



BUSINESS PAPER

ORDINARY MEETING OF COUNCIL

PUBLIC COPY



Council Chambers | Walgett Shire Council
77 Fox Street, Walgett

On Tuesday 27th February 2024 at 9.00am

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993, that an Ordinary Meeting of the Walgett Shire Council will be held in the Council Chambers on Tuesday 27th February 2024 commencing at 9.00 am to consider the following business:

Order of Business

1. MEETING OPEN.....	4
2. ACKNOWLEDGEMENT OF COUNTRY	4
3. INTRODUCTION OF MEMBERS PRESENT	4
4. APOLOGIES.....	4
5. DECLARATION OF INTEREST	5
6. PUBLIC FORUM.....	6
7. ADOPTION AND CONFIRMATION OF MINUTES OF PREVIOUS MEETING	7
7.1 MINUTES OF COUNCIL MEETING 12 TH DECEMBER 2023.....	8
7.2 MINUTES OF EXTRAORDINARY MEETING HELD 6 TH FEBRUARY 2024.....	14
7.3 MINUTES OF EXTRAORDINARY MEETING HELD 19 TH FEBRUARY 2024	16
8. REPORTS OF COMMITTEE/DELEGATES.....	18
8.1 LOCAL AREA TRAFFIC COMMITTEE MEETING 7 TH FEBRUARY 2024	18
9. MAYORAL MINUTE	22
9.1 INDEPENDENT REVIEW OF THE SMALL SCALE OPAL MINING TITLES STATUTORY FRAMEWORK – EXTENSION OF TIME SUBMISSION.....	22
9.2 NSW BUDGET SUBMISSION	26
10. MAYORAL MONTHLY REPORT	29
11. CORRESPONDENCE AND PETITIONS	31
12. REPORTS FROM OFFICERS	32
12.1 GENERAL MANAGER	32
12.1.1 MATTERS IN PROGRESS	32
12.1.2 CIRCULARS RECEIVED FROM NSW OFFICE OF LOCAL GOVERNMENT	33
12.1.3 IMPORTANT DATES – UPCOMING MEETING AND EVENTS.....	48
12.1.4 LIGHTNING RIDGE RACE CLUB REQUEST FOR FINANCIAL ASSISTANCE FOR TRACK REPAIR	50
12.1.5 REQUEST FOR DONATIONS AND SPONSORSHIPS	52
12.1.6 PERMANENT STOCK ZONES IN THE WALGETT SHIRE LOCAL GOVERNMENT AREA.....	55
12.2 DIRECTOR CORPORATE SERVICES	57
12.2.1 CASH AND INVESTMENT AS AT 31 ST DECEMBER 2023.....	57
12.2.2 CASH AND INVESTMENT AS AT 31 ST JANUARY 2024	59
12.2.3 OUTSTANDING RATES AND CHARGES AS AT 31 JANUARY 2024	61

12.2.4 SECTION 356 - REBATES TO CHURCHES & OTHER NOT-FOR-PROFIT ORGANISATIONS.....	64
12.2.5 MACQUARIE BANK CASH MANAGEMENT ACCOUNT AS OF 31 ST JANUARY 2024	67
12.2.6 QUARTERLY BUDGET REVIEW STATEMENT – DECEMBER 2023	72
12.2.7 DOLLY PARTON IMAGINATION LIBRARY PROGRAM.....	74
12.3 DIRECTOR ENGINEERING / TECHNICAL SERVICES.....	78
12.3.1 MONTHLY MAINTENANCE GRADING REPORT AS AT 31 ST JANUARY 2024	78
12.3.2 REPORT TO PROVIDE UPDATE ON MAJOR PROJECTS AS AT 31 ST JANUARY 2024.....	84
12.3.3 REPORT TO PROVIDE UPDATE ON TECHNICAL SERVICES PROGRESS AS AT 31 ST JANUARY 2024...	91
12.3.4 REPORT TO PROVIDE UPDATE ON WALGETT SHIRE COUNCIL WATER FUND AND FUTURE PROJECTS	
12.3.5 REPORT TO PROVIDE UPDATE ON MINING CAVITIES IN FRED REECE WAY AND LORNE ROAD....	107
12.3.6 REQUEST FOR REIMBURSEMENT FROM LRMA.....	111
12.4 DIRECTOR ENVIRONMENTAL SERVICES	116
12.4.1 STREET DINING EXTENSION OF HOURS.....	116
12.4.2 IMPENDING EXPIRY OF ALCOHOL FREE ZONES.....	118
12.4.3 GRAWIN/SHEEPYARDS BIN BANKS – WASTE STRATEGY	122
12.4.4 NEW WASTE DEPOT PERIMETER FENCES – GRAWIN AND SHEEPYARDS WASTE DEPOTS RESERVE NO. 1024168 GDA94/ZONE 55 & GDA94/MGA/ZONE 55.....	124
12.4.5 MATTERS GENERALLY FOR BRIEF MENTION OR INFORMATION.....	126
12.4.6 DEVELOPMENT APPROVALS DECEMBER 2023 AND JANUARY 2024	129
12.4.7 DEVELOPMENT APPLICATION FOR SUBDIVISION & PLANNING PROPSAL FOR SUBDIVISION AND REZONING 39 GEM STREET, LIGHTNING RIDGE	132
12.4.8 PLANNING PROPOSAL – INTENSIVE AGRICULTURE.....	135
12.4.9 PLANNING PROPOSAL – RURAL RESIDENTIAL STRATEGY.....	137
13. QUESTIONS ON NOTICE	152
13.1 UPDATE JENNY WRIGHT NETBALL COURTS – 7 TH FEBRAURY 2024.....	152
14. MOVE INTO CLOSED SESSION	156
15. CONFIDENTIAL REPORTS/CLOSED COUNCIL MEETING	156
16. RETURN TO OPEN SESSION.....	157
17. ADOPTION OF CLOSED SESSION REPORTS	157
18. CLOSE OF MEETING.....	157

Megan Dixon
GENERAL MANAGER

1. MEETING OPEN

2. ACKNOWLEDGEMENT OF COUNTRY

Acknowledgement of Country

In the spirit of reconciliation Walgett Shire Council acknowledges the Traditional Custodians of country in Walgett Shire and their connections to land, water and community. We pay our respect to their Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples today

Declaration of Webcasting

I inform all those in attendance at this meeting, that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements concerning any person, Councillor or employee, and refrain from discussing those matters subject to Closed Council proceedings as indicated in clause 14.1 of the code of meeting practice.

It is requested that Councillors within the duration of the Meeting, limit discussions to only the business on the agenda and what is permissible under our Code of Meeting Practice. As stated in the Governance Rules, other than an official Council recording, no video or audio recording of proceedings of Council Meetings will be permitted without specific approval by resolution of the relevant Council Meeting.

3. INTRODUCTION OF MEMBERS PRESENT

Our Councillors

Deputy Mayor Colin Hundy
 Councillor Greg Rummery
 Councillor Michael Cooke
 Councillor Ian Woodcock
 Councillor Sue Currey
 Councillor Alf Seaton
 Councillor Daniel Walford

Staff

General Manager	Megan Dixon
Director Engineering & Technical Services	Kazi Mahmud
Director Corporate Services	Hafiz Malik
Director Environmental Services	Kimley Talbert
Executive Assistant to the General Manager & Mayor	Sherisse Fensom

4. APOLOGIES

Mayor Jasen Ramien
 Councillor Jane Keir

Recommendation:

That the apology from Mayor Jasen Ramien and Cllr Jane Keir be accepted.

Moved:

Seconded:

5. DECLARATION OF INTEREST

Ethical Decision Making and Conflicts of Interest

A guiding checklist for Councillors, officers and community committees

Oath or Affirmation of Office

Councillors are reminded of the Oath or Affirmation taken of office, made under section 233A of the Local Government Act 1993 when elected.

Ethical decision making

- Is the decision or conduct legal?
- Is it consistent with Government policy, Council's objectives and Code of Conduct?
- What will the outcome be for you, your colleagues, the Council, anyone else?
- Does it raise a conflict of interest?
- Do you stand to gain personally at public expense?
- Can the decision be justified in terms of public interest?
- Would it withstand public scrutiny?

Conflict of interest

A conflict of interest is a clash between private interest and public duty. The test for conflict of interest:

- Is it likely I could be influenced by personal interest in carrying out my public duty?
- Would a fair and reasonable person believe I could be so influenced?
- Conflict of interest is closely tied to the layperson's definition of 'corruption' – using public office for private gain.
- Important to consider public perceptions of whether you have a conflict of interest.

There are two types of conflict:

- **Pecuniary** – regulated by the Local Government Act 1993 and Office of Local Government. A person with a pecuniary interest should at least disclose and not vote, but it would also in these cases be appropriate to leave the chamber.
- **Non-pecuniary** – regulated by Codes of Conduct and policy. ICAC, Ombudsman, Office of Local Government (advice only). If declaring a Non-Pecuniary Conflict of Interest, a person with a non-pecuniary interest can choose to either disclose and vote, disclose and not vote or leave the Chamber.
- Local Government Act 1993 and Model Code of Conduct

For more detailed definitions refer to the Local Government Act 1993, Chapter 14 Honesty and Disclosure of Interest and adopted Code of Conduct.

Identifying problems

1st Do I have private interests affected by a matter I am officially involved in?

2nd Is my official role one of influence or perceived influence over the matter?

3rd Do my private interests conflict with my official role?

Disclosure of pecuniary interests / non-pecuniary interests

Under the provisions of Section 440AAA(3) of the Local Government Act 1993 (pecuniary interests) and the Model Code of Conduct it is necessary for you to disclose the nature of the interest when making a disclosure of a pecuniary interest or a non-pecuniary conflict of interest at a meeting.

A Declaration form should be completed and handed to the General Manager as soon as practicable once the interest is identified. Declarations are made at Item 4 of the Agenda: Declarations of Interest - Pecuniary, Non-Pecuniary and Political Donation Disclosures, and prior to each Item being discussed.

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

Councillor	Item No.	Pecuniary/Non-Pecuniary	Reason

6. PUBLIC FORUM

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.

<i>Victoria Lugovoy</i>	<i>Lightning Ridge Area Opal Reserve Crown Land Manager</i>	<i>Rename of Grawin Road</i>
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7. ADOPTION AND CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Recommendation:

That the minutes from the Ordinary Council meeting held the 12th December 2023, the Extra Ordinary Council meeting held the 6th February 2024 and Extra Ordinary Council Meeting held 19th February having been circulated, be taken as read and confirmed as a true and accurate record of the proceedings on these meetings.

