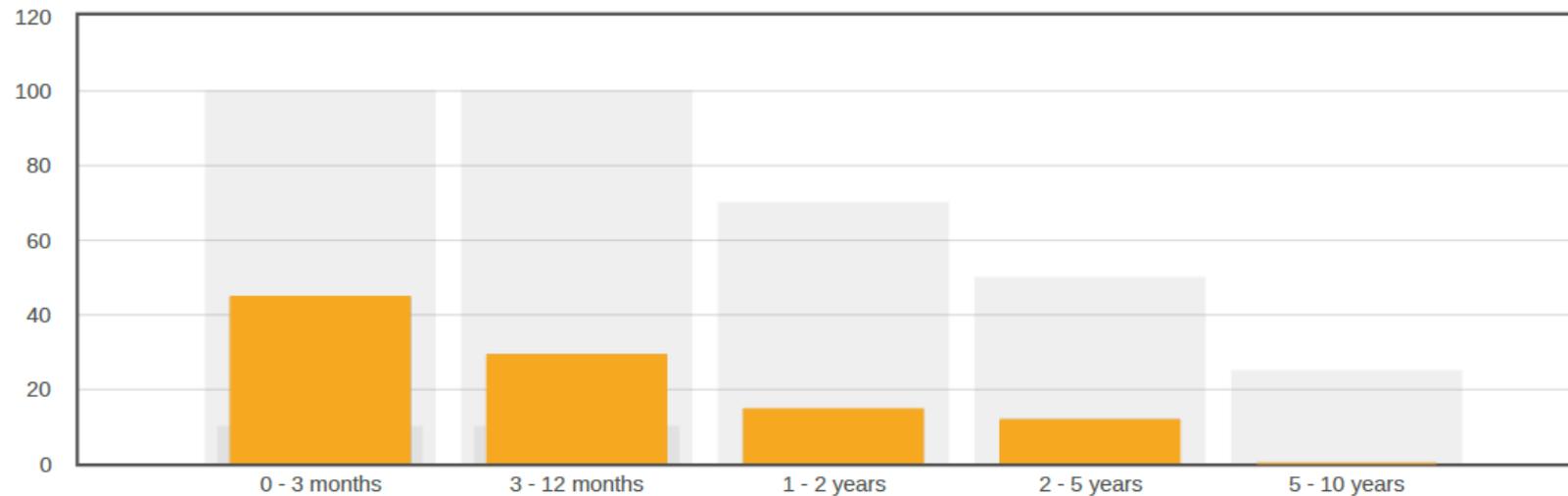




## Maturity Compliance as at 31/08/2022

| Compliant     | Term          | Invested             | Invested (%)  | Min Limit (%) | Max Limit (%) | Available     |
|---------------|---------------|----------------------|---------------|---------------|---------------|---------------|
| ✓             | 0 - 3 months  | 15,336,649.13        | 44.67         | 10.00         | 100.00        | 19,000,000.10 |
| ✓             | 3 - 12 months | 10,000,000.00        | 29.12         | 10.00         | 100.00        | 24,336,649.23 |
| ✓             | 1 - 2 years   | 5,000,000.10         | 14.56         | 0.00          | 70.00         | 19,035,654.36 |
| ✓             | 2 - 5 years   | 4,000,000.00         | 11.65         | 0.00          | 50.00         | 13,168,324.62 |
| ✓             | 5 - 10 years  | -                    | 0.00          | 0.00          | 25.00         | 8,584,162.31  |
| <b>TOTALS</b> |               | <b>34,336,649.23</b> | <b>100.00</b> |               |               |               |

## Maturity Compliance



### 9.2.3 RATES AND CHARGES WRITTEN OFF DURING THE YEAR 2021-2022

**REPORTING SECTION:** Corporate Services  
**AUTHOR:** Tony Hughes – Chief Financial Officer  
**FILE NUMBER:** 22/10/0146

---

**Summary:**

This report provides Council with information for decision regarding the formal write off of rates and charges for 2021-2022.

**Background:**

Each year Council writes off rates and charges for a number of reasons including pensioner rebates, donations and errors. In accordance with various clauses of the Local Government Act 1993 and Local Government (General) Regulations 2005, Council must resolve to write-off these applicable rates and charges amounts which occurred during the financial year.

**Current Position:**

In accordance with Clause 131 of the Local Government (General) Regulations 2005, Council must resolve to write-off applicable rates and charges amounts which occurred during the 2021-2022 financial year where Council has not otherwise done so during the year. Under Section 583 of the Local Government Act 1993 council is obliged to write-off rates and charges that are waived or reduced (abandoned pensioner rates & charges) under Section 582 of the Local Government Act 1993. Under Section 356 of the Local Government Act 1993 council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions provided that the recipient does not act for private gain.

The “Abandonments Register” as at the 30<sup>th</sup> June 2022 totals \$205,396.17 which is summarised below:

| <b>ABANDONMENTS REGISTER as at 30-6-2022</b>                                                                                                       |                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <b><i>AMOUNTS OF RATES AND CHARGES WRITTEN OFF DURING THE YEAR [2021-2022]</i></b>                                                                 |                     |
| Pensioner rates and charges abandoned under Section 583 of the Local Government Act 1993                                                           | \$177,526.17        |
| Donations made under Section 356 of the Local Government Act 1993 to Churches and Other Not-For-Profit Organisations                               | \$22,487.25         |
| Sundry charges abandonments under the Local Government (General) Regulation 2005, Clause 131 that have not previously been written off by Council. | \$5,382.75          |
| <b>Total</b>                                                                                                                                       | <b>\$205,396.17</b> |

**Governance issues:**

The rate write-off is made in accordance with Section 583 and 356 of the Local Government Act 1993.

**Environmental issues:**

NIL

**Stakeholders:**

Walgett Shire Council.  
 Walgett Shire Ratepayers.

**Financial Implications:**

The write-offs totalling \$205,396.17 have been processed throughout the year to the rates sub-ledger and general ledger.

**Alternative Solutions/Options:**

NIL

**Conclusion:**

Council is obliged to write-off rates and charges in accordance with Sections 356 and 583 of the Local Government Act 1993 and clause 131 of the Local Government (General) Regulation 2005.

**Section 356 – Rebates to Churches and Other Not For Profit Organisations 2022-2023**

**Recommendation:**

That Council writes-off \$205,396.17 as per the Abandonments Register as at 30<sup>th</sup> June 2022.

**Moved:**

**Seconded:**

**Attachment:**

Nil.

## 9.3 DIRECTOR ENGINEERING / TECHNICAL SERVICES

### 9.3.1 MONTHLY MAINTENANCE GRADING REPORT AS AT 31 AUGUST 2022

**REPORTING SECTION:** Engineering / Technical Services  
**AUTHOR:** Bob Stephen - Director Engineering / Technical Services  
**FILE NUMBER:** 22/10/0136

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**Summary:**

The purpose of this report is to update Council about the road maintenance programme on Shire Roads for the period ending 31<sup>st</sup> August 2022.

**Background:**

The maintenance budget has been prepared based on the available funding to maintain the Unsealed Local and Regional Roads to provide an acceptable level of service. This budget will be used to maintain the roads as per demand and Road Best Practice Manual.

Details of maintenance grading and flood work locations are detailed in the attached report.

**Relevant Reference Documents/Policies:**

Council's approved 2022/2023 Shire Roads Maintenance Grading Works schedule.

**Stakeholders:**

Walgett Shire Council  
Walgett Residents

**Financial Implications:**

As of 31<sup>st</sup> August 2022, actual spend is **\$90,790.48**.

**Alternative Solutions/Options:**

Nil

**Conclusion:**

Council has established a system to monitor progress continually to keep within the approved budget.

| Monthly Maintenance Grading Report – August 2022                                                                                                                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>That Council receive and note the monthly maintenance grading works report for August 2022.</p> <p><b>Moved:</b><br/><b>Seconded:</b></p> |

**Attachments:**

Monthly maintenance grading works.

