



AGENDA FOR EXTRAORDINARY COUNCIL MEETING

Thursday 6th January 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 **6 January 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 to 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.*

| SPEAKER    | TOPIC      |
|------------|------------|
| <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                                                                                                                                                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>That the leave of absence received from _____ is accepted and leave of absence granted.</p> <p><b>Moved:</b></p> <p><b>Seconded:</b></p> |

## **4. OATH AND AFFIRMATION FOR COUNCILLORS**

### **LOCAL GOVERNMENT ACT 1993 - SECT 233A**

#### **Oath and affirmation for councillors**

##### **233A Oath and affirmation for councillors**

Section 233A of the Local Government Act 1993 (the Act) requires Councillors (including Mayors) to take an oath or make an affirmation of office.

The legislation provides as follows:

1. A councillor must take an oath of office or make an affirmation of office at or before the first meeting of the council after the councillor is elected.
2. The oath or affirmation may be taken or made before the general manager of the council, an Australian legal practitioner or a justice of the peace and is to be in the following form—

Oath: I [name of councillor] swear that I will undertake the duties of the office of councillor in the best interests of the people of [name of council area] and the [name of council] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Affirmation: I [name of councillor] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of [name of council area] and the [name of council] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

3. A councillor who fails, without a reasonable excuse, to take the oath of office or make an affirmation of office in accordance with this section is not entitled to attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected to the office or a meeting at which the councillor takes the oath or makes the affirmation) until the councillor has taken the oath or made the affirmation.
4. Any absence of a councillor from an ordinary meeting of the council that the councillor is not entitled to attend because of this section is taken to be an absence without prior leave of the council.
5. Failure to take an oath of office or make an affirmation of office does not affect the validity of anything done by a councillor in the exercise of the councillor's functions.
6. The general manager must ensure that a record is to be kept of the taking of an oath or the making of an affirmation (whether in the minutes of the council meeting or otherwise).

**Summary:**

Given that the meeting of 6 January 2022 is the first meeting of the Council after the council elections, it is a requirement that either the oath or affirmation is taken by each Councillor.

The prescribed words of the oath and affirmation are provided below.

**Oath**

I [name of councillor] swear that I will undertake the duties of the office of councillor in the best interests of the people of WalgettShire and the WalgettShire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgement.

**Affirmation**

I [name of councillor] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of WalgettShire and the WalgettShire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgement.

**Action:**

Each Councillor proceed to take the Oath or make an Affirmation of office as required by the Local Government Act and that the General Manager record such action in the Meeting Minutes and voice recording.

## 5. ELECTION OF MAYOR/DEPUTY MAYOR

### 5.1 DETERMINATION OF METHOD OF VOTING FOR ELECTION OF MAYOR AND DEPUTY MAYOR BY COUNCILLORS

**REPORTING SECTION:** Executive - Governance  
**AUTHOR:** General Manager

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#### **Summary:**

This report is prepared to allow Council to determine the Method of Voting for the Election of the Mayor and the Deputy Mayor by Councillors.

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

Schedule 7 of the Local Government (General) Regulation 2005 sets out the process to be followed for the election of a Mayor and Deputy Mayor by Councillors, including the methods of voting that may be determined by a resolution of Council. The methods of voting for the election of the Mayor and the Deputy Mayor, that Council may adopt are summarised below:-

- Open Voting – this is by show of hands or similar means
- Preferential Ballot – as per its normal interpretation the ballot papers are to contain names of all candidates and Councillors mark their votes 1, 2, 3 and so on against the various names, so as to indicate their order of preference for all of the candidates.
- Ordinary ballot – this is the usual method adopted in New South Wales. Ballots are secret with only one (1) candidate's name written on a ballot paper.

Where there are two (2) candidates, the person with the most votes is elected. If the ballots for the two (2) candidates are tied, the one to be elected is to be chosen by lots, with the first name out being declared elected.

Where there are three (3) or more candidates, the person with the lowest number of votes is eliminated and the process started again until there are only two (2) candidates. The determination of the election would then proceed as if the two (2) were the only candidates. In the case of three (3) or more candidates where a tie occurs the one (1) to be excluded will be chosen by lot.