Moved:

Seconded:

Attachments:

Minutes of Ordinary Meeting held 12 December 2023
Extraordinary Council Meeting held 6th February 2024
Extraordinary Council Meeting held 19th February 2024

7.1 MINUTES OF COUNCIL MEETING 12TH DECEMBER 2023

Walgett Shire Council Ordinary Council Meeting – 12 December 2023



MINUTES COUNCIL MEETING

Tuesday 12th December 2023

Megan Dixon

GENERAL MANAGER

The Mayor declared the meeting open at 1.12pm

PRESENT

Mayor Jasen Ramien
 Councillor Greg Rummery
 Councillor Jane Keir
 Councillor Alf Seaton
 Councillor Daniel Walford
 Councillor Sue Currey
 Councillor Michael Cooke
 Councillor Ian Woodcock
 Megan Dixon (General Manager)
 Kimley Talbert (Director Environmental Services)
 Hafiz Malik (Director Corporate Services)
 Kazi Mahmud (Director Engineering/Technical Services)
 Sharon Smith (Minute Secretary)

ABSENT

Deputy Mayor Colin Hundy

The Mayor acknowledged the traditional owners of the lands within the Walgett Shire and acknowledged the Aboriginal and Torres Strait Islander people who now reside within this Shire.

13/2023/1 LEAVE OF ABSENCE

RESOLVED on MOTION by Councillor RUMMERY; Seconded by Councillor WALFORD; That Council grant the leave of absences for Councillor HUNDY for Tuesday 12th December 2023 Ordinary Business Meeting.

The MOTION upon being PUT to the MEETING was declared CARRIED.

13/2023/2 MINUTES OF ORDINARY COUNCIL MEETING HELD 26 OCTOBER 2023

RESOLVED on MOTION by Councillor KEIR; Seconded by Councillor RUMMERY that the minutes of the Ordinary Council meeting held 28 November 2023, having been circulated, be taken as read and confirmed as a true and accurate record of the proceedings on the meeting.

The MOTION upon being PUT to the MEETING was declared CARRIED.

DECLARATION OF PECUNIARY/NON-PECUNIARY INTERESTS

Councillor	Item No.	Report Title/ Subject Matter	Pecuniary/Non-Pecuniary	Reason
Mayor Ramien	9.3.1	Monthly Maintenance Grading Report as at 30 November 2023	Pecuniary	Family Business Interest
Councillor Keir	9.3.1	Monthly Maintenance Grading Report as at 30 November 2023	Pecuniary	Family Business Interest

Walgett Shire Council Ordinary Council Meeting – 12 December 2023

13/2023/3 MAYORAL MONTHLY REPORT

RESOLVED on MOTION by Councillor RAMIEN; Seconded by Councillor SEATON that the Mayoral report for October 2023 be received and noted.

13/2023/4 CORRESPONDENCE AND PETITIONS

RESOLVED on MOTION by Councillor SEATON; Seconded by Councillor KEIR that the Come by Chance Letter be received and noted

13/2023/5 REQUEST TO MEG NOT REGRANT MINERAL CLAIM OVER GRAWIN PLAYGROUND

RESOLVED on MOTION by Councillor WOODCOCK; Seconded by Councillor SEATON that Council is advised to write to the Mining, Exploration, and Geoscience (MEG) department, urging them to refrain from regranted the mineral claim that currently encompasses the Grawin Playground and Miners Road.

The MOTION upon being PUT to the MEETING was declared CARRIED.

13/2023/6 IMPORTANT DATES – UPCOMING MEETINGS AND EVENTS

RESOLVED on MOTION by Councillor WOODCOCK; Seconded by Councillor COOKE that Council receive and note the list of upcoming meetings and events with the addition of the noted changes by Councillor Keir

13/2023/7 FIRST QUARTER OPERATIONAL PLAN 2022/2023

RESOLVED on MOTION by Councillor KEIR; Seconded by Councillor CURREY

•That the General Managers report be received.

•That Council accept the progress made on the 2023/2024 Operational Plan as at 30th September 2023.

The MOTION upon being PUT to the MEETING was declared CARRIED.

13/2023/8 CUMBORAH CEMETERY MEMORIAL WALL

RESOLVED on MOTION by Councillor WOODCOCK Seconded by Councillor COOKE

1. The Council resolve to move up to \$15,000 from the Walgett Cemetery fund to the project to enable the construction of the Cumborah Memorial Wall

2. The community be advised that the funds have been formally allocated to enable completion of the project.

The MOTION upon being PUT to the MEETING was declared CARRIED.

13/2023/9 REQUEST FOR FUNDING/ SPONSORSHIP OR DONATION – LIGHTNING RIDGE PARK RUN

RESOLVED on MOTION by Councillor COOKE Seconded by Councillor RUMMERY that Council review the sponsorship request and determine if they will support the Lightning Ridge Park run.

The MOTION upon being PUT to the MEETING
FOR Councillor Seaton, Councillor Rummery, Councillor Cooke, Councillor Woodcock
AGAINST Councillor Keir, Councillor Walford, Councillor Currey
MOTION CARRIED

13/2023/10 MONTHLY OUTSTANDING RATES AS AT 30 NOVEMBER 2023

RESOLVED on MOTION by Councillor SEATON Seconded by Councillor WOODCOCK that the 30 November 2023 outstanding rates report be received and noted.

13/2023/11 CASH AND INVESTMENT AS AT 30 NOVEMBER 2023

RESOLVED on MOTION by Councillor KEIR Seconded by Councillor WALFORD that the Investment report be received and noted.

13/2023/12 COMMUNITY DEVELOPMENT & CAPACITY BUILDING: SEPTEMBER 2023 – NOVEMBER 2023

RESOLVED on MOTION by Councillor WOODCOCK Seconded by Councillor KEIR that the report for Community Development: September – November 2023 be received and noted.

The MOTION upon being PUT to the MEETING was declared CARRIED.

13/2023/14 THE BUREAU OF METEOROLOGY REQUEST TO INSTALL FLOOD WARNING EQUIPMENT IN COME BY CHANCE

RESOLVED on MOTION by Councillor SEATON Seconded by Councillor COOKE that the Council agree to permit the Bureau of Meteorology to install flood warning Rain Network Type 2 equipment on Council property in Come by Chance located at Lot 1, DP 203150 in the park behind the bathrooms.

The MOTION upon being PUT to the MEETING was declared CARRIED.

At 1.33pm Mayor RAMIEN declared a pecuniary interest and exited the Chamber.

Councillor RUMMERY took the [chair](#)

At 1.33pm Councillor KEIR declared a pecuniary interest and exited the Chamber

13/2023/15 MONTHLY MAINTENANCE GRADING REPORT AS AT 30 NOVEMBER 2023

RESOLVED on MOTION by Councillor WALFORD Seconded by Councillor SEATON That Council receive and note the monthly maintenance grading works report for November 2023

At 1.35pm Mayor RAMIEN returned to the Chamber and resumed the chair.

At 1.35pm Councillor KEIR returned to the Chamber

13/2023/16 SERVICE PROGRESS REPORT AS AT 30 NOVEMBER 2023

RESOLVED on MOTION by Councillor RUMMERY Seconded by Councillor SEATON That Council receive and note the Engineering Services monthly works progress report for November 2023

13/2023/17 MONTHLY MAJOR PROJECTS REPORT AS AT 30 NOVEMBER 2023

RESOLVED on MOTION by Councillor WOODCOCK Seconded by Councillor COOKE That Council receive and note the Monthly Major Projects Report for November 2023.

13/2023/18 DEVELOPMENT APPROVALS NOVEMBER 2023

RESOLVED on MOTION by Councillor RUMMERY Seconded by Councillor WOODCOCK That Council receive and note the Development Approvals Report for November 2023.

13/2023/19 MATTERS GENERALLY FOR BRIEF MENTION OR INFORMATION FROM DIRECTOR ENVIRONMENTAL SERVICES

RESOLVED on MOTION by Councillor KEIR Seconded by Councillor RUMMERY That Council receive and note this report.

13/2023/20 DRAFT CEMETERY POLICY

RESOLVED on MOTION by Councillor KEIR Seconded by Councillor SEATON That Walgett Shire Council resolve to have the modification of the newly proposed Non-Denomination Beam Section and Council's amended Draft Cemetery Policy placed on exhibition for a period of 28 days to the General public.

The MOTION upon being PUT to the MEETING was declared CARRIED.

12/2023/21 RESOLVED on MOTION by Councillor WOODCOCK; Seconded by Councillor KEIR at 1.42pm that the public be exclude from the meeting pursuant to Sections 10A 2 (a) & (b) of the Local Government Act 1993 on the basis that the items deal with:

- (a) personnel matters concerning particular individuals (other than Councillors)
- (b) the personal hardship of any resident or ratepayer

13C/2023/01 MINUTES OF THE CLOSED COUNCIL MEETING – TUESDAY 28th NOVEMBER 2023

RESOLVED on MOTION by Councillor SEATON Seconded by Councillor WOODCOCK That the minutes of the Closed Council meeting held 28 November 2023, having been circulated, be taken as read and confirmed as a true and accurate record of the proceedings on the meeting.

13C/2023/02 NEW WALGETT SHIRE COUNCIL ANIMAL FACILITY

RESOLVED on MOTION by Councillor KEIR Seconded by Councillor RUMMERY

1. That Council decline to accept the tenders
2. The General Manager review and provide a further report to Council on the alternative options (of either a reduced facility or a staged approach to the development).

The MOTION upon being PUT to the MEETING was declared CARRIED.

Director Engineering/Technical Services - Kazi Mahmud left the meeting at 1.54pm

13C/2023/03 OPERATION OF THE WALGETT ACQUATIC FACILITIES (WALGETT 50M MEMORIAL POOL, WADING POOL, AND SPLASH PARK)

RESOLVED on MOTION by Councillor SEATON Seconded by Councillor RUMMERY

1. That Council rescind the motion 11C/2023/6 Walgett Splash Park

Resolved on the motion of Councillor Woodcock and Councillor Seaton

2. That the Council approves to negotiate with PCYC to manage the Splash Park for the 2023/2024 summer season, including operating the canteen at its own expense and profit and a \$2.00 entry fee per person with hours of operation as follows: Monday-

Friday 1:00 p.m.- 6:00 p.m., Saturday- Sunday 11:00 a.m.- 6:00 p.m., and School Holidays 10:00 a.m.- 6:00 p.m.

3. That the Council approves to use Walgett Swimming Pool budget for operating Splash Park for 2023-2024 summer season.

4. That General Manager be approved to employ appropriate staff to the operate the facility for the remainder of the 2023/24 season.

The MOTION upon being PUT to the MEETING was declared CARRIED.

13C/2023/04 ROADS TO HOME ASBESTOS WASTE

RESOLVED on MOTION by Councillor RUMMERY; Seconded by Councillor COOKE That Walgett Shire Council undertake the necessary actions to achieve approval from the EPA to receive asbestos waste generated by the Roads to Home project.

The MOTION upon being PUT to the MEETING was declared CARRIED.

13/2023/22 RETURN TO OPEN SESSION

RESOLVED on MOTION by Councillor COOKE; Seconded by Councillor RUMMERY that Council return to open session.

13/2023/23 ADOPTION OF CLOSED SESSION REPORTS

RESOLVED on MOTION by Councillor RUMMERY Seconded by Councillor WOODCOCK that Council adopt the recommendations of the Closed Committee Reports being items 13.1.1, 13.2.1, 1.3.2.2 & 13.2.3.