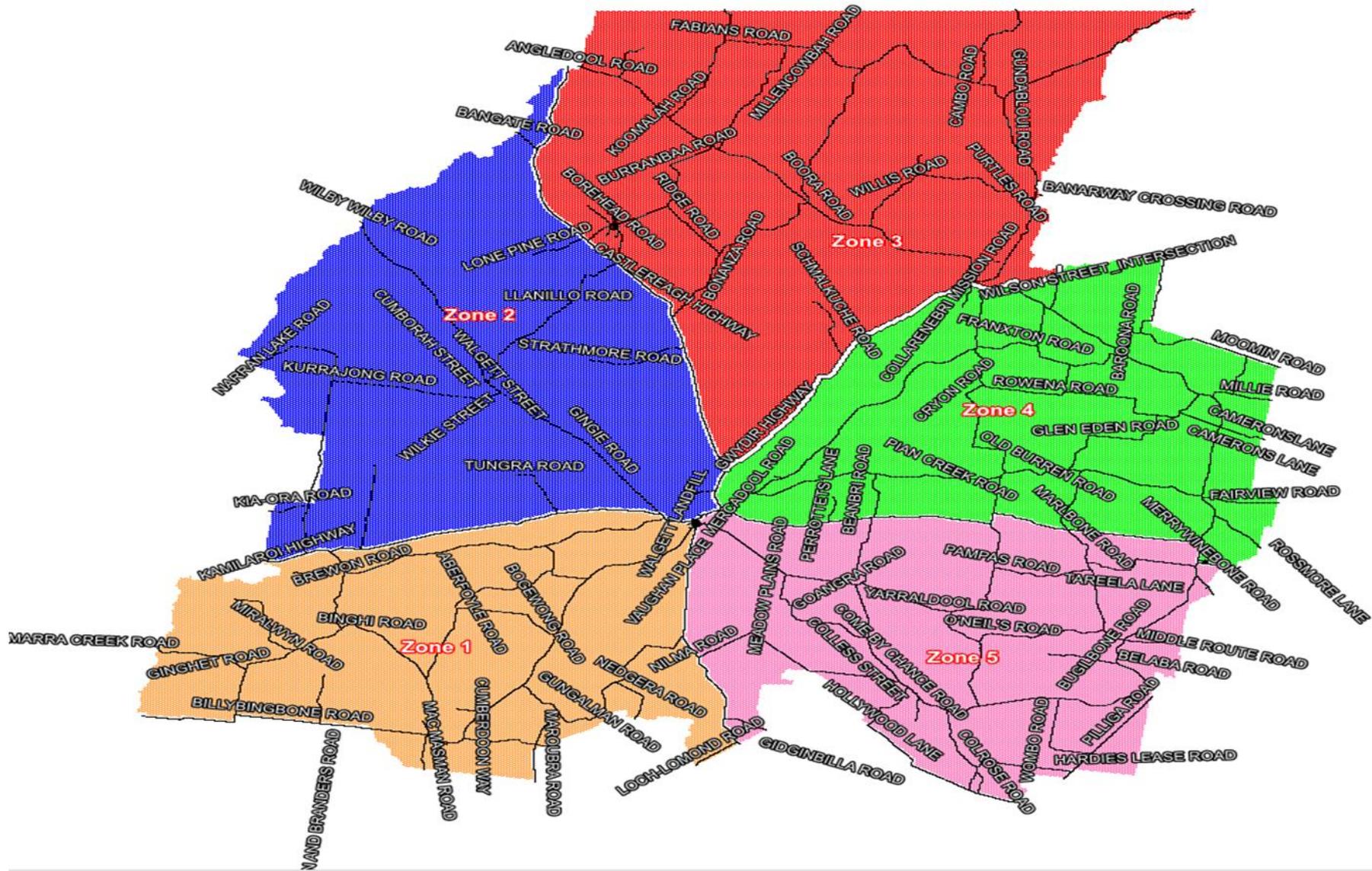
WALGETT SHIRE COUNCIL AGENDA – 27 SEPTEMBER 2022 – ORDINARY COUNCIL MEETING

| Road Name                    | Total Length of Road | Budget Required for Entire Road | Road Category | Expenditure For July 2022 | Expenditure For August 2022 | Expenditure For Sept. 2022 | Expenditure For Oct. 2022 | Expenditure For Nov. 2022 | Expenditure For Dec. 2022 | Expenditure For Jan. 2023 | Expenditure For Feb. 2023 | Expenditure For March 2023 | Expenditure For April 2023 | Expenditure For May 2023 | Expenditure For June 2023 | Total Cost to Date  |
|------------------------------|----------------------|---------------------------------|---------------|---------------------------|-----------------------------|----------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|----------------------------|----------------------------|--------------------------|---------------------------|---------------------|
| <b>Zone 1</b>                |                      |                                 |               |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           |                     |
| Bowra Road SR34              | 3.95                 | \$ 4,278.00                     | F             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Wanourie Road SR38           | 6.5                  | \$ 4,278.00                     | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Green and Branders Road SR41 | 11.3                 | \$ 7,006.00                     | F             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Regans Road SR58             | 3.2                  | \$ 4,278.00                     | F             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Marra Creek Road SR60        | 17.5                 | \$ 10,850.00                    | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Lochlomond Road SR74         | 8.4                  | \$ 5,208.00                     | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Maroubra Road SR76           | 8.3                  | \$ 5,146.00                     | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Nedgara Road SR77            | 10.7                 | \$ 6,634.00                     | F             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Mac Masman Road SR81         | 8                    | \$ 4,960.00                     | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Binghi Road SR113            | 20.1                 | \$ 12,462.00                    | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Aberfoyle Road SR115         | 26.2                 | \$ 16,244.00                    | D             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Gungalman Road SR31          | 43.7                 | \$ 27,094.00                    | D             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Gilwamy Road SR32            | 7.9                  | \$ 4,898.00                     | F             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Teranyan Road SR33           | 13.7                 | \$ 8,494.00                     | D             | \$ 5,753.50               | \$ 646.16                   |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ 6,399.66         |
| Bogewong Road SR114          | 48.7                 | \$ 30,194.00                    | D             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Ginghet Road SR40            | 47.6                 | \$ 29,512.00                    | D             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Bushs Road SR43              | 8.7                  | \$ 5,394.00                     | D             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Miralwyn Road SR73           | 17.9                 | \$ 11,098.00                    | D             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Brewon Road SR112            | 54.7                 | \$ 33,914.00                    | C             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Billybingbone Road RR7516    | 18.67                | \$ 11,532.00                    | C             |                           | \$ 1,620.00                 |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ 1,620.00         |
| Merri Merri Road RR202       | 6.57                 | \$ 7,166.00                     | C             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| <b>Sub total Zone 1</b>      | <b>392.29</b>        | <b>\$ 250,640.00</b>            |               | <b>\$ 5,753.50</b>        | <b>\$ 2,266.16</b>          | <b>\$ -</b>                | <b>\$ -</b>               | <b>\$ -</b>               | <b>\$ -</b>               | <b>\$ -</b>               | <b>\$ -</b>               | <b>\$ -</b>                | <b>\$ -</b>                | <b>\$ -</b>              | <b>\$ -</b>               | <b>\$ 8,019.66</b>  |
| <b>Zone 2</b>                |                      |                                 |               |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           |                     |
| Boorooma Creek Road SR48     | 19.1                 | \$ 11,842.00                    | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Wimbledon Road SR64          | 3.4                  | \$ 4,278.00                     | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Tungra Road SR85             | 12.7                 | \$ 7,874.00                     | F             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Strathmore Road SR92         | 16.42                | \$ 11,904.00                    | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Narran Lake Road SR111       | 61                   | \$ 37,820.00                    | D             | \$ 4,673.24               | \$ 11,897.35                |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ 16,570.59        |
| Lone Pine Road SR70          | 9.6                  | \$ 5,952.00                     | D             | \$ 7,879.25               | \$ 5,079.42                 |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ 12,958.67        |
| Kurrajong Road SR110         | 27.8                 | \$ 17,236.00                    | D             | \$ 5,995.72               |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ 5,995.72         |
| Wilby Wilby Road SR101       | 28.7                 | \$ 17,794.00                    | D             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Grawin Opal Fields Road      | 0.9                  | \$ 557.00                       | C             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Woodlands Road SR 130        | 2.33                 | \$ 1,445.00                     | D             |                           | \$ 3,678.56                 |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ 3,678.56         |
| Cumbarah Town Roads          |                      |                                 | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| <b>Sub total Zone 2</b>      | <b>181.95</b>        | <b>\$ 116,702.00</b>            |               | <b>\$ 18,548.21</b>       | <b>\$ 20,655.33</b>         | <b>\$ -</b>                | <b>\$ -</b>               | <b>\$ -</b>               | <b>\$ -</b>               | <b>\$ -</b>               | <b>\$ -</b>               | <b>\$ -</b>                | <b>\$ -</b>                | <b>\$ -</b>              | <b>\$ -</b>               | <b>\$ 39,203.54</b> |

WALGETT SHIRE COUNCIL AGENDA – 27 SEPTEMBER 2022 – ORDINARY COUNCIL MEETING

| Road Name                      | Total Length of Road | Budget Required for Entire Road | Road Category | Expenditure For July 2022 | Expenditure For August 2022 | Expenditure For Sept. 2022 | Expenditure For Oct. 2022 | Expenditure For Nov. 2022 | Expenditure For Dec. 2022 | Expenditure For Jan. 2023 | Expenditure For Feb. 2023 | Expenditure For March 2023 | Expenditure For April 2023 | Expenditure For May 2023 | Expenditure For June 2023 | Total Cost to Date  |
|--------------------------------|----------------------|---------------------------------|---------------|---------------------------|-----------------------------|----------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|----------------------------|----------------------------|--------------------------|---------------------------|---------------------|
| <b>Zone 3</b>                  |                      |                                 |               |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           |                     |
| Springs Road SR19              | 2.7                  | \$ 4,278.00                     | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Bonanza Road SR46              | 16.9                 | \$ 10,478.00                    | E             | \$ 8,730.00               |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ 8,730.00         |
| Schmalkuche Road SR47          | 14.4                 | \$ 8,928.00                     | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Millencowbah Road SR51         | 27.7                 | \$ 17,174.00                    | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Willis Road SR52               | 14.5                 | \$ 8,990.00                     | F             |                           | \$ 816.75                   |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ 816.75           |
| Koomalah Road SR53             | 28.4                 | \$ 17,608.00                    | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Burranbaa Road SR55            | 18.1                 | \$ 11,222.00                    | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Cambo Road SR61                | 21.1                 | \$ 13,082.00                    | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Woolaroo Road SR69             | 1                    | \$ 4,278.00                     | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Kia-Ora Road SR86              | 6.8                  | \$ 4,278.00                     | F             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Fabians Road SR88              | 24.8                 | \$ 15,376.00                    | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Banarway Road SR95             | 1.2                  | \$ 4,278.00                     | D             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Purtle Road SR126              | 26.8                 | \$ 16,616.00                    | E             |                           | \$ 3,192.75                 |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ 3,192.75         |
| Boora Road SR127               | 63.8                 | \$ 39,556.00                    | D             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Bore Head Road SR45            | 5.1                  | \$ 4,278.00                     | D             | \$ 3,242.78               |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ 3,242.78         |
| Lorne Road SR98                | 6.9                  | \$ 4,278.00                     | D             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Angledool Road SR102           | 49.3                 | \$ 30,566.00                    | C             |                           | \$ 4,009.50                 |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ 4,009.50         |
| Ridge/Sherman Way RR426        | 70.1                 | \$ 68,275.00                    | C             | \$ 11,250.00              | \$ 12,325.50                |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ 23,575.50        |
| Gundabloui Road RR457          | 40.9                 | \$ 32,798.00                    | C             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| <b>Sub total Zone 3</b>        | <b>440.5</b>         | <b>\$ 316,337.00</b>            |               | <b>\$ 23,222.78</b>       | <b>\$ 20,344.50</b>         | <b>\$ -</b>                | <b>\$ -</b>               | <b>\$ -</b>               | <b>\$ -</b>               | <b>\$ -</b>               | <b>\$ -</b>               | <b>\$ -</b>                | <b>\$ -</b>                | <b>\$ -</b>              | <b>\$ -</b>               | <b>\$ 43,567.28</b> |
| <b>Zone 4</b>                  |                      |                                 |               |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           |                     |
| Fraxton Road SR1               | 19                   | \$ 11,780.00                    | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Bellara Road SR2               | 21.4                 | \$ 13,268.00                    | D             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Clarkes Road SR3               | 6                    | \$ 4,278.00                     | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Cryon Road SR5                 | 56.75                | \$ 35,185.00                    | C             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Woodvale Road SR13             | 8.96                 | \$ 8,556.00                     | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Baroona Road SR14              | 11.1                 | \$ 6,882.00                     | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Pokataroo Road SR15            | 8.1                  | \$ 5,022.00                     | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Perrottets Road SR66           | 5.9                  | \$ 3,658.00                     | F             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Pagan Creek Road SR79          | 1.3                  | \$ 4,278.00                     | F             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Fairview Road SR90             | 12.6                 | \$ 7,812.00                     | F             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Dundee Road SR124              | 13.9                 | \$ 8,618.00                     | F             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Glen Eden Road SR125           | 24.6                 | \$ 15,252.00                    | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Millie Road SR12               | 9.1                  | \$ 5,642.00                     | C             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Rossmore Road SR71             | 10.7                 | \$ 6,634.00                     | C             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Rowena Road SR123              | 34.5                 | \$ 21,390.00                    | E             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Camerons Road SR128            | 15.2                 | \$ 9,424.00                     | D             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Mercadool Road SR16            | 57.7                 | \$ 35,774.00                    | C             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Moomin Road SR59               | 31                   | \$ 19,220.00                    | D             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Beanbri Road SR117             | 4.9                  | \$ 4,278.00                     | C             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Pian Creek Road SR121          | 41.7                 | \$ 25,854.00                    | C             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Old Burren Road SR122          | 33.9                 | \$ 21,018.00                    | D             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Collarenebri Mission Road SR67 | 4.6                  | \$ 4,278.00                     | C             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| Rowena Town Roads              |                      | \$ 4,278.00                     | D             |                           |                             |                            |                           |                           |                           |                           |                           |                            |                            |                          |                           | \$ -                |
| <b>Sub total Zone 4</b>        | <b>432.91</b>        | <b>\$ 282,379.00</b>            |               | <b>\$ -</b>               | <b>\$ -</b>                 | <b>\$ -</b>                | <b>\$ -</b>               | <b>\$ -</b>               | <b>\$ -</b>               | <b>\$ -</b>               | <b>\$ -</b>               | <b>\$ -</b>                | <b>\$ -</b>                | <b>\$ -</b>              | <b>\$ -</b>               | <b>\$ -</b>         |