- Choosing by Lot – to choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the Returning Officer, the slips are folded by the Returning Officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the Returning Officer and the candidate whose name is on the drawn slip is chosen, on the basis detailed above.

On the 25<sup>th</sup> March 2020 the Covid-19 Legislation Amendment (Emergency Measures) Act 2020 came into force. This Act subsequently amended a number of Acts, including the Local Government Act 1993.

*(1) For the prescribed period—*

*(a) a requirement in the Act or the regulations that members of a council or other persons attend a meeting is satisfied if the meeting is held in whole or in part—*

*(i) remotely using audio visual links, or*

*(ii) in any other manner approved by the Minister but only if audio visual links are not reasonably available, and*

- (b) a requirement in the Act or the regulations that a meeting be open to members of the public is satisfied if—
  - (i) a webcast of the meeting is made public, or
  - (ii) members of the public are informed of what occurred at the meeting in any other manner approved by the Minister but only if a webcast is not practicable in the circumstances.
- (2) The regulations may prescribe that subsection (1) does not apply to—
  - (a) a particular council, or
  - (b) a particular class of meeting.
- (3) In this section— prescribed period means the period—
  - (a) starting on the commencement of this section, and
  - (b) ending on—
    - (i) the day that is 6 months after the commencement, or
    - (ii) the later day, not more than 12 months after the commencement, prescribed by the regulations.

Should a Councillor wish to attend the meeting remotely using an audio visual link, the number of methods available shall be limited to just the **“Open Voting – this is by show of hands or similar means”**.

**Relevant Reference Documents:**

Schedule 7 “Election of Mayor by Councillors” of the Local Government (General) Regulations 2005.

**Stakeholders:**

Councillors

| <b>Election of Mayor and Deputy Mayor</b>                                                                                                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>The method for the election of Mayor and Deputy Mayor be selected on the day.</p> <p><b>Moved:</b></p> <p><b>Seconded:</b></p> |

**Attachments:**

Nil

## **5.2 ELECTION OF MAYOR FOR ENSURING TWO (2) YEAR**

**REPORTING SECTION:** Executive - Governance  
**AUTHOR:** General Manager

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### **Summary:**

Section 225 of the Local Government Act 1993 states that each Local Government area must have a Mayor elected in accordance with the provisions of the Act.

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

The role of Mayor is defined as follows:

- To exercise, in case of necessity, the policy-making functions of the governing body of Council between meetings of the Council;
- To exercise such other functions of the Council as the Council determines;
- To preside at meetings of Council;
- To carry of the civic and ceremonial functions of the Mayoral office.

The Mayor for Walgett Shire Council is elected by the Councillors from among their own number.

The procedures for election of Mayor by Councillors under Schedule 7 of the Local Government (General) Regulation 2005 are summarised below:

- The General Manager (or a person appointed by the General Manager) is the Returning Officer.
- A Councillor may be nominated without notice for election as Mayor or Deputy Mayor.
- The nomination is to be made in writing by two (2) or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- The nomination is to be delivered or sent to the Returning Officer.
- The Returning Officer is to announce the names of the nominees at the Council meeting at which the election is to be held.
- Nomination papers have been enclosed with the business paper and may be delivered or sent to the Returning Officer either prior to or at the commencement of the Ordinary meeting.
- If only one (1) Councillor is nominated, that Councillor is elected.
- If more than one (1) Councillor is nominated then the election will proceed in accordance with the method of voting determined by Council, at this meeting.
- The election is to be held at the Council meeting at which the Council resolves on the method of voting.

Nomination forms are circulated under separate cover with this report.

### **Relevant Reference Documents:**

Local Government Act 1993

### **Stakeholders:**

Councillors

**Election of Mayor for Ensuring Two (2) Year**

**Recommendation:**

That the report be received and noted and the election for the position of Mayor be held now.

**Moved:**

**Seconded:**

**Attachments:**

Nomination Form circulated separately.

## 5.3 ELECTION OF DEPUTY MAYOR

**REPORTING SECTION:** Executive - Governance  
**AUTHOR:** General Manager

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### **Summary:**

Section 231 of the Local Government Act 1993 sets out the provisions of the Act for election of the Deputy Mayor. The person may be elected for the mayoral term or a shorter term.