There being no further business the meeting concluded at 3.18pm

Minutes to be confirmed at the next meeting of [Council](#)

7.2 MINUTES OF EXTRAORDINARY MEETING HELD 6TH FEBRUARY 2024



MINUTES COUNCIL
EXTRAORDINARY
MEETING

Tuesday 6th February 2024

Megan Dixon
GENERAL MANAGER

The Mayor declared the meeting open at 9.15am

PRESENT

Mayor Jasen Ramien
 Deputy Mayor Colin Hundy (via Teams Link)
 Councillor Greg Rummery
 Councillor Jane Keir
 Councillor Michael Cooke (via Teams Link)
 Councillor Ian Woodcock
 Megan Dixon (General Manager)
 Kimley Talbert (Director Environmental Services)
 Hafiz Malik (Director Corporate Services)
 Kazi Mahmud (Director Engineering/Technical Services)
 Sherisse Fensom (Minute Secretary)

Presentation by Auditor Jeffrey Shanks – Luka Group Chartered Accountants

ABSENT

Councillor Alf Seaton
 Councillor Daniel Walford
 Councillor Sue Currey

The Mayor acknowledged the traditional owners of the lands within the Walgett Shire and acknowledged the Aboriginal and Torres Strait Islander people who now reside within this Shire.

01/2024/1 LEAVE OF ABSENCE

RESOLVED on MOTION by Councillor WOODCOCK; Seconded by Councillor RUMMERY; That Council grant the leave of absences for Councillor CURREY, SEATON and WALFORD for Tuesday 6th February 2024 Extraordinary Business Meeting.

The MOTION upon being PUT to the MEETING was declared CARRIED.

DECLARATION OF PECUNIARY/NON-PECUNIARY INTERESTS

There were nil declarations.

1/2024/2 DRAFT ANNUAL FINANCIAL STATEMENTS 2022/2023

RESOLVED on MOTION by Councillor KEIR; Seconded by Councillor RUMMERY that:

1. The Draft Annual Financial Reports for 2022/2023 be referred to Council's Auditor;
2. The Mayor, Deputy Mayor, General Manager and Director Corporate Services 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;
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.

There being no further business the meeting concluded at 9.43am

Minutes to be confirmed at the next meeting of Council

7.3 MINUTES OF EXTRAORDINARY MEETING HELD 19TH FEBRUARY 2024



**MINUTES COUNCIL
EXTRAORDINARY
MEETING**

Monday 19th February 2024

Megan Dixon
GENERAL MANAGER

The Mayor declared the meeting open at 9.10am

PRESENT

Mayor Jasen Ramien
 Deputy Mayor Colin Hundy
 Councillor Ian Woodcock
 Councillor Alf Seaton
 Councillor Greg Rummery (via Teams Link)
 Councillor Jane Keir (via Teams Link)
 Councillor Michael Cooke (via Teams Link)
 Megan Dixon (General Manager)
 Kimley Talbert (Director Environmental Services)
 Hafiz Malik (Director Corporate Services)
 Kazi Mahmud (Director Engineering/Technical Services)
 Sharon Smith (Minute Secretary)

ABSENT

Councillor Daniel Walford
 Councillor Sue Currey

The Mayor acknowledged the traditional owners of the lands within the Walgett Shire and acknowledged the Aboriginal and Torres Strait Islander people who now reside within this Shire.

02/2024/03 LEAVE OF ABSENCE AND ACCEPTANCE OF COUNCILLOR ATTENDANCE VIA VIDEO LINK

RESOLVED on MOTION by Councillor SEATON; Seconded by Councillor WOODCOCK; That Council grant the leave of absences for Councillor CURREY and WALFORD for Tuesday 19th February 2024 Extraordinary Business Meeting and that Council grant approval for Councillor Rummery, Keir & Cooke to join the Extraordinary Business Meeting on Tuesday 19th February 2024 via Video Link.

DECLARATION OF PECUNIARY/NON-PECUNIARY INTERESTS

There were nil declarations.

02/2024/04 REPORT TO PROVIDE UPDATE ON ADDITIONAL WORKS REQUIRED FOR COLLARENEBRI BOREBATH PROJECT

RESOLVED on MOTION by Councillor Woodcock; Seconded by Councillor COOKE that: That Council accepts the proposed variation of \$149,291.09 (ex.GST) to allow for the demolition of sheds, site remediation, additional fencing and turfing of reclaimed space; and accepts hydraulic design with recirculation for construction.

The MOTION upon being PUT to the MEETING was declared CARRIED.

There being no further business the meeting concluded at 9.43am
Minutes to be confirmed at the next meeting of Council

8. REPORTS OF COMMITTEE/DELEGATES

8.1 LOCAL AREA TRAFFIC COMMITTEE MEETING 7TH FEBRUARY 2024

Recommendation:

That the minutes from the Local Area Traffic Committee held 7th February 2024 having been circulated, be taken as read and confirmed as a true and accurate record of the proceedings on these meetings.

Moved:

Seconded:

MINUTES

LOCAL AREA TRAFFIC COMMITTEE MEETING



Wednesday 7th of February 2024
Council Chambers | Walgett Shire Council
77 Fox Street, Walgett

The meeting commenced at 10:00am

MINUTES

ATTENDEES

Kazi Mahmud	Director of Engineering	Walgett Shire Council
Tim McLoughlin	Roads Manager	Walgett Shire Council
Colin Hundy	Deputy Mayor	Walgett Shire Council
Kevin Day	Inspector	NSW Police Force s
David Vant	Road Safety & Traffic	Transport NSW
Kayla Cohen	Community & Safety Planner	Transport NSW
Sherisse Fensom	Secretary	Walgett Shire Council

1. APOLOGIES

Apologies		
Megan Dixon	General Manager	Walgett Shire Council
Jane Keir	Councillor	Walgett Shire Council
Greg Rummery	Councillor	Walgett Shire Council
Jasen Ramien	Mayor	Walgett Shire Council
David Sullivan	Elected Member	Lightning Ridge Opal Reserve
<p>Recommendation: That the apologies received be accepted.</p> <p>Moved: Kayla Cohen Seconded: Colin Hundy</p>		

2. DECLARATION OF PECUNIARY/NON-PECUNIARY INTERESTS

There were no declarations at this meeting.

3. CONFIRMATION OF MINUTES FOR ORDINARY MEETING

Minutes of Local Area Traffic Committee Meeting – 6th December 2024
<p>Recommendation: That the minutes of the Local Area Traffic Committee meeting held 6th December 2023s, have been circulated and be confirmed as a true and accurate record of that meeting.</p> <p>Moved: Kayla Cohen Seconded: Colin Hundy</p>

4. MATTERS ARISING FROM PREVIOUS MEETING

[See Attachment – Action List](#)

5. AGENDA ITEMS

5.1 Lightning Ridge Easter Festival Closures

The closure request was not submitted in time for discussion during this meeting.

The Deputy Mayor raised concerns about closures affecting small businesses in the area. The community, including businesses, are not adequately consulted and market stalls were not strategically placed.

RECOMMENDATION:
1. Circulate via email the request for closure once received
ACTION:
1. Consider the request for road closure, once received.

6. GENERAL BUSINESS

6.1 Lorne Road Weight Limits

RECOMMENDATION:
1. Closure of Lorne Road
ACTION:
1. Director of Engineering to discuss with the General Manager. 2. Council Engineers to meet onsite to discuss where to close 3. Council to seek funding solutions to minimise closure

7. CONFIRMATION OF NEXT MEETING

3rd April 2024 at 10.00 am.

8. CLOSE OF MEETING : 11.20 am

9. MAYORAL MINUTE

9.1 INDEPENDENT REVIEW OF THE SMALL SCALE OPAL MINING TITLES STATUTORY FRAMEWORK – EXTENSION OF TIME SUBMISSION

RESPONSIBLE OFFICER:	Mayor
REPORT AUTHOR:	General Manager
FILE NUMBER:	24/9/0036
PURPOSE:	For Decision

RECOMMENDATION

That Council note the information contained in this report.

That Council allocate \$12,000 ex GST from general rates and revenue to produce a report on the economic impact of opal mining on the Walgett Shire.

That the General Manager prepare a submission on behalf of Council into the Review of Small-Scale Opal Mining Titles Statutory Framework

Moved:

Seconded:

Summary:

In June 2023, the NSW Government announced an independent review into the statutory framework for the administration and regulation of affected small-scale titles for opal mining.

Following an open competitive tender process, former Land and Environment Court Judge and NSW Attorney General, Terry Sheahan AO, was selected to lead the independent review.

The scope of the review is to analyse the statutory framework, including issues such as land access and landholder compensation, and listen to stakeholder views to make informed recommendations to the Government.

The independent review will also consider information provided by the Hon. Stephen Lawrence MLC, who was appointed Government Envoy to work with opal mining stakeholders on the issue of invalid mineral claims.

Stakeholder consultation commenced in late 2023. An issues paper (attached) has been released and community and stakeholders have been invited to make comment, with the deadline for submissions now 30 March 2024.

As Mayor I have attended several meeting with the community in Lightning Ridge, who have grave concerns with matters being raised in the review and the impact that changes may have on opal mining in Lightning Ridge. I believe that it is important for the Walgett Shire Council to make a submission to the review that demonstrates the importance of opal mining to the Shire and to Lightning Ridge.

In this regard, the General Manager has indicated that a report that quantifies the economic impact of mining, that includes community and tourism impacts would support the submission. A quotation has been provided from Lawrence Consulting, who is able to support the development of the study, within the required time frame.

Attachments

1. [independent-review-small-scale-titles-issues-paper.pdf](#) (Link)
2. Letter from Norton Rose Fullbright - Independent Review of the Small-Scale Opal Mining Titles Statutory Framework – extension of time for submissions
3. Proposal from Lawrence Consulting



20 February, 2024

Ms Megan Dixon
General Manager
Walgett Shire Council
77 Fox Street
Walgett NSW 2832

Dear Megan

Following your recent enquiry and our subsequent discussion, I am pleased to present a quotation to undertake an Economic Impact Study of Opal Mining on Walgett Shire on behalf of Walgett Shire Council. Lawrence Consulting understands the economic assessment will support a submission by Council into an independent review of small scale titles currently being conducted by the New South Wales government. The economic impact analysis will determine the direct, indirect and consumption-induced impacts of the opal mining industry in Walgett Shire, including the following:

- Direct and indirect output of opal mining in Walgett Shire;
- Local expenditure associated with persons employed and engaged in the opal mining industry;
- Impact of tourism and visitor spending associated with the opal mining industry; and
- Impact on local government revenues associated with mining leasehold properties.

The contribution made by the opal mining industry to the economy of the Walgett local government area (LGA), Far West region and New South Wales will be assessed using the **LocalImpact** economic model based on input-output tables developed specifically for each region. The stimulus from economic activity can be traced through the economy in several different ways:

- The first-round effect, or direct effect, are those from the activities expenditure in purchasing goods from other industries;
- The second-round effects are those from the supplying industries increasing their purchases to meet the additional demand. The second and subsequent rounds of purchasing are termed the indirect effects; and
- The consumption-induced effects, which recognise that the level of local production is important in determining regional levels of household consumption, that this in turn will be spent locally to a large extent and therefore influence the level of regional consumption and the level of output of each sector.

These effects can be represented by multipliers. There are commonly four different types of multipliers:

- Output;
- Income;
- Employment; and
- Value added.