**9.3.2 SERVICE PROGRESS REPORT AS AT 31 AUGUST 2022**

**REPORTING SECTION:** Engineering / Technical Services  
**AUTHOR:** Bob Stephen – Director Engineering/Technical Services  
**FILE NUMBER:** 22/10/0135

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**Summary:**

The purpose of this report is to update Council with regards Engineering Services works progress up to 31<sup>st</sup> August 2022.

**Background:**

The revised budget of the Engineering and Technical Service Department for capital & maintenance works, Quarry management, fleet management, water works, parks & garden, Walgett weir and engineering administration for 2022/2023 is \$25,077,615.

The breakdown of the budget is as follows:

**Breakdown of budgets:**

| Items                               | Budget              | Expenditure up to 31 <sup>st</sup> August 2022 | (%)       |
|-------------------------------------|---------------------|------------------------------------------------|-----------|
| Transportation including RMCC works | \$18,195,500        | \$4,451,135                                    | 24        |
| Water works ( maintenance)          | \$3,379,772         | \$331,313                                      | 10        |
| Water works ( Capital)              | \$1,925,765         | \$111,895                                      | 6         |
| Sewer works ( Maintenance works)    | \$1,06,578          | \$128,582                                      | 12        |
| Sewer works (Capital works)         | \$500,000           | \$209,622                                      | 42        |
| <b>TOTAL</b>                        | <b>\$25,077,615</b> | <b>\$5,120,764</b>                             | <b>20</b> |

**Current Position:**

The status of work progress is as follows:

| Items          | Status                                                   |
|----------------|----------------------------------------------------------|
| Goangra Bridge | Work ongoing – see Monthly Major Projects Report         |
| Come By Chance | Work ongoing – see Monthly Major Projects Report         |
| Lorne Road     | Council and Subcontractors to commence work October 2022 |
| Burranbaa Road | Work ongoing – see Monthly Major Projects Report         |

**Relevant Reference Documents/Policies:**

2022/23 Operational Plan and Budget

**Governance issues:**

Due processes are followed on a routine basis i.e. procurement and tendering.

**Environmental issues:**

Various environmental issues are assessed on a project-by-project basis to ensure any environmental legislation is complied with.

**Stakeholders:**

Walgett Shire  
Walgett Shire Residents and Rate Payers  
Contractors

**Financial Implications:**

As of 31<sup>st</sup> August 2022, \$5,120,764 expended.

**Alternative Solutions/Options:**

Nil

**Conclusion:**

Council will continue to monitor the work progress of all the activities to ensure the works are completed within the guidelines and project estimates.

**Service Progress Report – As at 31 August 2022**

**Recommendation:**

That Council receive and note the Engineering Services monthly works progress report for August 2022.

**Moved:**

**Seconded:**

**Attachment:**

Nil

### **9.3.3 MONTHLY MAJOR PROJECTS REPORT AS AT 31ST AUGUST 2022**

**REPORTING SECTION:** Engineering / Technical Services  
**AUTHOR:** Tim McLoughlin – Project Manager/Technical Services  
**FILE NUMBER:** 22/10/0138

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**Summary:**

The purpose of this report is to update Council about the Major Projects programme in the Shire for the period ending 31<sup>st</sup> August 2022.

**Background:**

The shire currently has several major projects in progress being:

- Goangra Bridge – Progressing well
- Come by Chance Road reconstruction and seal – Borrow pit developed. Wet road conditions hampering the start of works.
- Burransbaa Road reconstruction and reseal – approx. 90% of bulk earthworks are done. Wet conditions are hampering further progress.
- Lorne Road reconstruction and reseal – works to start end October 2022 (self-deliver).

Details of project progress are detailed in the attached report.

**Stakeholders:**

Walgett Shire Council  
Walgett Residents  
Funding Bodies

**Alternative Solutions/Options:**

Nil

**Conclusion:**

Council has established a system to monitor progress continually to keep within the approved budget.

| <b>Monthly Major Project Progress Report – August 2022</b>                                                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>That Council receive and note the Monthly Major Projects Report for August 2022.</p> <p><b>Moved:</b><br/><b>Seconded:</b></p> |

**Attachments:**

Major Project Report

## GOANGRA BRIDGE

| % of Project | Task                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Units | Contract Quantity | Task % Complete | Quantity Complete | 01-May-22 | 08-May-22                   | 15-May-22 | 22-May-22 | 29-May-22 | 05-Jun-22 | 12-Jun-22 | 19-Jun-22 | 26-Jun-22 | 03-Jul-22 | 10-Jul-22 | 17-Jul-22 | 24-Jul-22 | 31-Jul-22 | 07-Aug-22 | 14-Aug-22 | 21-Aug-22 | 28-Aug-22 | 04-Sep-22 | 11-Sep-22 | 18-Sep-22 | 25-Sep-22 | 02-Oct-22 | 09-Oct-22 | 16-Oct-22 | 23-Oct-22 | 30-Oct-22 | 06-Nov-22 | 13-Nov-22 |  |  |  |
|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|-------------------|-----------------|-------------------|-----------|-----------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|--|--|--|
|              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |       |                   |                 |                   | 1.0%      | Road Furniture - Sign Posts | item      | 1         | 0.0%      | 0.0%      |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |  |  |
| 1.0%         | Road Furniture - Guide Posts                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | item  | 1                 | 0.0%            | 0.0%              |           |                             |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |  |  |
| 1.0%         | Sealing                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | item  | 1                 | 0.0%            | 0.0%              |           |                             |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |  |  |
| 2.0%         | Placement of Gravel                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | item  | 1                 | 0.0%            | 0.0%              |           |                             |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |  |  |
| 2.0%         | Stabilisation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | item  | 1                 | 0.0%            | 0.0%              |           |                             |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |  |  |
| 2.0%         | Placement of Bulk fill Cut                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | item  | 1                 | 0.0%            | 0.0%              |           |                             |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |  |  |
| 3.0%         | Install Guard Rails and approach Guard Rails                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | item  | 1                 | 0.0%            | 0.0%              |           |                             |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |  |  |
| 4.0%         | Form and Pour Bridge Deck                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | item  | 1                 | 0.0%            | 0.0%              |           |                             |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |  |  |
| 22.0%        | Install Bridge Girders                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Item  | 12                | 0.4%            | 5.0%              |           |                             |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           | 0.1       |           |           |           |           |           |           |           |           |           |  |  |  |
| 4.0%         | Install Headstock North                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | item  | 1                 | 0.0%            | 0.0%              |           |                             |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |  |  |
| 4.0%         | Install Headstock South                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | item  | 1                 | 100.0%          | 100.0%            |           |                             |           |           |           |           |           |           |           |           |           | 0.2       | 0.2       | 0.2       | 0.2       | 0.2       | 0.2       |           |           |           |           |           |           |           |           |           |           |           |           |  |  |  |
| 4.0%         | Form and Pour Cross Beam North                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | item  | 1                 | 0.0%            | 0.0%              |           |                             |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |  |  |
| 4.0%         | Form and Pour Cross Beam South                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | item  | 1                 | 0.0%            | 0.0%              |           |                             |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |  |  |
| 4.0%         | Install Concrete Pile Group North                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | item  | 4                 | 0.0%            | 0.0%              |           |                             |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |  |  |
| 4.0%         | Install Concrete Pile Group South                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | item  | 4                 | 25.0%           | 100.0%            |           |                             |           |           |           |           |           |           |           |           | 0.2       | 0.2       | 0.2       | 0.2       | 0.2       |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |  |  |
| 3.5%         | Install Abutment North                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Item  | 1                 | 70.0%           | 70.0%             |           |                             |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |  |  |
| 3.5%         | Install Abutment South                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Item  | 1                 | 100.0%          | 100.0%            |           |                             |           |           |           |           |           |           |           |           |           |           |           |           |           |           | 0.3       |           |           |           |           |           |           |           |           |           |           |           |           |  |  |  |
| 3.0%         | Demolish existing Bridge                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Item  | 1                 | 30.0%           | 30.0%             |           |                             |           |           |           |           |           |           |           |           |           |           |           |           |           |           | 0.1       | 0.2       |           |           |           |           |           |           |           |           |           |           |           |  |  |  |
| 22.0%        | Fabricate Precast Items                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Item  | 1                 | 100.0%          | 100.0%            | 1         |                             |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |  |  |
| 5.0%         | Complete Design                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Item  | 1                 | 100.0%          | 100.0%            | 1         |                             |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |  |  |
| 1.0%         | Award Contract                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Item  | 1                 | 100.0%          | 100.0%            | 1         |                             |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |  |  |
| 100.0%       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |       |                   |                 |                   |           |                             |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |  |  |
|              | <b>Project Status</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |       | <b>39.94%</b>     |                 |                   |           |                             |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |  |  |
|              | <p>The southern abutment and southern pile group are installed and set. The Contractor was driven out by flood waters above 5.5m, and is now back on site with operations shifted around to the north side. Sub structure work required is to set the northern abutment and install and set the northern pile group. Once this is done Bridge girders can be placed and the new bridge deck poured. Contractor is confident of completion end of October 22. Contractor can continue to work with river levels up to 5.5 m</p> |       |                   |                 |                   |           |                             |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |  |  |  |