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

Section 231 of the Local Government Act 1993 states that:-

- The Councillors may elect a person from among their number, to be the Deputy Mayor.
- The person may be elected for the Mayoral term or a shorter term
- The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of the Mayor.
- The Councillors may elect a person from among their number to act as Deputy Mayor if the Deputy Mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no Deputy Mayor has been elected.

Procedures for Nominations and the Election of Deputy Mayor are the same as set out for the election of Mayor.

The person may be elected for the mayoral term or a shorter term.

### **Relevant Reference Documents:**

Local Government Act 1993

### **Stakeholders:**

Councillors

### **Election of Deputy Mayor**

#### **Recommendation:**

That the report be received and noted and the election for the position of Deputy Mayor be held now for the determined term.

#### **Moved:**

#### **Seconded:**

### **Attachments:**

Nomination Form circulated separately.

## 5.4 DESTRUCTION OF BALLOT PAPERS

**REPORTING SECTION:** Executive - Governance  
**AUTHOR:** General Manager

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**Summary:**

Where elections are held, following the conduct of those annual elections, it is appropriate to pass a motion authorising the destruction of ballot papers.

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

Over the years it has become accepted practice that any ballot papers used in the elections be destroyed and a resolution of Council is required to formalise this process.

**Relevant Reference Documents:**

Local Government Act 1993 Chapter 12 Part 5 Sections 383/400AA  
Local Government (General) Regulation 2005 – Schedule 9

**Stakeholders:**

Council Members

| Destruction of Election Ballot Papers                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>That any ballot papers used now be destroyed.</p> <p><b>Moved:</b></p> <p><b>Seconded:</b></p> |

**Attachments:**

Nil

## 5.4 COUNTBACK TO FILL CASUAL VACANCIES

**REPORTING SECTION:** Executive - Governance  
**AUTHOR:** Michael Urquhart - General Manager

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### **Summary:**

This report is tabled for Council to determine the method of filling casual vacancies in the first 18 months after the 4<sup>th</sup> December 2021 election.

### **Background:**

Council can now for the first time elect to fill casual vacancies occurring in the office of Councillor in the first 18 months after the election by way of countback.

This allows Council to use the countback method to fill vacancies at a much lower cost than conducting a by-election. A by-election may cost tens of thousands of dollars.

If Council does not formally resolve to use the countback method, it will be required to fill casual vacancies through a by-election.

### **Relevant Reference Documents:**

Section 291A (1) (b).

### **Alternatives/Options:**

Council can choose not to adopt the countback method.

### **Stakeholders:**

Walgett Shire Council  
Councillors

### **Countback to Fill Casual Vacancies**

#### **Recommendation:**

That pursuant to section 291A(1)(b) of the Local government Act 1993, Walgett Shire Council declares that casual vacancies occurring in the office of Councillor within 18 months after the last ordinary election of Councillors for the Council on 4<sup>th</sup> December 2021 are to be filled by a countback of votes cast at that election for the office in accordance with Section 291A of the Act and directs the General Manager to notify the NSW Electoral Commissioner of the Council's decision within 7 days of the decision.

#### **Moved:**

#### **Seconded:**

### **Attachments:**

Nil

## 6. 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 |
|------------|----------|-------------------------|--------|
|            |          |                         |        |
|            |          |                         |        |
|            |          |                         |        |
|            |          |                         |        |
|            |          |                         |        |
|            |          |                         |        |
|            |          |                         |        |

## 7. REPORTS FROM OFFICERS

### 7.1 GENERAL MANAGER

#### 7.1.1 DELEGATION OF AUTHORITY BY COUNCIL – GENERAL MANAGER

**REPORTING SECTION:** General Manager  
**AUTHOR:** Michael Urquhart  
**FILE NUMBER:** TBA

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**Summary:**

This report recommends that Council confirms the delegation of the General Manager, Mr Michael Urquhart, all powers and duties necessary to carry out the functions of that office under Section 335 of the Local Government Act effective from 11 August 2020.

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

Mr Urquhart commenced as General Manager on 11 August 2020.

Under Section 377 of the Local Government Act 1993 Council may delegate appropriate power, duties and functions to the General Manager.

The functions of General Manager relevant to the operations of Council are as per Section 335 of the Local Government Act 1993.

Council must renew the delegations to the General Manager within 12 months of each general election of Council.