PO Box 2567, Toowoomba Q 4350
P +61 7 4613 0206 M 0437 180 566
E reuben@lawrenceconsulting.com.au W www.lawrenceconsulting.com.au



Lawrence Consulting submits an hourly consulting rate of \$225 (excluding GST) – or an equivalent daily consulting rate of \$1,750 (excluding GST) – plus incidental costs if applicable, to complete the Economic Impact Study of Opal Mining on Walgett Shire on behalf of Walgett Shire Council. Based on our previous experience in undertaking consultancies of a similar nature, Lawrence Consulting estimates between 45-50 consulting hours will be required to complete the tasks as outlined above. It is anticipated the consultancy will be completed within 2-3 weeks of commencement, subject to provision of input data from Council where required.

To commence the project, I require a written acceptance of this quotation. If you have any queries regarding this quotation, or require further information on any element of the proposed approach, please do not hesitate to contact me on 07 4613 0206 or 0437 180 566.

Yours faithfully

A handwritten signature in black ink that reads 'Reuben Lawrence'.

Reuben Lawrence
Principal

Email: reuben@lawrenceconsulting.com.au

9.2 NSW BUDGET SUBMISSION

RESPONSIBLE OFFICER: Mayor
REPORT AUTHOR: General Manager
FILE NUMBER: 24/9/0037
PURPOSE: For decision

RECOMMENDATION

1. That Council note the information contained in this report.
2. That Council endorse the priorities being put forward for funding to a 2024/25 NSW Government Budget Submission being prepared by the Member for Barwon
3. That the General Manager prepare a submission on behalf of Council reflecting Council priorities.

Moved:

Seconded:

Summary:

Council has been invited to provide input to Roy Butler MP with regard to seeking priority funding from the NSW Government for the 2024/25 NSW Government Budget.

I am seeking confirmation from the Council that the following projects be submitted for funding support from the NSW Government

1. \$2.6 million for Lightning Ridge Water Security (No 1 Bore line replacement).
2. \$250,000 for planning and design of replacement facilities Walgett pool.
3. \$100,000 for the development of a Walgett Shire housing strategy.
4. \$1.5 million for the planning and implementation of sealing of the 3-Mile Road to the Australian Opal Centre.
5. \$150,000 for the development of a business case for sealing of the road between Collarenebri and Lightning Ridge.
6. \$150,000 for the development of a tourism and economic development strategy for Walgett Shire.

Attachments

Letter from Roy Butler MP, Member for Barwon 20 February 2024.



20 February 2024

Jason Ramien
 Mayor
 Walgett Shire Council
 PO Box 31
 Walgett NSW 2833

RE: 2024/2025 NSW Budget Submission

Dear Jason,

In the first week of NSW Parliament for 2024, I was invited to a meeting with the offices of the Premier, Treasurer and Minister for Local Government. During this meeting, it was communicated to me about the opportunity I will have, as an Independent Member for Barwon, to submit proposals and requests for consideration for funding within the upcoming 24/25 NSW Budget. This will be submitted as one large proposal prior to the end of March 2024.

I know you may already be aware that I have not wavered in my position that Barwon electorate specific funding needs to remain at the same overall amount or higher and once I again, I reiterated this. In addition, I have, and will continue to, make representations regarding funding for mining affected communities.

Barwon is large and diverse in its needs, and with 13 local government areas, a priority of mine is to ensure transparency and equity in funding across the entire electorate and that our communities receive what they need to continue to grow and prosper.

To accomplish this, I am requesting that each council in Barwon provide details of their funding priorities for the coming financial year budget to my offices. The proposal will need to include only basic details, with further detail able to be provided should it be requested from NSW Treasury. I have included a table template as an attachment that I ask that you use to enable my team to collate a large amount of information in the most efficient way possible. It also ensures information from each local government area is consistent and prioritised based on your need.

I know the uniqueness of Barwon, but Sydney based decision makers do not. I'm also providing within the attachment, a section to be completed that allows each council to provide some key other information I believe should be provided briefly to anyone considering what should and shouldn't be funded. For example, I know that some councils provide a broad range of services including childcare and aged care, I know that with such a low rates base it is near impossible to keep up with basic infrastructure repair and maintenance, and I also know, some councils fund specialist positions like sonographers or child psychologists to ensure their communities don't miss out and I want to ensure this is adequately captured.

I ask that the completed templates are provided back to SEO Mel Manchee, via email, mel.manchee@parliament.nsw.gov.au no later than **COB on Friday 8th March**. This will allow my staff to collate the information, format, provide final checks and submit to NSW Treasury well within their hard timeline.

Should you have any questions or need clarification, please don't hesitate to contact [insert SEO]. I am pleased to have this opportunity to ensure your funding priorities are put in front of the right people for consideration.

Sincerely,

Roy Butler MP
Independent Member for Barwon



 barwon@parliament.nsw.gov.au
 www.roybutler.com.au

BROKEN HILL OFFICE
P 08 8087 3315
1/142 ARGENT STREET
BROKEN HILL NSW 2880

COBAR OFFICE
P 02 6836 3722
11 BARTON STREET
COBAR NSW 2835

NARRABRI OFFICE
P 02 6792 1422
1/60 MAITLAND STREET
NARRABRI NSW 2390

10. MAYORAL MONTHLY REPORT

RESPONSIBLE OFFICER:	Mayor
REPORT AUTHOR:	Executive Assistant
FILE NUMBER:	24/9/0028
PURPOSE:	For Noting

RECOMMENDATION

That the mayoral report for January/February 2024 be received and noted.

Moved:

Seconded:

Summary:

To advise of the Mayor's activities since the 12th of December 2023 meeting.

13th December – Meeting with the Regional Education Commissioner – Fiona Nash
Joined a tour of Collarenebri with Fiona Nash, visiting the medical practice/training hub, tennis courts and discussed the Youth Hub concept. We also explored the Liberty Theatre, the community hall and site of the future artesian baths.

13th January – Meeting with Minister for Regional Transport and Roads – The Hon Jenny Aitchison, MP. The General Manager and I met with the Minister in Narromine to discuss various road issues impacting the Walgett Shire.

7th February – Meeting with Minister for Water – The Hon Rose Jackson, MLC
The General Manager and I had meetings with Roy Butler and John Clements, and later with the Minister to address water-related issues in the Walgett Shire.

In addition to this meeting, we also met with the Minister for Regional Transport and Roads staff to discuss funding for roads generally and the Come By Chance Road, and we were introduced to the Minister for Local Government the Hon Ron Hoenig, MP.

9th February – MERC Strategic Planning Forum
I attended the MERC Strategic Planning Forum, where Councils were given the opportunity to shape the direction of MERC.

16th February – Meeting Dugald Saunders, MP and Leader of the NSW Nationals.
The General Manager and I met with Mr Saunders to discuss a number of issues affecting the Walgett Shire.

26th January - Australia Day 2024

Hosted the 2024 Australia Day Award Ceremony in Gray Park, where we celebrated our community's dedicated individuals. Congratulations to all nominees and winners for their valuable contributions.

Award	Recipient
Citizen of the Year	Nicole Tuohey
Senior Citizen of the Year	George Siegwalt
Sportsperson of the Year	Barry McKenzie
Young Sportsperson	Hannah Weber
Volunteer of the Year	Rebecca Trindall
Community Event of the Year	Colly Cod Classic and Carp Muster Weekend
Achievement Award	Josh Trudgett

I have also spent time with the Lightning Ridge community to gain insight into the challenges they are facing following the flash flooding incident earlier this month and attend community meetings to listen to community concerns regarding the Independent Review of the Statutory Framework for Small-Scale Titles in New South Wales.

11. CORRESPONDENCE AND PETITIONS

NIL

12. REPORTS FROM OFFICERS

12.1 GENERAL MANAGER

12.1.1 MATTERS IN PROGRESS

RESPONSIBLE OFFICER:	General Manager
REPORT AUTHOR:	Executive Assistant
FILE NUMBER:	12/14-03
PURPOSE:	For Noting

RECOMMENDATION

That the Matters in Progress up until January 2024 be received and noted.

Moved:

Seconded:

Summary:

This schedule summarises the current position of action taken in respect of matters considered at the previous meetings of Council.

Background:

Attached is the Matters in Progress previously titled the Resolution Register which summaries progress 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 becomes 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:

Matters in Progress/ Resolution Register.

Governance Issues:

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

Environmental Issues:

Nil.

Stakeholders:

Council

Conclusion:

That the Matters in Progress 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.

Link to Attachment:

12.1.2 CIRCULARS RECEIVED FROM NSW OFFICE OF LOCAL GOVERNMENT

RESPONSIBLE OFFICER:	General Manager
REPORT AUTHOR:	Executive Assistant
FILE NUMBER:	12/14-03
PURPOSE:	For Information

RECOMMENDATION

That the information contained in the following Department circular 23-15 through to 23-02 from the Local Government Division Department of Premier and Cabinet, be received and noted.

Moved:

Seconded:

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:

- 23-15 Regulation amendments prescribing requirements for audit risk and improvement committees, internal audit and risk management
- 23-16 Regulation amendments to protect the employment of waste workers
- 23-17 Update on councils' obligations under the Modern Slavery Act 2018 (NSW)
- 24-01 Constitutional referendums and council polls
- 24-02 Minor Works contract form for infrastructure delivery for councils

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.

Attachments:

Circulars



Circular Details	23-15 / 4 December 2023 / A860774
Previous Circular	22-41 <i>Update on the Guidelines for Risk Management and Internal Audit for Local Government in NSW</i>
Who should read this	General Managers / Councillors / Council governance staff / Audit, risk and improvement committee members and internal audit personnel
Contact	Council Governance Team / (02) 4428 4100 / olg@olg.nsw.gov.au
Action required	Council to Implement

Regulation amendments prescribing requirements for audit risk and improvement committees, internal audit and risk management

What's new or changing

- As foreshadowed in circular 22-41, the Local Government (General) Regulation 2022 (the Regulation) has been amended to give statutory force to key elements of the Office of Local Government's (OLG) Guidelines for Risk Management and Internal Audit for Local Government in NSW (the Guidelines).
- The Amendment Regulation, which is attached to this circular, commences on 1 July 2024 to give councils and joint organisations time to implement the new requirements.
- The Guidelines have been updated to reflect the Regulation amendments as drafted.

What this will mean for your council

- The requirements prescribed under the Regulation are largely the same as those set out in the draft Guidelines issued in December last year.
- Some minor modifications have been made for legal reasons, but these largely give effect to the same outcomes set out in the draft Guidelines issued in December last year.
- An overview of the amendments and any modifications are set out in the attachment to this circular.

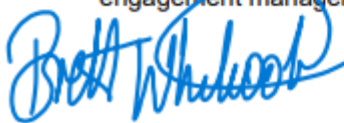
Key points

- The amendments do not take effect until 1 July 2024 to allow councils and joint organisations time to implement them.
- Councils and joint organisations will be required to report on their compliance with the Regulation in their annual reports from 2024/25.
- Councils and joint organisations are exempt from compliance with the Regulation in certain circumstances subject to their reporting their non-compliance, the reasons for their non-compliance and the alternative steps taken to achieve the same outcomes prescribed by the Regulation to OLG and in their annual reports.