## COME BY CHANCE ROAD

| % of Project                                                                                                                                                                                                                                                                                        | Task                                 | Units          | Contract Quantity | % Complete | Quantity Complete | Off site activit | 0 | CH 2000 | CH 4000 | CH 6000 | CH 8000 | CH 10000 | CH 12000 | CH 14000 | CH 16000 | CH 18000 | CH 20000 | CH 22000 | CH 24000 | CH 26000 | CH 28000 | CH 30000 | CH 32000 | CH 34000 | CH 36000 | CH 38000 | CH 40000 | CH 42000 | CH 44000 | CH 46000 | CH 48000 | CH 50000 | CH 52000 | CH 54000 | CH 56000 | CH 58000 | CH 60000 | CH 62000 |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------|-------------------|------------|-------------------|------------------|---|---------|---------|---------|---------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|--|
|                                                                                                                                                                                                                                                                                                     |                                      |                |                   |            |                   |                  |   |         |         |         |         |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |
| 2.5%                                                                                                                                                                                                                                                                                                | Road Furniture - Sign Posts          | item           | 10,000            | 0.0%       | 0                 |                  |   |         |         |         |         |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |
| 2.5%                                                                                                                                                                                                                                                                                                | Road Furniture - Guide Posts         | item           | 408               | 0.0%       | 0                 |                  |   |         |         |         |         |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |
| 20.0%                                                                                                                                                                                                                                                                                               | Sealing                              | M <sup>2</sup> | 10,000            | 0.0%       | 0                 |                  |   |         |         |         |         |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |
| 20.0%                                                                                                                                                                                                                                                                                               | Placement of Gravel                  | tonne          | 220,000           | 0.0%       | 0                 |                  |   |         |         |         |         |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |
| 20.0%                                                                                                                                                                                                                                                                                               | Stabilisation                        | M <sup>2</sup> | 10,000            | 0.0%       | 0                 |                  |   |         |         |         |         |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |
| 10.0%                                                                                                                                                                                                                                                                                               | Placement of Bulk fill Cut           | M <sup>3</sup> | 27,847            | 0.0%       | 0                 |                  |   |         |         |         |         |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |
| 10.0%                                                                                                                                                                                                                                                                                               | Placement of Bulk fill Fill          | M <sup>3</sup> | 33,662            | 0.0%       | 0                 |                  |   |         |         |         |         |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |
| 5.0%                                                                                                                                                                                                                                                                                                | Proof roll and removal of Unsuitable | M <sup>2</sup> | 787,500           | 0.0%       | 0                 |                  |   |         |         |         |         |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |
| 5.0%                                                                                                                                                                                                                                                                                                | Installation of Culverts and pipes   | EA             | 35                | 0.0%       | 0                 |                  |   |         |         |         |         |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |
| 5.0%                                                                                                                                                                                                                                                                                                | Clearing of Vegetation               | M <sup>2</sup> | 1,089,820         | 0.0%       | 0                 |                  |   |         |         |         |         |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |
| 1.0%                                                                                                                                                                                                                                                                                                | Transport Gravel to Stockpiles       | tonne          | 10,000            | 0.0%       | 0                 |                  |   |         |         |         |         |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |
| 1.0%                                                                                                                                                                                                                                                                                                | Winning of Gravel                    | tonne          | 220,000           | 18.2%      | 40000             | 40000            |   |         |         |         |         |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |
| 102.0%                                                                                                                                                                                                                                                                                              |                                      |                |                   |            |                   |                  |   |         |         |         |         |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |
|                                                                                                                                                                                                                                                                                                     | <b>Project status</b>                | <b>0.18%</b>   |                   |            |                   |                  |   |         |         |         |         |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |
| <p>Work site continues to be too wet. Namoi River levels have prevented access across the river on the crossing in Epping Road. Contractor has processed 40,000 tonne of gravel in the borrow pit to be supplied to the road. Long Range weather forecast is for six months of more of the same</p> |                                      |                |                   |            |                   |                  |   |         |         |         |         |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |



**LORNE ROAD**

| % of Project                                                                                                                                                                                                                     | Task                                 | Units          | Contracty Quantity | % Complete   | Quantity Complete | CH 0 | CH 500 | CH 1000 | CH 1500 | CH 2000 | CH 2500 | CH 3000 | CH 3500 | CH 4000 | CH 4500 | CH 5000 | CH 5500 | CH 6000 | CH 6500 |  |  |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------|--------------------|--------------|-------------------|------|--------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|--|--|--|
| 0.3%                                                                                                                                                                                                                             | Road Furniture - Sign Posts          | item           | 10                 | 0.0%         | 0                 |      |        |         |         |         |         |         |         |         |         |         |         |         |         |  |  |  |
| 0.3%                                                                                                                                                                                                                             | Road Furniture - Guide Posts         | item           | 80                 | 0.0%         | 0                 |      |        |         |         |         |         |         |         |         |         |         |         |         |         |  |  |  |
| 0.3%                                                                                                                                                                                                                             | Road Furniture - Line Marking        | m              | 5100               | 0.0%         | 0                 |      |        |         |         |         |         |         |         |         |         |         |         |         |         |  |  |  |
| 19.0%                                                                                                                                                                                                                            | Sealing                              | M <sup>2</sup> | 40748              | 0.0%         | 0                 |      |        |         |         |         |         |         |         |         |         |         |         |         |         |  |  |  |
| 31.0%                                                                                                                                                                                                                            | Placement of Gravel                  | tonne          | 23350              | 0.0%         | 0                 |      |        |         |         |         |         |         |         |         |         |         |         |         |         |  |  |  |
| 21.0%                                                                                                                                                                                                                            | Stabilisation                        | M <sup>2</sup> | 51000              | 0.0%         | 0                 |      |        |         |         |         |         |         |         |         |         |         |         |         |         |  |  |  |
| 4.0%                                                                                                                                                                                                                             | Placement of Bulk fill Cut           | M <sup>3</sup> | 4164               | 0.0%         | 0                 |      |        |         |         |         |         |         |         |         |         |         |         |         |         |  |  |  |
| 1.0%                                                                                                                                                                                                                             | Proof roll and removal of Unsuitable | M <sup>2</sup> | 56100              | 0.0%         | 0                 |      |        |         |         |         |         |         |         |         |         |         |         |         |         |  |  |  |
| 0.6%                                                                                                                                                                                                                             | Installation of Culverts and pipes   | EA             | 1                  | 0.0%         | 0                 |      |        |         |         |         |         |         |         |         |         |         |         |         |         |  |  |  |
| 5.0%                                                                                                                                                                                                                             | Clearing of Vegetation               | M <sup>2</sup> | 204000             | 0.0%         | 0                 |      |        |         |         |         |         |         |         |         |         |         |         |         |         |  |  |  |
| 3.5%                                                                                                                                                                                                                             | Preliminary - Site oncosts           | item           | 1                  | 0.0%         | 0                 |      |        |         |         |         |         |         |         |         |         |         |         |         |         |  |  |  |
| 3.5%                                                                                                                                                                                                                             | Preliminary - Traffic control        | item           | 1                  | 0.0%         | 0                 |      |        |         |         |         |         |         |         |         |         |         |         |         |         |  |  |  |
| 7.0%                                                                                                                                                                                                                             | Preliminary - Site establishment     | item           | 1                  | 0.0%         | 0                 |      |        |         |         |         |         |         |         |         |         |         |         |         |         |  |  |  |
| 3.5%                                                                                                                                                                                                                             | Project Management                   | item           | 1                  | 0.0%         | 0                 |      |        |         |         |         |         |         |         |         |         |         |         |         |         |  |  |  |
| 100.0%                                                                                                                                                                                                                           |                                      |                |                    |              |                   |      |        |         |         |         |         |         |         |         |         |         |         |         |         |  |  |  |
|                                                                                                                                                                                                                                  | <b>Project status</b>                |                |                    | <b>0.00%</b> |                   |      |        |         |         |         |         |         |         |         |         |         |         |         |         |  |  |  |
| <p>Council and Contractor have agreed to cancel the contract at nil cost to either party. Council work force have some minor work to complete before commencing work at Lorne Road. Work likely to commence mid October 2022</p> |                                      |                |                    |              |                   |      |        |         |         |         |         |         |         |         |         |         |         |         |         |  |  |  |

### **9.3.4 APPLICATIONS FOR FIXING COUNTRY ROADS PROGRAM – ROUND 6**

**REPORTING SECTION:** Engineering / Technical Services  
**AUTHOR:** Bob Stephen – Director Engineering/Technical Services  
**FILE NUMBER:** 22/10/0145

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#### **Summary:**

This report details the criteria and proposed projects to be submitted for the fixing Country Roads Program Round 6 which is open till 14 October 2022.

#### **Background:**

Council has been advised that applications for Round 6 of fixing Country Roads will be received up to 14 October 2022. The criteria for the application are:

#### **Criteria 1: Access, productivity, and safety benefits**

Demonstrate how the project will achieve access safety and productivity benefits in the region, particularly about removing constraints in the safe movement of freight from origin to destination, or access to key freight networks. Safety is integral to efficient freight movement.

*Weighted Assessment Criteria includes;*

- Improves the level of access or removes a restriction that impedes freight transport
- Improves supply chain productivity or is associated with a productivity scheme
- Facilitates integration with key freight networks
- Facilitates improvement to last or first mile freight logistics
- Improves safety

#### **Criteria 2: Growth and economic benefits**

A strong case to demonstrate how a project would have a positive impact on cost saving and economic growth. Benefit to Cost Ratio (BCR) must be greater than 1 for the chosen project.

*Weighted Assessment Criteria includes;*

- Reduces average distances travelled or travel time
- Reduces the number of trips by allowing higher productivity vehicles
- Reduces asset maintenance costs
- Supports freight growth / industry expansion in the region
- Creates jobs during and/or after construction

#### **Criteria 3: Strategic alignment**

How the project aligns with Australian, State and Local Government, regional and industry priorities, backed by appropriate letters of support and other evidence.

*Weighted Assessment Criteria includes;*

- Aligns to NSW Freight and Ports Strategy (State Priority)
- Aligns to national, regional, council priorities and frameworks
- Letters of support from industry, communities and/or local members
- Contains other sources of co-contributions (100% request allowed)

**Criteria 4: Deliverability and affordability**

Demonstrate the level of shovel readiness and capacity of Walgett Shire Council to deliver the project through robust strategies for procurement, project management and risk management.