**Relevant Reference Documents:**

Local Government Act 1993

**Stakeholders:**

Walgett Shire Council  
Mr Michael Urquhart

**Financial Implications:**

Nil

| Delegation of Authority by Council – General Manager                                                                                                                                                                                                                                                                                                                                                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Recommendation:</b></p> <p>That Council confirm the delegations to Michael Urquhart as General Manager of all powers and duties necessary to carry out the functions of office under Section 335 of the Local Government Act 1993 and any other Act of Parliament or any rule, regulation, ordinance or by-law under or pursuant to any such Act but subject to Section 377 of the Local Government Act.</p> <p><b>Moved:</b><br/><b>Seconded:</b></p> |

## **7.1.2 DELEGATES, REPRESENTATIVES AND/OR MEMBERS OF COMMITTEES, REFERENCE GROUPS AND EXTERNAL BODIES**

**REPORTING SECTION:** Executive - Governance  
**AUTHOR:** Michael Urquhart – General Manager  
**FILE NUMBER:** 17/21

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### **Summary:**

This report identifies those committees, reference groups and external organisations which require the appointment of Councillor Representatives.

### **Background:**

The participation on a range of local, specific issues, committees established by Council including Section 355 Committees, peak body/sector associations, and local and regional forums, is an essential part of the representative role Council plays.

Council nominates delegates and representatives to these committees annually.

The role, as the delegate or Council representative on these committees, is to represent the position of Council, and where appropriate, report back to Council at an Ordinary Council Meeting on the issues or progress of the committees, and any recommendations made by the committees.

### **Current Position:**

Attached is a schedule identifying Councillors and staff who were currently involved in external bodies on behalf of Council.

It should be noted that Councillors Woodcock and Martinez were elected to the Castlereagh Macquarie County Council for a term of four years and appointments to the County Council are expected to be for the duration of Council.

It is suggested to consider nominating an alternative Council delegate to cover those occasions when the nominated delegate may be unavailable.

### **Relevant Reference Documents:**

Code of Conduct

### **Stakeholders:**

Councillors and Council Staff

### **Financial Implications:**

Nil

### **Conclusion:**

Council should proceed to appoint Councillor Representatives to the Council Committees and Reference Groups listed in the attached schedule.

**Delegates, Representatives and/or Members of Committees, Reference Groups and External Bodies**

**Recommendation:**

That members, representatives and delegates be appointed to the committees, reference groups and external organisations as outlined in the schedule for the period terminating September 2023.

*(To be determined at meeting)*

**Moved:**

**Seconded:**

**Attachments:**

Schedule of representatives and delegates for the period terminating September 2023.