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 W www.olg.nsw.gov.au ABN 20 770 707 468

Where to go for further information

- The Amendment Regulation is attached to this circular.
- An overview of the Amendment Regulation is set out in the attachment to this circular.
- An updated version of the Guidelines has been published on OLG's website [here](#).
- The model terms of reference for audit risk and improvement committees, an example risk management policy and the model internal audit charter are available in Word format for use by councils and joint organisations on OLG's website [here](#).
- Templates for the attestation and non-compliance statements required to be published in councils' and joint organisations' annual reports from 2024/25 is available in Word format for use by councils and joint organisations on OLG's website [here](#).
- For further information please contact the Council Governance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.
- If councils or joint organisations require assistance in establishing an ARIC or shared arrangements for an ARIC, they should contact their council engagement manager at OLG.



1 December 2023

Brett Whitworth
Deputy Secretary, 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 W www.olg.nsw.gov.au ABN 20 770 707 468

ATTACHMENT

Membership of audit risk and improvement committees (ARICs)

- The Amendment Regulation prescribes the membership of councils' and joint organisations' ARICs.
- As foreshadowed in circular 22-21 and the draft Guidelines for Risk Management and Internal Audit for Local Government in NSW (the Guidelines), ARICs must comprise of an independent chairperson and at least two independent members.
- Councils and joint organisations may appoint one councillor (who must not be the Mayor) as a non-voting member of the ARIC.
- Members of ARICs must be appointed by resolution.
- The Amendment Regulation prescribes the same eligibility criteria and independence requirements for chairpersons and independent members of ARICs previously set out in circular 22-21 and the draft Guidelines.
- As previously foreshadowed, council staff may serve as independent members of another council's or joint organisation's ARIC if they satisfy the eligibility criteria and independence requirements but not as chairperson.
- Council staff cannot be appointed as an independent member of another council's or joint organisation's ARIC where the ARIC is shared by the council or joint organisation that employs that person. However, staff may now be appointed as an independent member of another councils' or joint organisation's ARIC where that council or joint organisation shares an internal audit function with the council or joint organisation that employs that person (NB, this softens a restriction previously foreshadowed in circular 22-21 and the draft Guidelines).
- ARIC chairpersons and members are to be appointed for a term of no more than 4 years. They may be re-appointed if eligible but must not be a member of the ARIC for more than 8 years in any 10-year period.
- Councils and joint organisations may remove chairpersons and independent members of the ARIC at any time but must notify OLG within 28 days of doing so.
- Councils may pay remuneration to the chairperson and independent members of the ARIC.

Operations of ARICs

- ARICs must meet at least quarterly.
- The chairperson may decide the procedure for calling meetings and their conduct (NB, guidance on ARIC meetings is provided in the Guidelines).
- Councils and joint organisations must adopt terms of reference for the ARIC by resolution. In doing so, they must consider the model terms of reference approved by OLG (NB, these are provided in the Guidelines and are available on OLG's website in Word format for use by councils and joint organisations).
- ARICs must exercise their functions in accordance with the adopted terms of reference.

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 W www.olg.nsw.gov.au ABN 20 770 707 468

- General managers of councils and executive officers of joint organisations must ensure that the ARIC has the resources necessary to properly exercise its functions and is readily able to access the staff, information and records the ARIC considers necessary to exercise those functions.
- ARICs are to keep under the review the council's or joint organisations internal audit functions.

Internal audit

- Councils and joint organisations must adopt an internal audit charter by resolution. In doing so, they must consider the model internal audit charter approved by OLG (NB, this is provided in the Guidelines and is available on OLG's website in Word format for use by councils and joint organisations).
- Councils and joint organisations must exercise their internal audit functions in accordance with the adopted internal audit charter.
- General managers of councils and executive officers of joint organisations must appoint a member of staff (who may be an existing staff member) to be the internal audit coordinator for the council or joint organisation (NB, this role was previously referred to as the "head of the internal audit function" in the draft Guidelines).
- Councils and joint organisations may enter into an arrangement with another council or joint organisation to share that council's or joint organisation's internal audit coordinator. Where a council or joint organisation enters into such an arrangement with another council or joint organisation, they are not required to appoint their own internal audit coordinator.
- The internal audit coordinator must report to and comply with directions of the ARIC in relation to the exercise of internal audit functions. The internal audit coordinator is not to be subject to direction by the council or a member of staff of the council in relation to the exercise of internal audit functions.
- The general manager of a council or executive officer of a joint organisation must consult with the chairperson of the ARIC about a proposed decision affecting the employment of the internal audit coordinator.
- General managers of councils and executive officers of joint organisations must ensure the internal audit coordinator has the resources necessary to properly exercise their functions and is readily able to access the staff, information, and records necessary to exercise those functions and is able to access the ARIC.
- The ARIC must oversee internal audit activities.
- The ARIC must review the performance and efficacy of internal audit activities over each period of 4 years and prepare a report for the governing body which may include recommendations.

Risk management

- Councils and joint organisations must adopt and implement a system for managing risk (NB, councils and joint organisations are required under section 23A of the *Local Government Act 1993*, to consider OLG's Guidelines when doing so).

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 W www.olg.nsw.gov.au ABN 20 770 707 468

- The ARIC must monitor and review the implementation of the system for managing risk and report to the governing body on its operation and efficacy.

Attestation

- From 2024/25, councils and joint organisations must publish in their annual reports, an attestation signed by the general manager or the executive officer in the case of a joint organisation, that specifies whether the council or joint organisation has complied with the Regulation (NB, a template for the attestation is provided in the Guidelines and is available on OLG's website in Word format for use by councils and joint organisations).
- In preparing an attestation, the general manager or executive officer must give the chairperson of the ARIC an opportunity to comment on it. If the chairperson of the ARIC is not satisfied with the attestation, they may prepare an alternative attestation and provide it to OLG.

Exemption

- A council or joint organisation is not required to comply with a requirement under the Regulation where:
 - the council or joint organisation cannot comply with the requirement because of temporary extenuating circumstances or resourcing constraints that will significantly impact the council's or joint organisation's budget, **and**
 - the council or joint organisation cannot enter into an agreement with another council or joint organisation to share the performance of activities necessary to satisfy the requirement, **and**
 - current or proposed alternative arrangements will achieve outcomes equivalent to the requirement under the Regulation, **and**
 - the council or joint organisation notifies OLG of the failure to comply with the Regulation within 28 days, **and**
 - the council or joint organisation publishes a statement in its annual report about the non-compliance that includes details of the above matters (NB, a template for this statement is provided in the Guidelines and is available on OLG's website in Word format for use by councils and joint organisations).
- Councils and joint organisations are no longer required to seek the prior approval of OLG to be exempt as previously foreshadowed in the draft Guidelines. They will automatically be exempt if they satisfy all the above requirements.

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 W www.olg.nsw.gov.au ABN 20 770 707 468

Circular Details	23-16 / 15 December 2023 / A885509
Previous Circular	N/A
Who should read this	Councillors / General Managers / Council procurement staff
Contact	Council Governance Team / (02) 4428 4100 / olg@olg.nsw.gov.au
Action required	Council to Implement

Regulation amendments to protect the employment of waste workers.

What's new or changing

- Amendments have been made to the Local Government (General) Regulation 2021 (the Regulation) to strengthen employment protections where councils tender for domestic or other waste management services.

What this will mean for your council

- Section 173 of the Regulation has been amended to require tender submissions for the performance of domestic or other waste management services to contain an undertaking that the tenderer will ensure that current employees (whether of the council or the current contractor) will be offered employment to continue to provide the service, and for anyone who accepts the offer of employment:
 - the employment will be on at least the same terms as the individual's current employment, and
 - the employment will be taken to be a continuation of the individual's current employment with no loss of entitlements, and
 - the tenderer will pay an annual increase in the individual's base rate pay in accordance with the applicable industrial instrument or the Local Government (State) Award if there is no applicable instrument.
- Section 177 of the Regulation has been amended to provide that tender submissions for the performance of domestic or other waste management services cannot be considered by a council unless they contain the required undertaking.
- To facilitate the giving of undertakings, section 170 of the Regulation has been amended to require tender proposal documents issued by councils in relation to contracts for the performance of domestic or other waste management services to provide details of the employees who currently provide the service and the terms on which they are employed. This information must be provided in a way that protects the privacy of individual workers. This information is not required to be included if the council cannot reasonably obtain access to the information.
- Section 178(1A) of the Regulation has been amended to provide that a council must not accept a tender submission for a proposed contract unless the council has consulted with each relevant union and the unions are satisfied that appropriate industrial arrangements will be in place to ensure compliance with the undertaking during the life of the contract.
- Section 178 of the General Regulation currently provides that councils must ensure that every contract they enter into as a result of a tender submission

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
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they accept, is with the successful tenderer and in accordance with the tender. This means that the terms and conditions of any contract for the performance of domestic or other waste management services must reflect the undertaking given by the tenderer.

- Section 173(6) of the Regulation further provides that an individual, to which an undertaking relates, may take action to enforce the undertaking as if the undertaking were a contract between the tenderer and the individual.

Key points

- The Regulation defines “domestic or other waste management services” as “the storage, treatment, processing, collecting, removal, disposal, destruction, sorting or recycling of domestic waste and other waste.”
- The new requirements also apply in circumstances where the services which are the subject of a tender are currently provided in-house by council employees and the council is proposing to outsource the provision of the services.

Where to go for further information

- For further information please contact the Council Governance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.

Brett Whitworth
Deputy Secretary, 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 W www.olg.nsw.gov.au ABN 20 770 707 468



Circular Details	23-17 / 21 December 2023 / A884602
Previous Circular	22-09 Councils' obligations under the Modern Slavery Act 2018
Who should read this	Councillors / General Managers / Council governance and procurement staff members
Contact	Office of the Anti-slavery Commissioner/ GRS@dci.nsw.gov.au
Action required	Council to Implement

Update on councils' obligations under the *Modern Slavery Act 2018* (NSW)

What's new or changing

- The *Modern Slavery Act 2018* (NSW) (the MSA) created new obligations for councils under the *Local Government Act 1993* (the LGA) relating to modern slavery.
- Local councils are required to take reasonable steps to ensure that the goods and services they procure are not the product of modern slavery, and to report on those steps.
- The sector and other covered entities identified there was limited formal, authoritative guidance available to manage their modern slavery risk management efforts.
- As a result, the NSW Anti-slavery Commissioner (the Commissioner) has issued guidance on reasonable steps to manage modern slavery risks in operations and supply chains (the Guidance on Reasonable Steps) which is available [here](#).
- The Guidance on Reasonable Steps will become operative on **1 January 2024**.