*Weighted Assessment Criteria includes;*

- The project can commence construction within 18 months from receipt of a successful project letter and delivered within 24 months of starting construction.
- Evidence of project approvals are attached, i.e., Development Application, design
- Project risks are documented with supporting evidence
- Project offers good value for money and includes detailed cost estimates supported by quotations or other evidence
- Scope of the project will address the identified constraints

The following projects are not eligible for funding under the stream;

- Not related to the movement of freight
- With a Benefit to Cost Ratio (BCR) 1 or less
- Which should ordinarily be funded under other programs
- On the state or federal road network
- On private roads
- 

Council was granted funding through the Fixing Country Roads Program for the reconstruction and sealing of Bugilbone Road (SR103) between Burren Junction and Pilliga – 25 km segment, reconstruction and sealing of Come By Chance Road (RR7716) – 57 km segment & reconstruction and sealing of Gundabloui Road (RR457) between Collarenebri and Mungindi- 6 km segment.

The following roads are identified and proposed for the funding application of Round 6 of Fixing Country Roads Program:

| Road Name          | Road # | Start                               | Length | Total Cost   |
|--------------------|--------|-------------------------------------|--------|--------------|
| Merrywinebone Road | RR329  | Gwydir Highway to Kamilaroi Highway | 70.0km | \$35,998,928 |
| Ridge Road         | RR426  | North of Collarenebri               | 30.0km | \$15,428,112 |
| Yarraldool Road    | SR118  | Goangra Road to Kamilaroi Hwy       | 41.3km | \$21,085,086 |

**Current Position:**

Council has limited funding to maintain and seal local roads.

**Relevant Reference Documents/Policies:**

Circular of Transport for NSW – July 2022

**Governance issues:**

Compliance with the provision of a funding deed.

**Environmental issues:**

Road Safety

**Financial Implications:**

Management Plan 2022/23

**Alternative Solutions/Options:**

Do nothing.

**Conclusion:**

Grants that provide 100% funding for road rehabilitation should always be applied for and Council will be applying for 100 per cent of the value of the project.

**Applications for Fixing Country Roads Program – Round 6**

**Recommendation:**

That Council note and authorise the funding application for the **Fixing Country Roads Program – Round 6** for the roads (Merrywinebone Road RR329, Ridge Road RR426 and Yarraldool Road SR118) that satisfy the funding body's mandatory requirements of Benefit to Cost Ratio (BCR) greater than 1.

**Moved:**

**Seconded:**

**Attachments:**

Nil

## **9.4 DIRECTOR ENVIRONMENTAL SERVICES**

### **9.4.1 DEVELOPMENT APPROVALS AUGUST 2022**

**REPORTING SECTION:** Planning  
**AUTHOR:** Kimley Talbert - Director Environmental Services  
**FILE NUMBER:** 22/10/0126

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#### **Summary:**

This report is to advise the August 2022 development approvals for the information of Council and to ensure compliance with Section 4.59 of the *Environmental Planning & Assessment Act 1979* and Section 124 of the associated Regulation.

#### **Background:**

To ensure the validity of a development consent in any legal proceedings, all development consents and complying development certificates are to be notified to the public within 3 months of the date of consent. The only exception is any development that may have Court proceedings commenced before the expiration of 3 months from the date on which the public notice was given.

#### **Current Position:**

To ensure compliance with Section 4.59 of the *Environmental Planning & Assessment Act 1979* and Section 124 of the associated Regulation, Council publishes a notice each month on/in Council's website, E-Bulletin and Facebook Page in relation to development approvals for the previous month.

For Councillor Information purposes, the following development was approved during August 2022.

#### **Complying Development Certificate**

Nil

#### **Construction Certificate**

Nil

#### **Food Shop Inspections**

Nil

#### **Swimming Pool Compliance Certificates**

2

#### **Activity Approvals**

Three activity approval applications received and road opening permits, now all approved.

#### **Current Building Project Under Construction**

Shop/Office and five cabins at 20 Morilla Street Lightning Ridge

Private garage @ 38 Warrena Street Walgett

99 Wee Waaa Street Walgett – Multi-unit housing project (Safe House type development).

Completed: Three new houses installed in Duff Street Walgett

New dwellings at Lightning Ridge

Progressing: New Storage Units at Lightning Ridge Industrial area.

Progressing: New shade structure at Lightning Ridge District Bowling Club

For Councillor Information purposes, the following developments have been lodged and are currently waiting a determination. **Please note, this is only current as at 1 September 2022.**

#### Development Applications

| Appl. No  | Address                                                         | Title                                          | Development                                          | Status   |
|-----------|-----------------------------------------------------------------|------------------------------------------------|------------------------------------------------------|----------|
| DA2021/46 | 110 George Sands Way, WALGETT.                                  | Lot 43<br>DP 752271                            | Torrens title subdivision at Namoi Reserve.          | On hold  |
| DA2021/54 | Kamilaroi Highway, WALGETT.                                     | Lot 2 & lot 34<br>DP 752697                    | Torrens title subdivision at Gingie Reserve.         | On hold  |
| DA2022/48 | 16599 Castlereagh Highway Walgett                               | Lot 437<br>DP761273 &<br>Lot 1970 DP<br>763798 | Torrens Title Subdivision                            | Approved |
| DA2022/49 | 1-3 Waterloo Street Burren Junction                             | Lots 1 & 2<br>DP16819                          | Change of use to a general store & takeaway          | Approved |
| DA2022/50 | Castlereagh Highway Walgett                                     | Lot 1 DP<br>819858 & Lot<br>98 DP 720283       | Additional Grain Bunkers                             | Approved |
| DA2022/51 | 28525 Kamilaroi Highway Burren Junction ( of 25 Bugilbone Road) | Lot 102 DP<br>707804                           | Burren Junction new grain bunkers                    | Approved |
| DA2022/52 | 32562 Kamilaroi Highway                                         | Lot 8 DP<br>752264                             | Cryon                                                | Approved |
| DA2022/30 | 2422 Gingie Road Walgett                                        | Lot 5 DP<br>752646                             | Intensive 999 livestock cattle development (Feedlot) | Approved |

|           |                                                  |                                   |                                                     |                                                  |
|-----------|--------------------------------------------------|-----------------------------------|-----------------------------------------------------|--------------------------------------------------|
| DA2022/47 | 28 Warrena Street Walgett                        | Lots D & A DP 392928              | Nursery, Bed & Breakfast multi-unit cabins and shop | On hold awaiting information                     |
| DA2022/43 | “Bando” Koomalah Road Lightening Ridge           | Lot 3189 DP 765394                | Extension and Operation of an Existing quarry       | Awaiting approval subject to a report to council |
| DA2022/48 | Subdivision                                      | 16559 Castlereagh Highway Walgett | Subdivision of three lots into lots                 | Approved                                         |
| DA2022/54 | Three one bedroom dwellings                      | 62 Walgett Street Collarenebri    | Workers accommodation                               | On assessment                                    |
| DA2022/55 | Four three bedroom and one two bedroom dwellings | 141-155 Fox Street Walgett        | Workers accommodation                               | On assessment                                    |

**Enquiries:**

- **from the persons interested in starting a food premises or alternative shop in the Lightning Ridge area, wishes to establish a restaurant, now awaiting the development application.**
- **CEO Walgett RSL Club- proposal a new front facade and internal refurbishment – now awaiting the application.**

**Planning Certificates**

August 2022 – seventeen (17) 10.7 Planning Certificates have been issued.

**Other Environmental Services Activities****Environmental Protection Agency (EPA)**

The EPA conducted an annual inspection of Walgett Shire Council Waste Depot, a minor issue was raised concerning the storage of diesel fuel being stored at the site by the contractor along with that no progress had been established covering the burial of 10,000 tonnes of contaminated concrete. The EPA have requested a response by 2 September, 2022 covering addressing bunding of the diesel fuel tank and an action plan covering the methodology of disposal of contaminated concrete waste and the time frame involved with its disposal.

Response sent to EPA, covering banded fuel system and now extended response until early October 2022 covering action plan for the disposal of the contaminated concrete waste.

**NSW HEALTH WEBINAR COVERING JAPANESE ENSEPHALITIS**

A recently held webinar on the above subject was conducted, suggesting a possibility of mosquito born virus disease, transmitted by mosquito's from water birds to human beings, within the Murray Darling Basin and associated river systems.

Following the webinar NSW HEALTH contacted council to possibly have two mosquito traps installed at different locations at the adjoining river system. The trapped mosquito samples would then on a weekly basis, be shipped to a NSW Health chosen laboratory, to analyse the mosquito type and identify the virus, if contained within the insect. This could cover a variety of different diseases.

**August 2022 Animal Impounding Records**

28 dogs were impounded – of which; 5 were determined dangerous dogs and subsequently euthanised, 21 dogs were rehomed and no cats impounded.

During August the RSPCA were not present, however will returning to the area during 12 to 15<sup>th</sup> September 2022, thus allowing 50 cats to be desexed along with PETCARE days in Namoi and Gingie Villages.

**Governance issues:**

Nil

**Environmental issues:**

Burren Junction waste depot fire reported to Environment Protection Authority – the third in three months.

**Stakeholders:**

- Walgett Shire Council
- Developer
- Residents of Walgett Shire Council

**Financial implications:**

Nil

**Alternative solutions:**

Nil

**Development Approvals August 2022**

**Recommendation:**

That Council receive and note the Development Approvals Report for August 2022.

**Moved:**

**Seconded:**

**Attachments:**

Nil

## 9.4.2 DEVELOPMENT APPLICATION NO DA2022/43

**REPORTING SECTION:** Planning  
**AUTHOR:** Kimley Talbert - Director Environmental Services  
**FILE NUMBER:** 22/10/0131

---

### Summary:

This report has been presented to Council as two objection letters have been received concerning the following issues:

- Site amenities
- Site Safety
- Quantity of annual quarried material being taken from the site
- Soil testing
- Inspection process
- Environmental Impact Study
- Aboriginal study
- Inconclusive Map (Not Clear)
- Claim of sub-standard road based material used on the Angledool/Collarenebri Roads was condemned, and suggested collusion of Walgett Shire Council.

### Strategic Link

Service Objective – To ensure that all development is carried out in a manner that is in compliance with all statutory and policy requirements, and to coordinate the orderly and acceptable use and development of land for the enhancement of built and natural environment.

Activity – To ensure that all development meets the State legislative provisions and complies with all planning instruments of Council

Activity – The effective and efficient assessment and determination of development applications

### Proposal

Council has received an application for the extension and operation of an existing quarry providing road base material being permissible subject to consent being obtained.