## Representatives and Delegates for the period, terminating September 2023

| COMMITTEE                                                                           | OFFICER                                                             | COUNCILLOR             |
|-------------------------------------------------------------------------------------|---------------------------------------------------------------------|------------------------|
| Australian Airports Association                                                     | Director Engineering/Technical Services                             | Not required           |
| Bushfire Management Committee                                                       | Director Engineering/Technical Services                             | *                      |
| Castlereagh Macquarie County Council<br><i>3 year Term</i>                          | General Manager                                                     | **                     |
| Collarenebri Community Working party                                                | General Manager                                                     | Mayor *                |
| Community Safety Precinct Committee                                                 | General Manager                                                     | Mayor and Deputy Mayor |
| Lightning Ridge & Surrounding Opal Fields Management<br>Crown Reserve 1024168 Trust | General Manager                                                     | Mayor and Deputy Mayor |
| Kamilaroi Highway Group                                                             | General Manager                                                     | Not required           |
| Lightning Ridge Community Working Party                                             | General Manager                                                     | Mayor *                |
| Local Emergency Management Committee                                                | General Manager as LEMO and Chief Financial Officer as<br>alternate | Mayor                  |
| Local Traffic Committee                                                             | Director Engineering/Technical Services and General Manager         | Mayor ***              |
| Netwaste                                                                            | Director Environmental Services                                     | Not required           |
| Big Sky Libraries                                                                   | Director Chief Financial Officer                                    | **                     |
| Regional Development Australia - Orana                                              | General Manager                                                     | Mayor and Deputy Mayor |
| Outback Arts Incorporated                                                           | Director Chief Financial Officer                                    | **                     |
| Plant Committee                                                                     | Director Engineering/Technical Services and General Manager         | ***                    |
| Regional Procurement Initiative                                                     | Director Engineering/Technical Services/ Chief Financial Officer    | Not required           |
| Rural Bush Fire Management Group                                                    | Director Engineering/Technical Services/Chief Financial Officer     | *                      |
| Saleyards Advisory Committee                                                        | Director Engineering/Technical Services                             | *                      |
| Western Division of the Shire's Association                                         | General Manager                                                     | Mayor and Deputy Mayor |
| Walgett Community Working Party                                                     | General Manager and Manager Community Services                      | Mayor *                |
| Water Utilities Group                                                               | Director Engineering/Technical Services                             | Not Required           |
| Local Government NSW – Voting Delegate                                              | General Manager                                                     | Mayor                  |
| Far North West Joint Organisation                                                   | General Manager as advisor                                          | Mayor and Deputy Mayor |
| Hudson Pear Taskforce                                                               | General Manager                                                     | Delegates to CMCC      |
| Far West Academy of Sport                                                           | General Manager                                                     | Mayor                  |
| Western Division Councils of NSW                                                    | General Manager                                                     | Mayor                  |
| Tourism Advisory committee                                                          | General Manager                                                     | Mayor **               |
| Economic Development Committee                                                      | General Manager                                                     | Mayor *                |
| Country Mayors Association                                                          | General Manager                                                     | Mayor                  |
| Mining Related Councils                                                             | General Manager                                                     | Mayor and Deputy Mayor |
| Alliance of Western Council                                                         | General Manager                                                     | Mayor and Deputy Mayor |

*\* Councillor/Delegate required*

### **7.1.3 ORDINARY COUNCIL MEETINGS – TIME, DATES AND VENUE FOR 2022**

**REPORTING SECTION:** General Manager  
**AUTHOR:** Michael Urquhart  
**FILE NUMBER:** TBA

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#### **Summary:**

Council's Code of Meeting practice Clause 3.2 requires "that Council shall, by resolution set the frequency, time, date and place of its ordinary meetings". It is desirable that Council determine its meeting schedule for the whole of 2022, to facilitate forward planning.

#### **Background:**

Council has previously determined that Ordinary Meetings of Council should generally be held on the fourth Tuesday of each month, except in December when the meeting will be held on the third Tuesday of the month.

Under section 365 of the Act, Council are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a Council is required to meet each year under section 365A.

#### **Proposed:**

The following schedule provides for Meetings in 2022 to be held on the fourth Tuesday of the month other than in December when it is proposed to be held on the third Tuesday.

All Council meetings will take place in Walgett at the Council Chambers to allow for webcasting of the meetings in accordance with the Council's Code of Meeting practice clause 5.19.

It is proposed that meetings continue to commence at 11.00am as has been the practice in the past.

22 February 2022  
24 March 2022  
28 April 2022  
26 May 2022  
23 June 2022  
28 July 2022  
25 August 2022  
22 September 2022  
27 October 2022  
24 November 2022  
15 December 2022

#### **Relevant Reference Documents:**

Council's Code of Meeting Practice  
Local Government Act 1993

#### **Stakeholders:**

Councillors, staff and public

#### **Financial Implications:**

Nil

## Ordinary Council Meetings – Time, Dates and Venues for 2022

### **Recommendation:**

1. That Council endorse the below dates for the 2022 Ordinary Council Meetings to held at the Council Chambers in Walgett commencing at 11:00am;

22 February 2022

24 March 2022

28 April 2022

26 May 2022

23 June 2022

28 July 2022

25 August 2022

22 September 2022

27 October 2022

24 November 2022

15 December 2022

2. Council advertise in the local media and on Council's website the meeting schedule for 2022 including time, date and place, as stated above.

**Moved:**

**Seconded:**

**Attachments:**

Nil

## **7.1.4 WALGETT COUNTRY EDUCATION FOUNDATION FINANCIAL ASSISTANCE**

**REPORTING SECTION:** Executive  
**AUTHOR:** Michael Urquhart – General Manager  
**FILE NUMBER:** TBA

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### **Summary:**

This report is presented to Council outlining the submissions received during the course of the 28 day public exhibition period pertaining to the Council resolution at its 30th November 2021 Ordinary meeting, to make a \$10,000 donation to the Walgett Country Education Foundation (WCEF).