What this will mean for your council

- Commencing from the 2022/23 financial year, each council is required to publish in their annual reports:
 - a statement of the action taken by the council in relation to any issue raised by the Commissioner during the year concerning the operations of the council and identified by the Commissioner as being a significant issue, and
 - a statement of steps taken to ensure that goods and services procured by and for the council during the year were not the product of modern slavery within the meaning of the MSA.
- The Commissioner acknowledges that annual reporting occurring prior to 31 December 2023 will deal with activity undertaken before the Guidance on Reasonable Steps was operative.
- The Commissioner encourages councils to use the Guidance on Reasonable Steps, including the annual reporting template offered in Appendix K, to guide their reporting.
- The Commissioner however will be cognisant of the fact that the Guidance on Reasonable Steps was not yet available or operative.

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 W www.olg.nsw.gov.au ABN 20 770 707 468

- For annual reporting between 1 January 2024 and 31 December 2024, the Guidance on Reasonable Steps will be in effect and councils are expected to report in accordance with it.
- **From 1 January 2024**, councils should report annually in two places:
 - by including relevant information in their agency's formal annual report; and
 - using the online GRS Annual Reporting Form.
- In addition to annual reporting, the Guidance on Reasonable Steps provides for transactional reporting of certain procurements.
- **From 1 July 2024**, councils must file an online report with the Office of the Anti-slavery Commissioner within 45 days of the entry into force of any contract:
 - arising from a 'heightened' modern slavery due diligence procurement process; and
 - with a value of AUD \$150,000 (including GST) or more.
- The Commissioner will monitor compliance by the local government sector and will keep a register that may identify any entity failing to comply, as well as any other information the Commissioner thinks appropriate.

Key points

- The Guidance on Reasonable Steps is the central plank of the Shared Implementation Framework developed by the Commissioner in consultation with the NSW Procurement Board and covered entities.
- The Guidance on Reasonable Steps provides detailed guidance for councils on managing modern slavery risks in their operations and supply chains.
- It is anticipated that the Guidance on Reasonable Steps will be integrated with existing procurement policy frameworks through incorporation by reference into the Office of Local Government's Procurement Guidelines (the Procurement Guidelines).
- The Procurement Guidelines will be issued under section 23A of the LGA which requires councils to consider them when exercising their functions.

Where to go for further information

- The Guidance on Reasonable Steps is available [here](#).
- Additional resources breaking down key concepts and processes in the Guidance on Reasonable Steps are available [here](#).
- Information on modern slavery is available [here](#).
- The MSA is available [here](#).
- For more information on these requirements contact the Office of the Anti-slavery Commissioner by email at GRS@dcj.nsw.gov.au.

Brett Whitworth
Deputy Secretary, 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 W www.olg.nsw.gov.au ABN 20 770 707 468

Circular Details	24-01 / 18 January 2024 / A857671
Previous Circular	20-39 Constitutional referendums and council polls
Who should read this	Councillors / General Managers / Council Governance Staff
Contact	Council Governance Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Information

Constitutional referendums and council polls

What's new or changing

- Councils are reminded to inform the NSW Electoral Commissioner (NSWEC) if they have resolved for the NSWEC to administer a constitutional referendum or poll in conjunction with the September 2024 local government elections.

What this will mean for your council

- Under section 16 of the *Local Government Act 1993*, a council must obtain the approval of its electors at a constitutional referendum to do each of the following:
 - divide a council area into wards or abolish wards
 - change the number of councillors
 - change the method of electing the mayor
 - change the method of election for councillors where the council's area is divided into wards.

Key points

- Councils should notify the NSWEC as soon as possible if they wish to enter into an arrangement for the administration of a referendum or poll.
- If a council resolves that a constitutional referendum or poll is to be conducted, it must comply with the notification requirements contained in Schedule 10 of the *Local Government (General) Regulation 2021*.
- Any changes approved at a constitutional referendum held in September 2024 will come into effect at the September 2028 local government elections.

Where to go for further information

- For councils considering, or that have resolved to have the NSWEC conduct a constitutional referendum or poll, contact Steve Robb at the NSW Electoral Commission on telephone 9290 5431 or Steve.Robb@elections.nsw.gov.au.
- See attachment to this Circular for further information.



Douglas Walther
A/Deputy Secretary, 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 W www.olg.nsw.gov.au ABN 20 770 707 468

Attachment

Conducting a constitutional referendum

If a council resolves to conduct a constitutional referendum it must comply with the notification requirements contained in Schedule 10 of the *Local Government (General) Regulation 2021*.

This includes notifying the Electoral Commissioner within 21 days of council resolving to conduct a constitutional referendum. Where the constitutional referendum is to be held in conjunction with the 14 September 2024 ordinary election of councillors, the council must notify the Electoral Commissioner of the question to be asked at the constitutional referendum by no later than 12 noon on the closing date for that election on 5 August 2024.

It is critical that the referendum question or questions are carefully worded to ensure workable outcomes. Questions should be clear, concise, and be capable of being responded to with a 'yes' or 'no' answer.

If more than one question is asked on a subject, then extra care needs to be taken to ensure that the possible combinations of 'yes' and 'no' answers do not produce a conflicting decision.

Councils are responsible for the preparation and publicity of the required explanatory material. Councils must ensure this material presents a balanced case both for and against any proposition to be put to a constitutional referendum.

Dividing an area into wards or abolishing all wards

Under section 210(5) of the *Local Government Act 1993* (the Act), a council must not divide its area into wards or abolish all wards unless it has obtained approval to do so at a constitutional referendum.

After receiving elector approval at a constitutional referendum, and before dividing its area into wards, a council must undertake the consultation required by section 210A of the Act. This includes consulting with the Electoral Commissioner and the Australian Statistician together with public exhibition of the proposal. (Compliance with section 210A is not required where approval has been given by electors at a referendum to abolish wards.)

Changes to wards approved at a constitutional referendum conducted in September 2024 come into effect for the electoral term commencing in September 2028.

Changing the number of councillors

Section 224(2) of the Act requires that not less than 12 months before an ordinary election the council must determine the number of its councillors for the following term.

If a council has determined to change the number of its councillors, it must obtain approval at a constitutional referendum. Approval at a constitutional referendum conducted in September 2024 changes the number of councillors for the electoral term starting September 2028.

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If a reduction in councillor numbers is approved at a referendum and has not yet taken effect, a casual vacancy in the office of a councillor (but not a mayor elected by the councillors), must not be filled if the number of councillors will remain at or above the number approved at the referendum (section 294B of the Act).

Changing the method of electing the mayor

The Act provides two methods for electing a mayor — by popular vote at an ordinary election or by vote among the councillors. Section 228 of the Act permits a council to change the way the mayor is elected by seeking approval of its electors at a constitutional referendum.

Councils with wards are reminded that sections 280(2) and 281(2) of the Act require the same number of councillors to be elected for each ward. A popularly elected mayor is not included in this count. In such circumstances, councils should be mindful that changing the method of electing the mayor could result in an increase or decrease in the number of councillors to be elected.

If following the September 2024 election, electors approve a change to the way the mayor is elected, that change will come into effect for the electoral term commencing in September 2028.

Changing the method of electing councillors

The councillors for an area divided into wards are to be elected in accordance with either method of election prescribed under section 280 or 281 of the Act.

The method of election under section 280 (method 1) is to apply unless a decision made at a constitutional referendum is in force, which requires the method of election to be conducted under section 281 (method 2).

The decision made at a constitutional referendum to alter the method of election to method 2 must also specify the number of councillors to be elected by the ward electorate and the number of councillors to be elected by the area electorate.

If electors at a constitutional referendum conducted in conjunction with the 2024 ordinary elections approve a change to the method for electing councillors, this will come into effect for the electoral term commencing in September 2028.

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Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

Circular Details	24-2 / 5 February 2024 / A885320
Who should read this	General Managers / Council Asset Management, Infrastructure, Project Management and Procurement staff
Contact	NSW Public Works/ David Edwards /david.edwards@pwa.nsw.gov.au
Action required	Information

Minor Works contract form for infrastructure delivery for councils

What's new or changing

- NSW Public Works has developed the Minor Works 21 Local Government (MW21-LG) Contract that is a plain English, cooperative, and collaborative form of contract, to support the NSW local government sector in delivering infrastructure.

What this will mean for your council

- The MW21-LG Contract form will be available to all councils from 5 February 2024.
- The form and supporting documents are available [here](#).

Key points

- The MW21-LG Contract is tailored for the NSW local government sector to document and manage construction contracts with an estimated value of up to \$2 million.
- The MW21-LG Contract is available to councils free of charge.
- The MW21-LG Contract is based on the NSW Government's Minor Works 21 Contract that is widely used by the construction industry in NSW.
- The standard form contract is maintained and updated by NSW Public Works.
- The MW21-LG Contract is supported with clause commentary and sample letters to provide ongoing guidance and support to councils and users.
- Use of a standard MW21-LG Contract offers the following benefits for councils:
 - it allows for clear and consistent allocation of risks
 - it reduces costs to councils and contractors
 - a standard approach makes it easier for council staff in the delivery of projects
 - it provides a standard form of contract across NSW local and state government sectors
 - it incorporates changes in legislation and is regularly reviewed and updated.

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- NSW Public Works offers training and support for councils using the MW21-LG Contract - and can provide comprehensive project and contract management services - on a fee for service basis to assist councils deliver larger infrastructure.

Where to go for further information

- The form and supporting documents are available [here](#).
- More information on services offered by NSW Public Works is available [here](#).
- If you have any enquires relating to the MW21-LG Contract, contact David Edwards, Senior Procurement Advisor, NSW Public Works by email david.edwards@pwa.nsw.gov.au



Douglas Walther
A/Deputy Secretary, Office of Local Government

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
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12.1.3 IMPORTANT DATES – UPCOMING MEETING AND EVENTS

RESPONSIBLE OFFICER:	General Manager
REPORT AUTHOR:	Executive Assistant
FILE NUMBER:	12/14-03
PURPOSE:	For Information

RECOMMENDATION

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

Moved:

Seconded:

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 enables councillors and senior management personnel to organise their tasks and distribute their workload effectively in light of upcoming commitments. It serves to prevent instances where councillors may inadvertently miss meetings or remain unaware of their scheduling. Additionally, external organisations have been asked to directly forward meeting notices and minutes to the council's representatives. Upon receiving notifications, meeting dates will be included in the strategic tasks, events, and meetings calendar, with the respective representative(s) clearly identified.

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 note the information.

Attachments:

Upcoming meetings and events schedule.