The relevant statutory provisions are:

1. Environmental Planning & Assessment Act, 1979 – Section 4.15
2. Local Government Act 1993 – Section 89
3. Walgett Shire Council Local Environmental Plan 2013 – RU1 Primary Production Rural Lands
4. State Environmental Planning Policy (Resource and Energy) 2021

The key issues are the:

1. Objectives of Zone
2. Public Submissions

### Consultation

Adjoining owners were notified and two submissions were received.

### **Discussion**

The issue of an existing quarry site and whether any raised issues offer any substance towards the refusal of the development consent, pertaining towards with an existing used quarry site.

### **Proposal**

To approve the extension and operation of an existing quarry providing road base material.

### **Assessment**

This application has been assessed using heads of consideration specified under Section 4.15 of the Environmental Planning Act 1979, Council policies and adopted Management Plans. The assessment supports approval of the application and has identified the following key issues which are elaborated upon for Council's information.

Following information that was referred to Council which entailed further research into the current legislation covering the land area (western Division) west of the Barwon River revealed that the State Environmental Planning Policy (SEPP) (Resource and Energy) 2021 (current version dated 2 March 2022) was investigated, this had a restriction on yearly process for sale or reuse, more than 15,000 cubic metres of extractive material or 40,000 cubic metres in total, otherwise any greater quantity is declared designated development, of which is an entirely more onerous process, with detail and expenses associated with the application.

Following discussions with the applicant, the person has opted to amend the application to meet the requirements set-out by the SEPP, thus restricting the quantity to a maximum of 15,000 cubic metres per annum and a maximum of 40,000 cubic metres in total.

A modification to the Statement of Environmental Effects V2 has been received by Council satisfying the requirements as outlined within the above stated legislation and a condition of development consent has now been imposed on the proposed development.

Walgett Local Environmental Plan 2013- Local Environment Plan RU1 Primary Production Rural Lands

### **Objectives of Zone**

Walgett Local Environmental Plan 2013 –I Primary Production Rural Lands, stipulates that consent must not be granted for the carrying out of development on land within a prescribed zone, unless the development is consistent with the objectives of the zone.

In this instance, it is considered that the proposal is consistent with the stated objectives of the RU1 Primary Production Rural Land Zone.

### **Public Submissions**

The application was notified to the owners of those properties in the area likely to be impacted by the development in accordance with Walgett Shire Development Control Plan 2016- Advertising and Notification Policy. Two public submission were received in relation to the application.

The existing quarry on the site as pictured on the attached map has been constructed excavated over a number of years prior on the stated lot and has been supplying road base material in the area over a number of years.

### **Conclusion**

It is proposed to extend and operate the existing quarry to provide road base material, objections or concerns were received by Council as a result of the neighbour notification of the proposal.

The issues raised will be addressed by the following:

- Site amenities- will be provided as a condition of development consent.
- Site Safety – will be provided as a condition of development consent.
- Quantity of annual quarried material being taken from the site, proposal does not exceed 15,000 cubic metres and 40,000 cubic metres total process for sale and reuse, life of quarry (total which does not require Environmental Protection Authority Licensing requirements).
- Soil testing – Sale of product will warrant geological assessment of the product for sale which will be provided by the property owner.
- Inspection process- will require an inspection by council of the site prior to the quarry operation commencing extraction work.
- Environmental Impact Study- the proposed quarry does not exceed the 40,000 cubic meters of extraction, over a number of years, which does not require an Environmental Impact Statement, the Statement of Environmental Effects is appropriate covering this type of development application.
- Aboriginal study- no known Aboriginal archives have been excavated retrieved from the current quarry site to date, however a condition will be provided covering this specific issue.
- Inconclusive Map (Not Clear)- ample mapping was provided covering the location of the existing quarry and the extended quarry area.(copy of map included within the report).
- Claim of sub-standard road based material used on the Angledool/Collarenebri Roads was condemned, and suggested collusion of Walgett Shire Council. – an extensive search of council's records/documents covering this claim has been carried out and not substantiated.

**Development Application NO. DA2022/43**

**Recommendation:**

Council as a whole to approve Development Application No. DA-2022/43 being for the Extension and Operation of an existing quarry providing road base material, on Lot 3189 DP 765394, (Komalah) Millencowbah Road, Lightning Ridge, along with the Relevant Prescribed Conditions (as per the attached Recommendation Report).

**Moved:**

**Seconded:**

**Planning Division:**

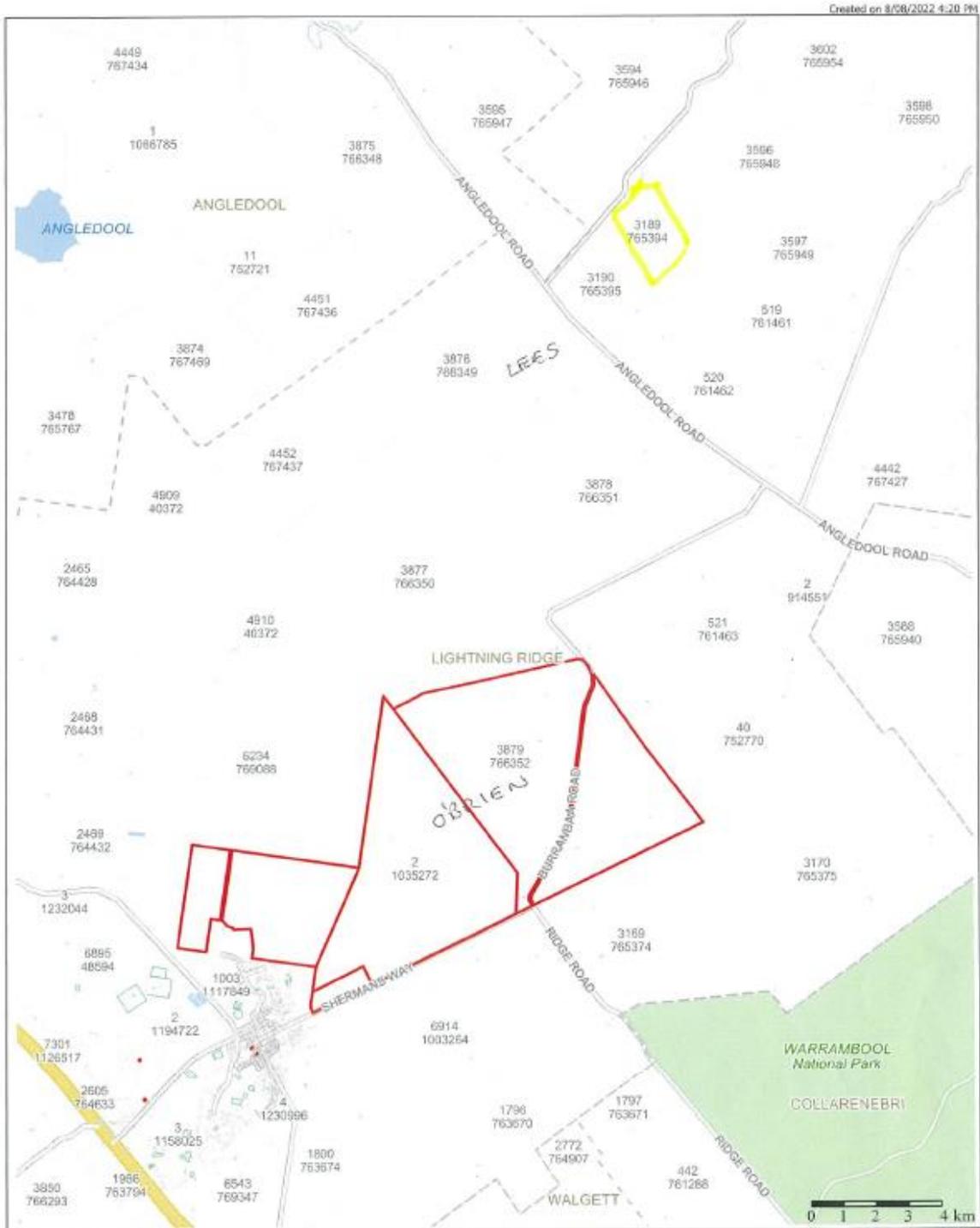
**For**

**Against**

**Absent**

**Attachments:**

Quarry Plans – DA 2022/43  
Recommendation Report





Walgett Shire Council  
77 Fox Street  
Walgett NSW 2882  
Telephone: 61 6828 6100  
Email: [admin@walgett.nsw.gov.au](mailto:admin@walgett.nsw.gov.au)

**Important Notice!**  
This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground.

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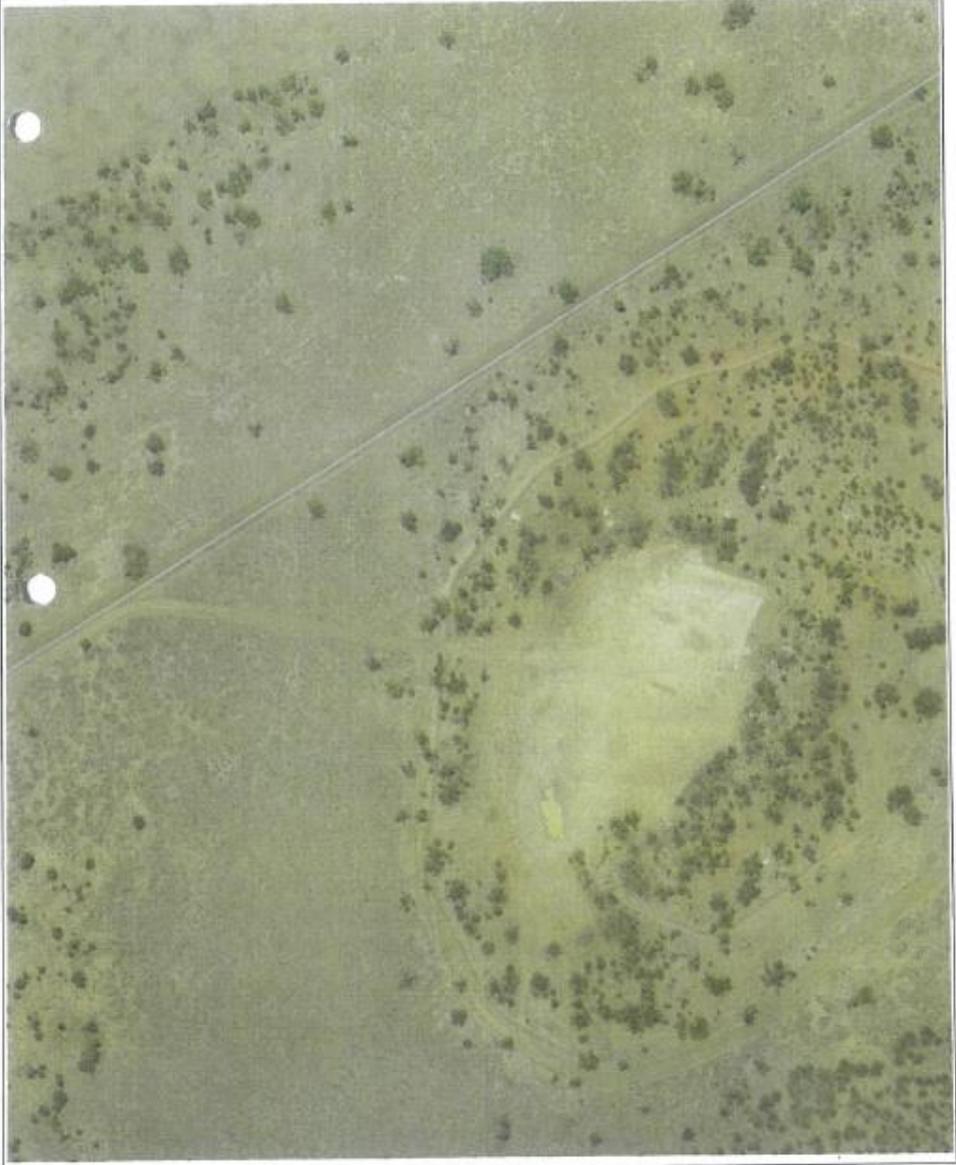