### **Background:**

In late 2019 WCEF made a presentation to Council seeking financial support to assist with its 2021 annual scholarship program for young people from the Walgett LGA.

Council accordingly made a donation of \$10,000 for 2021 and the scholarships were awarded at the 2021 Australia Day awards breakfast in Walgett.

### **Current Position:**

An annual donation to WCEF was not included in the 2021/2022 operational plan as Council was already making a substantial donation to local youth scholarships through the Geoffrey “Dick” Colless Scholarship program. The WCEF were of the belief the donation was to be a re-occurring annual vote, however, this was not the Council resolution.

In November 2021 WCRF wrote to Council asking for assistance with the 2022 scholarship program, and Council formally resolved the following:

Council in accordance with Section 356 of the Local Government Act 1993 allocate \$10,000 to Walgett Country Education Foundation for 2022 Scholarship Program and the proposal be placed on public display calling for submissions.

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

Local Government Act 1993  
Local Government Regulation 2005

### **Governance issues:**

In this instance Council has an obligation under the Local Government Act 1993 to ensure compliance and accordingly must consider the submissions and issues raised before formally resolving to make the funds available to WCEF.

### **Environmental issues:**

There are no environmental issues identified in relation to this matter.

### **Stakeholders:**

Walgett Shire Council.  
Walgett Shire Community  
Walgett Country Education Foundation

### **Financial Implications:**

The Donation to WCEF is to be funded from accumulated working capital.

**Alternative Solutions/Options:**

No other options are available should there be no valid reasons forthcoming from the submissions made during the public display period.

**Conclusion:**

The writer recommends Council having reviewed all submissions, now formally resolve to make a donation of \$10,000 to the Walgett Country Education Foundation under section 356 of the Local government Act 1993.

**Walgett Country Education Foundation Donation**

**Recommendation:**

There being no adverse submissions against the donation proposal, Council agrees to make a donation of \$10,000 for 4 x \$2,500 Council Scholarships for 2022.

**Moved:**

**Seconded:**

**Attachment:**

Letter of Support – Walgett Aboriginal Medical Services.

*Note: Only one (1) submission received at time of preparing report; further submissions may be tabled on the day.*



**WALGETT ABORIGINAL MEDICAL SERVICE LIMITED**

ACN 605 822 339 ABN 78 014 990 451  
37 Pitt St (P.O Box 396) **WALGETT NSW 2832**  
Phone: (02) 6820 3777 Fax: (02) 68281201  
Web: www.walgettams.com.au

**LETTER OF SUPPORT – COUNTRY EDUCATION FOUNDATION**

The Walgett Aboriginal Medical Service Limited (WAMS) has been operating since 1986, and provides a vast array of health and community programs.

WAMS have also sponsored awards over this time to young people attending both primary and secondary schools.

We recognise the importance of all young people in the Walgett Shire receiving a quality education that identifies the career aspirations and defines strategies to achieve this.

Such strategies includes avenues and pathways for further education once a student completes secondary school.

The Country Education Foundation, (CEF) Walgett Branch, is one of those avenues that customises educational opportunities for a young person to achieve their individual workforce goals.

Since operating over five years, we are aware of the successes of several students enrolling in both TAFE and universities to further their vocations. It is also encouraging to learn that the CEF will be supporting thirty eight (38) students in 2022.

WAMS applaud the CEF in their ongoing endeavours and offer this Letter of Support to validate their good work in the Walgett Shire.

Yours sincerely,

**MRS MARY PURSE, CHAIRPERSON**  
**BOARD OF DIRECTORS**

*Mary Purse*  
15 December 2021



CELEBRATING OVER 30 YEARS OF SERVICE SINCE 1986  
HEALTH IS LIFE IS HEALTH

FUNDED BY: FEDERAL DEPT OF SOCIAL SERVICES – NATIONAL INDIGENOUS AUSTRALIANS AGENCY  
NSW HEALTH – RURAL DOCTORS NETWORK – WESTERN NSW PRIMARY HEALTH NETWORK

## 8. CLOSE OF MEETING

Time: .....