IMPORTANT DATES – Upcoming Meetings and Events

DATE	MEETING/FUNCTION	LOCATION	NOTES
27 February 2024	Council Meeting	Walgett Chambers	Councillors, GM and Executive Staff to attend
5 March 2024	Destination Country and Outback NSW Board Dinner	Lightning Ridge Bowling Club	Mayor and GM Invited
19 March 2024	Tour de OROC dinner	Walgett Sporting Club	Councillors, GM (fund raiser)
26 March 2024	Council Meeting	Walgett Chambers	Councillors, GM and Executive Staff to attend
4 April 2024	Local Area Traffic Committee	Walgett Chambers	Councillors, GM and Elected Members
23 April 2024	Council Meeting	Walgett Chambers	Councillors, GM and Executive Staff to attend
6 June 2024	Local Area Traffic Committee	Walgett Chambers	Councillors, GM and Elected Members
28 May 2024	Council Meeting	Walgett Chambers	Councillors, GM and Executive Staff to attend
25 June 2024	Council Meeting	Walgett Chambers	Councillors, GM and Executive Staff to attend
23 July 2024	Council Meeting	Walgett Chambers	Councillors, GM and Executive Staff to attend
1 August 2024	Local Area Traffic Committee	Walgett Chambers	Councillors, GM and Elected Members
27 August 2024	Council Meeting	Walgett Chambers	Councillors, GM and Executive Staff to attend
24 September 2024	Council Meeting	Walgett Chambers	Councillors, GM and Executive Staff to attend
3 October 2024	Local Area Traffic Committee	Walgett Chambers	Councillors, GM and Elected Members
22 October 2024	Council Meeting	Walgett Chambers	Councillors, GM and Executive Staff to attend
17 – 19 November 2024	LGNSW Annual Conference	Tamworth	Mayor, GM and Councillors
26 November 2024	Council Meeting	Walgett Chambers	Councillors, GM and Executive Staff to attend
6 December 2024	Local Area Traffic Committee	Walgett Chambers	Councillors, GM and Elected Members
17 December 2024	Council Meeting	Walgett Chambers	Councillors, GM and Executive Staff to attend

Sherisse Fenson
EXECUTIVE ASSISTANT

APPROVED FOR SUBMISSION

Megan Dixon
GENERAL MANAGER

12.1.4 LIGHTNING RIDGE RACE CLUB REQUEST FOR FINANCIAL ASSISTANCE FOR TRACK REPAIR

RESPONSIBLE OFFICER:	General Manager
REPORT AUTHOR:	Executive Assistant
FILE NUMBER:	24/9/0022
PURPOSE:	For Decision

RECOMMENDATION

The Council review the donation request from Lightning Ridge Jockey Club that is unbudgeted and decide whether to grant complete funding, partial funding, or no funding at this time.

Moved:

Seconded:

Summary:

The Lightning Ridge Race track has been severely damaged by heavy rainfall, requiring immediate financial assistance of at least \$10,000 for repairs for their Easter Weekend races on the 30th of March 2024.

Background:

The Lightning Ridge area was hit by a major rainfall event, with 150mm downpour over a two hour period. The Committee have reported that the rain event caused considerable damage to the race track, resulting in erosion and the formation of a swamp at the finish line area, which has since dried and led to ground cracking. Despite other insurance policies being up to date, the race track was uninsured as the race club determined the yearly cost was more than the that of usual maintenance and repairs.

Current Position:

The president of the club has contacted a weed spraying company, local sand and machinery suppliers, and a grader operator who have volunteered their time at no charge, but financial resources are required for essential supplies such as fuel, chemicals, trucks and floats to transport the necessary machinery.

Relevant Reference Documents/Policies:

In the past, the Council has chosen not to aid race clubs with track repairs due to governance concerns associated with insurances and liabilities.

Governance Issues:

Walgett Shire Council Insurances for Liability exposures

Stakeholders:

Lightning Ridge Race Club
Walgett Shire Council
Racing NSW
Walgett Shire Rate Payers
Tourists of the Walgett Shire

Financial Implications:

The request was for a minimum of \$10,000.

The request is unbudgeted and if Council chooses to finance the request for funds, Council would need to determine the funding source.

Alternative Solutions/Options:

1. Advise the Race Club to seek financial assistance from local government grants or community funding initiatives such as the Community Assistance Scheme.
2. The Race Club explore partnerships with local businesses for sponsorship or in-kind support for track repair.
3. Organising fundraising events within the racing community to generate necessary funds.

Conclusion:

The Lightning Ridge Race Club needs immediate financial support of at least \$10,000 to repair track damage caused by heavy rainfall, ensuring continuity of racing events. However, providing assistance may set a precedent for other clubs and expose the Council to liabilities.

Attachments:

Email from Lightning Ridge Jockey Club

Sherisse Fenson

EXECUTIVE ASSISTANT

APPROVED FOR SUBMISSION

Megan Dixon

GENERAL MANAGER

On 9 Feb 2024, at 2:00 pm, Charlie Powell <charlie.morella@gmail.com> wrote:

Dear Megan Dixon,

I'm just touching base on behalf of the Lightning Ridge Race Club i have taken over as the volunteer President for 2024. We unfortunately or fortunately depending on how you look at it had a very large downpour of rain on our track and it needs immediate attention, i have contacted a weed spraying company and the local sand and machinery suppliers and a grader operator. Most of these guys are all volunteers but we need money for fuel and chemicals and trucks and floats to bring the machinery in, everyone has volunteered their time so we dont have to pay Labour. I just don't want them losing a heap of money. I'm asking for a minimum of \$10,000.00.

A Lot of races are getting closed down in rural NSW and I really don't want to be one of them especially with the new running late license and live band we have outlaid a lot of money it would be a shame if it got cancelled. Thank you for your consideration.

Kind Regards Charlie Powell

Director: Charlie Powell
Company: Western Plains Construction Pty Ltd
Address: 1360 Wilby Wilby Rd Cumborah 2832 N.S.W
License Number: 377860C
Email: charlie.morella@gmail.com
Mob: 0400297097

12.1.5 REQUEST FOR DONATIONS AND SPONSORSHIPS

RESPONSIBLE OFFICER: General Manager
REPORT AUTHOR: Executive Assistant
FILE NUMBER: 24/9/0027
PURPOSE: For Decision

RECOMMENDATION

The Council review the donation requests that are unbudgeted and decide whether to grant complete funding, partial funding, or no funding at this time.

Moved:

Seconded:

Summary:

This report is presented to Council for consideration regarding sponsorship and donation requests from community members and organisations.

Background:

Council regularly receives requests for sponsorship and donations from community groups, organisations, and nonprofits. While many are referred to our community assistance program under section 356 of the Local Government Act, some are ineligible or do not apply.

Current Position:

Event	Date	Organiser	Location	Attendance	Amount
The Walgett Show	6 th & 7 th April 2024	Walgett Show Society	Walgett	15,000 +	\$10,000
N/A	N/A	Walgett RSL Sub Branch	Walgett Memorial Park	N/A	\$2,000 approx.*
N/A	N/A	Walgett RSL Sub Branch	Walgett Memorial Park	N/A	\$14,000+

The Walgett Show

See attached letter from the Walgett Show Society.

Walgett RSL Sub Branch

The Walgett RSL Sub Branch are requesting \$2,000 for 2 x bench seating (1 x 3m & 1 x 4m) for the Memorial Park, which will provide more seating during events at the park and throughout the year.

* This amount does not include the costs of installation.

The Walgett RSL Sub Branch are also requesting \$14,000+ for a Reveil on the back of the wall at the Memorial Park.

Relevant Reference Documents/Policies:

Nil.

Attachments:

Walgett Show Society letter.

Stakeholders:

Walgett Shire Council
 Walgett Shire Community

Financial Implications:

Variant depending on how much Council contribution to each event/item.

The items are unbudgeted and if Council chooses to finance the request for funds, Council would need to determine the funding source.

Alternative solutions/options:

1. Council apply for funding under the Community War Memorials Fund to assist in delivering one or both of the requests.
2. Council do not fund these events/requests.

Conclusion:

Council has the opportunity to review current requests for donation and sponsorship and determine whether or not to provide funding or request further information.

Sherisse Fenson

EXECUTIVE ASSISTANT

APPROVED FOR SUBMISSION

Megan Dixon

GENERAL MANAGER



To Whom It May Concern,

Walgett Show Society request to be considered for Walgett Shire Council sponsorship of Walgett Show. Walgett Show is the main event on Walgett Show Society's calendar. It is held at Walgett Racecourse and Showground annually. This year Walgett Show is on Saturday April 6th & Sunday April 7th.

This is the first time the Walgett Show Society has made this request and if consideration of \$10,000 could be considered, this would be such a boost to what we can present to community members and visitors from further afield.

Entertainment is a highlight at the Walgett Show and is our largest expense. This year is no different with the committee, at great expense, having secured the official Bluey & Bingo Show, as well as three other high-quality all ages entertainment options. We focus on entertainment that amazes and astounds showgoers of all interests.

Over the last ten years, I have, in my role of sponsorship coordinator, have on average been able to secure funding of \$20,000 annually (which doesn't go that far). The basic cost of presenting the "Local Show" can be in excess of \$100,000 if unexpected expenses occur.

Walgett Show is the opportunity for all members of every community across Walgett Shire to exhibit, compete in and attend their Shire's Show. Whether you are from Walgett, Lightning Ridge, Collarenebri, Rowena, Burren Junction, Angledool, Carinda, Cryon, Come-By-Chance, Cumborah or Glengarry and Grawin Opalfields, it is the communities Show. Walgett Show is the People's Show.

The first Walgett Show was held in 1887, with 2024 marking the 85th Annual Walgett Show in 137 years. The Walgett Show has evolved with the times at great expense of the committee and in 2023 1500 showgoers of all ages came through the gate to experience the "Local Show."

With livestock and pavilion exhibits, sideshow alley and rides, market stalls and trade displays, Ute & Bike Show, Quickshears, horse events and the exciting and interesting range of entertainment attractions, there is something for everyone.

Walgett Show committee focuses upon how the "Local Show" is now a community event and in regard to this "Walgett Show" is the largest Shire community event. It might be a small "Show", but it showcases the talent and community spirit that is found in Walgett Shire. The committee are all volunteers, and the vision of the committee is for the "Local Show" to continue into the future as a thriving and evolving community event.

Your Sincerely,

Cameron Rowntree

Walgett Show Society Sponsorship Coordinator

|

12.1.6 PERMANENT STOCK ZONES IN THE WALGETT SHIRE LOCAL GOVERNMENT AREA

RESPONSIBLE OFFICER:	General Manager
REPORT AUTHOR:	Executive Assistant
FILE NUMBER:	24/9/0027
PURPOSE:	For Decision

RECOMMENDATION

Council undertake a 28-day notice period to declare “no permanent stock zones” and receive a report following the community consultation period.

Moved:

Seconded:

Summary:

Walgett Shire Council declare there are “no permanent stock zones” in the Walgett Shire region via a public notice.

Background:

In 2021, the Rural Crime Protection team contacted Transport for NSW concerning livestock presence on the Castlereagh Highway North of Walgett, raising safety concerns for road users.

Discussions ensued between the Rural Crime team and a landholder regarding the presence of stock on the roads, with the landholder asserting that it was a Permanent Stock Zone. However, no evidence supporting this claim was provided.

Over the past two years, Transport for NSW has collaborated with local landholders to fence the Castlereagh Highway with the aim of eliminating stock grids, which pose significant safety hazards. All landholders have consented to this arrangement with the exception of one who maintains the area is a permanent stock zone.

Current Position:

The Council has previously sought legal advice and conducted investigations regarding this matter, but no evidence has been presented to indicate the existence of a permanent stock zone in Walgett. Therefore, the Council can assert that no permanent stock zones exist within the Walgett Shire. It has been decided that providing public notice with a 28-day period for feedback would be adequate, followed by a formal Council resolution.