Drawn by: Jerrisa Dicks  
Project: GDAH / NSI zone 56  
Date: 8/08/2022 4:20 PM

**Map Scale: 1:159666 at A4**



Created on 6/03/2022 11:45 AM



|                                 |                           |
|---------------------------------|---------------------------|
| <b>Parcel</b>                   | 3189                      |
| <b>Lot Number</b>               | DP765394                  |
| <b>Section Number</b>           | 1                         |
| <b>Plan Label</b>               | <a href="#">Open plan</a> |
| <b>Title Code</b>               | 4447230.0710              |
| <b>Survey Plan</b>              | 444.7230                  |
| <b>Area Sq Metres</b>           | 1098.9350                 |
| <b>Area Hectares</b>            | NO                        |
| <b>Area Acres</b>               | K                         |
| <b>Bushfire Prone</b>           | RU1 - Primary Production  |
| <b>Land</b>                     | 400Ha ( AF )              |
| <b>Height Of Building (HOB)</b> | Yes                       |
| <b>Land Zoning (LZN)</b>        | Vegetation Category 3     |
| <b>Lot Size (LSZ)</b>           | 12579                     |
| <b>Flood Prone</b>              | 27839                     |
| <b>BFPV 2017</b>                | Lot: 3189 DP: 765394      |
| <b>Category</b>                 | R                         |
| <b>Property</b>                 |                           |
| <b>Parcel</b>                   |                           |
| <b>Assessment</b>               |                           |
| <b>Parcel Title</b>             |                           |
| <b>Parcel Flag</b>              |                           |
| <b>Property Name</b>            |                           |
| <b>Property Address</b>         |                           |
| <b>Locality</b>                 | LIGHTNING RIDGE           |
| <b>Owners</b>                   | Mr R B & Mrs T M Turnbull |
| <b>Address Line 1</b>           | Bando                     |
| <b>Address Line 2</b>           | COLLARENEBRI              |
| <b>Address Line 3</b>           | NSW 2833                  |

**Walgett Shire Council**  
 77 Fox Street  
 Walgett NSW 2832  
 Telephone: 02 6828 6100  
 Email: [admin@walgett.nsw.gov.au](mailto:admin@walgett.nsw.gov.au)

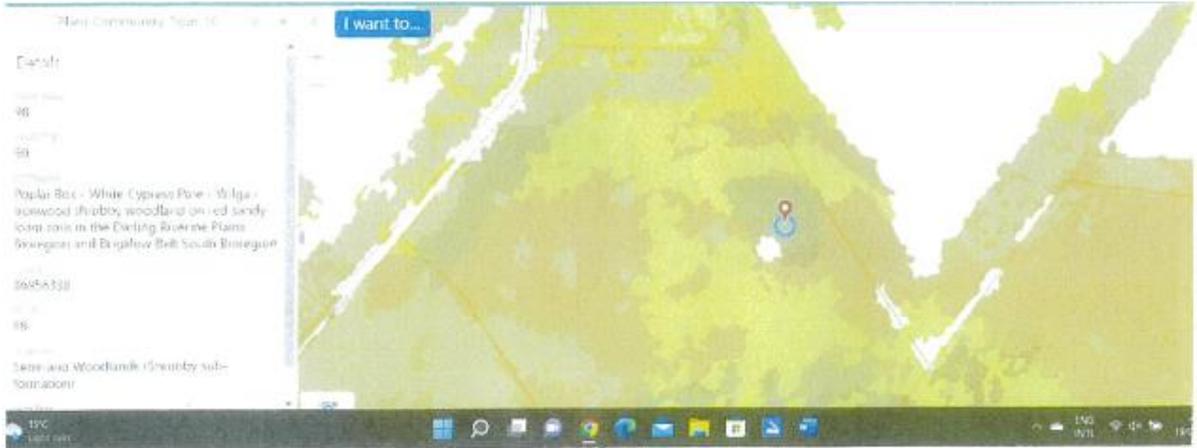


**Important Notice!**  
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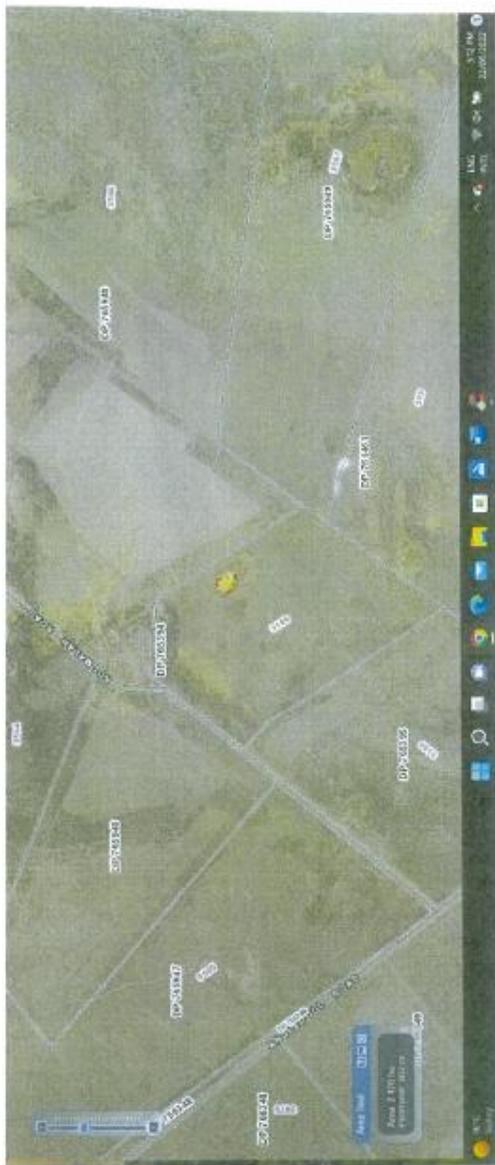


**Project:** GDM4 / NGA area 55  
**Date:** 6/03/2022  
**Drawn By:** Jane Dick

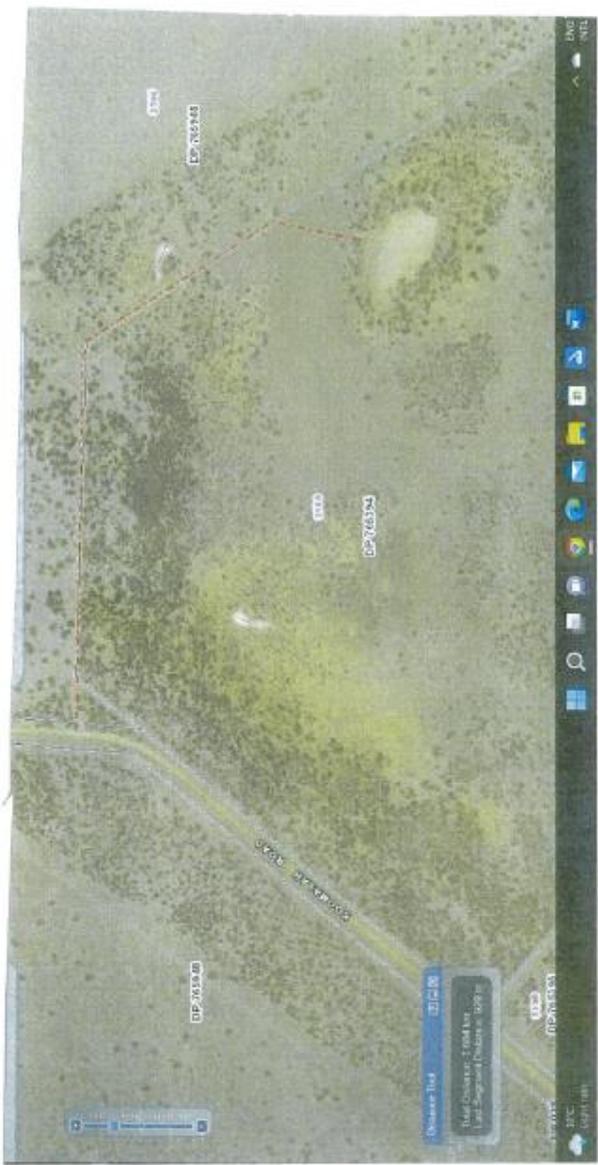
Map Scale: 1:6688 at A4



MAP 4 Vegetation map of quarry extension locality.



location of Extension to quarry DA (yellow) on lot 3189 DP 765394



MAP 3 Location of existing track into site from Kocmalah Road

## **Recommendation**

This development application DA2022/43 be approved subject to the following conditions:

### **RELEVANT PRESCRIBED CONDITIONS (under the Environmental Planning and Assessment Regulation 2000)**

*Nil*

#### **Compliance with Building Code of Australia & insurance requirements under the Home Building Act 1989**

**Please Note:** A reference to the Building Code of Australia is a reference to that Code as in force on the date the application is made for the relevant:

- a) development consent, in the case of a temporary structure that is an entertainment venue, or
- b) in every other case.

1. The work must be carried out in accordance with the requirements of the Building Code of Australia.

#### **Erection of signs**

**Please Note:** This does not apply in relation to:

- a) Building work, subdivision work or demolition work that is carried out inside an existing building, which does not affect the external walls of the building development consent, in the case of a temporary structure that is an entertainment venue, or
- b) Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws.
- c) A complying development certificate issued before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.

2. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - a) showing the name, address and telephone number of the principal certifying authority for the work, and
  - b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - c) stating that unauthorised entry to the site is prohibited.
3. Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

**Please Note:** Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

#### **Shoring and adequacy of adjoining property**

**Please Note:** This does not apply if the person having the benefit of the complying development certificate owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

4. All works are to comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Environmental Planning & Assessment Regulations 2000.

### **GENERAL CONDITIONS**

5. 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,
  - (b) the details set out on the plans approved and stamped by authorised officers of Council,

except as amended by the conditions of this development consent.

**Note:** Any proposal to modify the terms or conditions of this consent, whilst still maintaining substantially the same development to that approved, will require the submission of a formal application under Section 4.55 of the Environmental Planning and Assessment Act 1979 for Council's consideration. If amendments to the design result in the development not remaining substantially the same as that approved by this consent, a new development Application will have to be submitted to Council.

6. A copy of all stamped approved plans, specifications and documents must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

| Stamped Plans / Documents          | Ref / Sheet No. | Prepared by | Dated |
|------------------------------------|-----------------|-------------|-------|
| Statement Environmental Effects V2 | Pages 1 - 17    |             |       |
| Incl. Cadastral Map & Aerial Maps  |                 |             |       |

7. All management recommendations contained within the V2 Statement of Environmental Effects by Robert Turnbull are to be complied with.
8. A 22,000 litre (minimum) water storage tank shall be installed in close proximity to amenity building and which is to be used exclusively for fire-fighting purposes. The water tank shall be fitted with storz fitting for access by the Rural Fire Service. The water tank shall be solely for fire-fighting purposes.
9. Under this development consent the maximum annual quantity of material excavated and taken from the site shall not exceed 30,000 cubic metres of material, restriction imposed non-licensed Premises, under Provision set-out by Protection of Environment Operations Act 1997
10. A flood management plan is to be prepared and maintained at all times. This is to include up to date contact details of emergency authorities, secondary contact details for business owner, patron and staff safety procedures and property protection.
11. If, during the course of any activities conducted under this consent, the Applicant becomes aware of any heritage or archaeological sites not previously identified, all work likely to affect the site shall cease immediately. The applicant shall consult with relevant authorities and decide on an appropriate course of action prior to recommencement of work. The relevant authorities may include NSW Environment Climate Change & water and climate change and the relevant local aboriginal community. Any necessary permits or consents shall be obtained and complied with prior to recommencement of work.

**CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING**

12. A bush fire emergency and evacuation plan to be prepared and maintained at all times, including provisions for ongoing maintenance of a 50m Azet Protection Zone (APZ) surrounding and compliance with recommendations of the NSW Rural Fire Service, NSW Bushfire Guidelines and Grassland Deeming Provisions.
13. Council is to be given written notice of the intention to commence works and the appointment of a Principal Certifying Authority (if the PCA is not Council) at least two days before the proposed date of commencement, in accordance with cl 103 and 104 of the Environmental Planning and Assessment Regulation 2000. Such notice is given using the form enclosed with this consent. Should Council be appointed the Principal Certifying Authority, the applicant must give at least 2 days' notice to enable inspections to be undertaken.
14. Before construction commences on the site and throughout the construction phase of the development, erosion control measures are to be installed to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:
- divert uncontaminated run-off around cleared or disturbed areas,

- erect a silt fence to prevent debris escaping into drainage systems or waterways,
- prevent tracking of sediment by vehicles onto roads,
- stock pile topsoil, excavated material, construction and landscaping supplies and debris within the site.

**Please Note:** Failure to take effective action may render the developer liable to prosecution under the NSW Protection of the Environment Operations Act 1997.

15. A hoarding or fence must be erected between the work site and any public place if the work is likely to cause traffic (pedestrian or vehicular) in a public place to be obstructed or otherwise inconvenience. The erected hoarding is to be sufficient to prevent any substance from or in connection with the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. The hoarding, fence or awning is to be removed once the work has been completed.
16. Approval to carry out water, sewer and stormwater work must be obtained, in accordance with section 68 of the *Local Government Act 1993*, before works commence.

**CONDITIONS TO BE COMPLETED DURING CONSTRUCTION**

17. The owner of the property is to ensure that any building is constructed:
  - (a) to meet the setback requirements of the approved plans,
  - (b) to be located within the confines of the lot, and;
  - (c) so that it does not interfere with any easements or covenants upon the land.
18. Any building work must be carried out between 7.00am and 5.00pm Monday to Friday and 8.00am to 1.00pm Saturdays, excluding Sundays and public holidays. No audible construction is to take place outside these hours, to maintain the amenity of the locality.

Basic Amenities are to be provided for staff, toilet and shower facilities, in the near proximity of the quarry site.

19. A garbage receptacle must be provided at the work site before works begin and must be maintained until works are completed. The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.
20. Waste materials (including excavation, demolition and construction waste materials) must be managed on the site (and must not be burned on site) and then disposed of at a waste management facility, to protect the amenity of the area and avoid the potential of air pollution.
21. Effective dust control measures are to be maintained during construction to maintain public safety/amenity. Construction activities are to be undertaken so as not to inconvenience the adjoining land owners and are to be restricted solely to the subject site.
22. Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.
23. No material or equipment associated with the development is to be placed on public land without the written consent of the Council, and any activity located in close proximity to public areas is to be fenced to prevent damage to persons or property.
24. Any earthworks (including any structural support or other related structure for the purposes of the development):
  - a) must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot, and
  - b) must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property, and
  - c) that is fill brought to the site—must contain only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the *Protection of the Environment Operations Act 1997*, and
  - d) that is excavated soil to be removed from the site—must be disposed of in accordance with any requirements under the *Protection of the Environment Operations (Waste) Regulation 2005*.

Any excavation must be carried out in accordance with *Excavation Work: Code of Practice* (ISBN 978-0-642-785442), published in July 2012 by Safe Work Australia.

25. If, during the course of any activities conducted under this consent, the Applicant becomes aware of any heritage or archaeological sites not previously identified, all work likely to affect the site shall cease immediately. The Applicant shall then consult with relevant authorities and decide on an appropriate course of action prior to recommencement of work. The relevant authorities may include NSW Environment, Climate Change & Water and the relevant local Aboriginal community. Any necessary permits or consents shall be obtained and complied with prior to recommencement of work.
27. This development application covers the limited capacity to quarry material in conformity with State Environmental Planning Policy (Resources and energy) 2021, a maximum quantity of 15,000 cubic metres extractive material process for sale, or reuse per year, or a maximum in total of 40,000 cubic metres.

### CONDITIONS TO BE COMPLETED PRIOR TO OCCUPATION/USE COMMENCING

Occupancy of the quarry site is not to take place until the Principal Certifying Authority (PCA) has carried out a final inspection and an Occupation Certificate issued. All required trade certifications are to be available to the PCA before the final inspection will be carried out.

28. Occupancy of the site is not to take place until the Principal Certifying Authority has carried out a final inspection, an Occupation Certificate issued.

**Please Note:** Failure to obtain an Occupation Certificate is an offence under the legislation. Penalty advice for buildings (penalties do not apply to uses detailed in sections 109M and 109N; i.e. Crown projects, Class 1a and 10 buildings or as detailed for places of public entertainment).

29. At the completion of the works, the work site must be left clear of waste and debris.
30. An Emergency and evacuation plan is to be prepared and submitted to Council.

### COUNCIL ADVICE ONLY

31. Covenant/s: The applicant / owner has the responsibility of being aware of any covenant which may affect the proposal.
32. Dial Before You Dig: Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.
33. Telecommunications Act 1997 (Commonwealth); Telstra (and its authorized contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

### Reasons For Conditions

1. To confirm and clarify the terms of Council's approval.
2. To comply with all relevant legislation.
3. So that the impacts of any increase in the scale or duration of operations may be assessed and appropriately controlled. Section 19 (1) (b) of the *Environmental Planning and Assessment Regulation 2000*, as amended.

4. To prevent and/or minimise the likelihood of environmental harm and public nuisance.
5. To ensure the rehabilitation of the site.
6. To minimise the potential for adverse impacts on the environment or public as a result of the development.
7. To ensure waste is disposed of in an appropriate manner.
8. To ensure that public infrastructure is maintained.
9. To minimise the potential for detrimental impacts to buildings or neighbouring properties.
  
10. To ensure maintenance and resolution provisions are clearly documented for right of carriageways and easements.
11. To ensure that any National Construction Code issues are resolved prior to Construction Certificate assessment, including the peer review by an independent Accredited Certifier for alternate or performance solutions.

### Conclusion

I confirm that I am familiar with the relevant heads of consideration under the Environmental Planning & Assessment Act and Local Government Act (if applicable) and have considered them in the assessment of this application.

I certify that I have no pecuniary or non-pecuniary interest in this application.

Additional Notes Attached

Yes  No

- Aboriginal Heritage Information Management Search

Signed: .....

Kim Talbert  
Director Environmental Services  
Date: 27/09/2022

## **10. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

## **11. QUESTIONS WITH NOTICE**



## **AGENDA FOR CLOSED COUNCIL MEETING**

**Tuesday 27<sup>th</sup> September 2022**

**NOTICE IS HEREBY GIVEN** pursuant to clause 7 of Council's Code of Meeting Practice that the Closed Council Meeting of Walgett Shire Council will be held at Walgett Shire Council Chambers on 27<sup>th</sup> **September 2022** to discuss the items listed in the Agenda.

Michael Urquhart  
**GENERAL MANAGER**

## **AGENDA**

### **12. MOVE INTO CLOSED SESSION**

#### **MOVE INTO CLOSED SESSION**

**Time:** .....

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:**

**Seconded:**

### **13. CONFIDENTIAL REPORTS/CLOSED COUNCIL MEETING**

#### **13.1 GENERAL MANAGER**

**13.1.1 Lease to space on Collarenebri Water Tower to Field Solutions Group Pty Ltd.**

**13.1.2 Lease to Graincorp Operations Limited – Part road reserve adjacent to Kamilaroi Highway, Burren Junction.**

## 14. RETURN TO OPEN SESSION

### Return to open session

**Recommendation:**

That Council return to open session.

**Moved:**

**Seconded:**

## 15. ADOPTION OF CLOSED SESSION REPORTS

### Adoption of closed session reports

**Recommendation:**

That Council adopt the recommendations of the Closed Committee Reports

**Moved:**

**Seconded:**

## **16. CLOSE OF MEETING**

**Time: .....**