Relevant Reference Documents/Policies:

Local Government Act 1993
 Local Land Services Act 2013
 Local Land Services Regulation 2014
 Roads Act 1993

Stakeholders:

Walgett Shire Council
 Transport for NSW
 NSW Local Land Services
 Affected Landholders

Financial Implications:

Nil

Alternative Solutions/Options:

1. Do nothing
2. Allow permanent stock zones to exist within the Walgett Shire.

Conclusion:

Council to determine the Walgett Shire Local Government area has no permanent stock zones.

Attachments:

Nil

Sherisse Fenson

EXECUTIVE ASSISTANT

APPROVED FOR SUBMISSION

Megan Dixon

GENERAL MANAGER

12.2 DIRECTOR CORPORATE SERVICES

12.2.1 CASH AND INVESTMENT AS AT 31ST DECEMBER 2023

RESPONSIBLE OFFICER:	Director Corporate Services
REPORT AUTHOR:	Finance Manager
FILE NUMBER:	24/9/0002
PURPOSE:	For Noting

RECOMMENDATION

That the Investment report be received and noted.

Moved:

Seconded:

Summary:

This report provides a summary and analysis of Council's cash and investments for the period ending 31st December 2023.

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 \$42,257,772 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.

Council's investment portfolio continues to perform well in comparison with other LGAs in NSW being one of the best performing councils in the state.

Relevant Reference Documents/Policies:

Local Government Act (NSW), 1993
 Local Government (General) Regulation 2005
 Ministerial Investment Order 5th January 2016
 Investment Policy (Revised and adopted in October 2023)

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:

As at 31st December 2023 Walgett Shire Council's total cash and invested funds totalled \$42,257,772 decreasing the portfolio by \$1,427,865 from the previous month of \$43,685,637

Attachment: [Walgett Monthly Report December 2023.pdf](#)

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) 5th 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.

Hafiz Malik

Director Corporate and Community Services

Peter Gumbleton

FINANCE MANAGER

APPROVED FOR SUBMISSION

Megan Dixon

GENERAL MANAGER

12.2.2 CASH AND INVESTMENT AS AT 31ST JANUARY 2024

RESPONSIBLE OFFICER:	Director Corporate Services
REPORT AUTHOR:	Finance Manager
FILE NUMBER:	24/9/0001
PURPOSE:	For Noting

RECOMMENDATION

That the Investment report be received and noted.

Moved:

Seconded:

Summary:

This report provides a summary and analysis of Council's cash and investments for the period ending 31st January 2024.

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 \$41,167,623 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.

Council's investment portfolio continues to perform well in comparison with other LGAs in NSW being one of the best performing councils in the state.

Relevant Reference Documents/Policies:

Local Government Act (NSW), 1993
 Local Government (General) Regulation 2021
 Ministerial Investment Order 5th January 2016
 Investment Policy (Revised and adopted in October 2023)

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:

As at 31st January 2024 Walgett Shire Council's total cash and invested funds totalled \$41,167,623 decreasing the portfolio by \$1,090,149 from the previous month of \$42,257,772

Attachment: [Walgett Monthly Report January 2024.pdf](#)

Certification – Responsible Accounting Officer

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 2021*, the *Investment Order (of the Minister) 5th January 2016*.

I hereby certify that Council's Cash Book and General Ledger have been reconciled to the bank statement as at the end of month.

Hafiz Malik

Director Corporate Services

Hafiz Malik

Director Corporate Services

APPROVED FOR SUBMISSION

Megan Dixon

GENERAL MANAGER

12.2.3 OUTSTANDING RATES AND CHARGES AS AT 31 JANUARY 2024

RESPONSIBLE OFFICER:	Director Corporate Services
REPORT AUTHOR:	Acting Rates Clerk
FILE NUMBER:	24/9/0004
PURPOSE:	For Noting

RECOMMENDATION

The 31 January 2024 outstanding rates report be received and noted.

Moved:

Seconded:

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 several Key Performance Indicators (KPIs) as part of its statutory reporting requirements. One of these KPIs is the outstanding percentage of Rates, Annual Charges & Extra Charges. 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% outstanding for Rates, Annual Charges, Interest & Extra Charges as at the end of the financial year.

Current Position

Collection of the current year's levy and arrears as at 31 January 2024 was 57.97% which is 4.14% better than the previous year's collection of 53.83%. The improvement in collections can be attributed to Council's successful Sale of Land for unpaid rates during September 2023 together with the 3rd rate instalment monies due 29th February now being received.

The rates collections figures will continue to improve as proceeds of the S713 Sale are distributed and finalised over the ensuing months. There is also expected to be concentrated debt recovery efforts after a S713 Sale process is completed from April 2024.

Relevant Reference Documents/Policies

Outstanding Rates Report.
Councils Debt Recovery Policy.

Governance issues

Council attempts to achieve the benchmark collection rate set by the Office of Local Government (OLG) for rural councils. The OLG's benchmark is 5% for city and coastal councils and less than 10% arrears for rural and regional councils.

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.

Attachments

Monthly Report - Outstanding Rates Report

Monthly Report - Outstanding Rates & Charges as at 31 January 2024

	31 January 2024	31 January 2023
Arrears of Rates & Charges as at 30-6-2023	1,804,132.15	1,571,511.85
Adjustments		
Sub Total	1,804,132.15	1,571,511.85
Current Year Activity		
Legal fees (Including Write Offs)	0.00	500.00
Levies	11,152,969.48	10,511,917.92
Interest (Including Write Offs)	87,378.09	58,064.22
Adjustments (Including Write Offs)	(103,645.95)	(3,071.79)
Sub Total	11,136,701.62	10,567,410.35
Total Arrears and Adjusted Levies	12,940,833.77	12,138,922.20
Payments	(7,322,616.98)	(6,343,772.47)
Pensioner Rebates - Government	(98,297.49)	(96,650.07)
Pensioner Rebates - Council	(80,428.56)	(79,080.80)
Special Rebates - Council	0.00	(15,313.00)
Sub Total	(7,501,343.03)	(6,534,816.34)
Total Remaining Levy	\$5,439,490.74	\$5,604,105.86
Current	4,195,564.99	4,292,291.27
Arrears	980,014.54	922,148.12
Interest brought forward from previous year	120,679.15	218,881.75
Current year interest	74,601.22	50,273.72
Legals	68,630.84	120,511.00
Total Remaining Levy	\$5,439,490.74	\$5,604,105.86
Variance	\$0.00	-\$0.00
Total YTD Collected		
% of Levy, Arrears, Interest & Legal Fees	57.97%	53.83%
% of Levy	65.75%	60.03%

Michael Stenmark
ACTING RATES CLERK

APPROVED FOR SUBMISSION
Megan Dixon
GENERAL MANAGER

12.2.4 SECTION 356 - REBATES TO CHURCHES & OTHER NOT-FOR-PROFIT ORGANISATIONS

RESPONSIBLE OFFICER: Director Corporate Services
REPORT AUTHOR: Acting Rates Clerk
FILE NUMBER: 24/9/0005
PURPOSE: For Decision

RECOMMENDATION

1. That a budget adjustment of \$880 decreasing the 2023-24 budget from \$23,973 to \$23,093 be approved.
2. That the applications for a donation received/due to be received from eligible churches and not-for-profit organisations as per the attached list are approved and the rebates on annual service charges as detailed therein be granted for 2023/24

Moved:

Seconded:

Summary

This report provides details of eligible organisations that have made *(or have been invited to make)* application to Council for a rebate on their 2023/24 water access, sewer access and waste management charges. The rebate does not extend to water usage charges. The report recommends that the rebates to the eligible organisations be granted in accordance with Council's Donations to Churches and Other Not for Profit Organisations – Section 356 of the Local Government Act Policy.

Background

For several years Council has granted rebates on annual service charges applied to rate assessments for a number of Churches and Not for Profit (NFP) Organisations.

It should be noted that the listed organisations are already exempt from the payment of ordinary (general) rates under the provisions of Chapter 15, Part 6, Sections 555 & 556 of the LGA, 1993 and therefore are receiving a benefit.

Council adopted the Donations to Churches and Other Not for Profit Organisations – Sec 356 of the LGA Policy on 23rd April 2013.

It is important to note that any organisation that meets the definition of a NFP Organisation may apply for this rebate concession at any time under the policy therefore the potential number and amount of rebate concessions is "uncapped".

Each year there is a specific provision made within Council's Budget for rebates to eligible organisations that have applied for a donation in accordance with Council's policy.

Current Position

To date Council has received/due to receive twenty-two (22) applications from applicable organisations for rebates to their water access, sewer access and waste service charges amounting to \$23,092.85.

Applications received to date have been assessed against the policy criteria and are eligible to be granted rebates on their charges. The 2023/24 budget provision provides an amount of \$23,973.00

for rebate applications, with the attached list detailing the organisations that have applied for a rebate under Council's policy and the amount applicable to each.

Relevant Reference Documents/Policies

Chapter 12, Part 1, Section 356 of the Local Government Act 1993

Chapter 15, Part 6, Sections 555 & 556 of the Local Government Act 1993

Council Policy - Donations to Churches and Other Not for Profit Organisations – Sec 356 of the LGA.

Governance issues

Council must comply with the provisions of section 356 of the LGA 1993 with a decision to grant a rebate in these cases needing to be by way of Council resolution.

Environmental issues

Not Applicable

Stakeholders

Not for Profit Organisations within Walgett Shire Council

Walgett Shire Council

Financial Implications

Applications received to date have been evaluated against the policy criteria and are eligible for a rebate in accordance with Council's policy. The total of the rebates across water, sewer, and waste management is \$23,092.85 against the 2023/24 budget of \$23,973.00 for the year.

Alternative Solutions/Options

That the applications be refused or granted at a lower level of rebate however this is not able to be supported (*given that a policy has been adopted*) unless the policy itself is cancelled or suitably amended.

Conclusion

It is recommended that Council provide rebates to the organisations on the attached list consistent with criteria outlined within its Donations to Churches and Other NFP Organisations – Section 356 of the LGA Policy.

Attachments:

Section 356 Donations – 2023/24 Rating Year

Michael Stenmark

ACTING RATES CLERK

APPROVED FOR SUBMISSION

Megan Dixon

GENERAL MANAGER

2023/24 SECTION 356 DONATIONS - CHURCHES & NOT-FOR-PROFIT ORGANISATIONS			Annual Charges Dissection										
Ass No	Applicant	Property Address	Water Connection	Water Charge	Water Charge (100% Donation)	Water Charge (75% Donation)	Sewerage Charge	Sewerage Charge (100% Donation)	Sewerage Charge (75% Donation)	Waste Management Charge	Waste Management Charge (100% Donation)	Waste Management Charge (50% Donation)	Total Annual Charge Donations 2023/24
7260	CWA of NSW (Walgett)	32 Pitt Street, WALGETT	20mm R + F	1,262.00		946.50	564.00		423.00	643.90		321.95	1,691.45
7773	CWA of NSW (Burren Junction)	13 Waterloo Street, BURREN JUNCTION	-			-			-	643.90		321.95	321.95
11593	***CWA of NSW (Collarenebri)	13 Wilson Street, COLLARENEBRI	20mm R + F	1,262.00	1,262.00		469.00	469.00		722.90	722.90		2,453.90
12187	Cumborah Community Inc	16 Grawin Street, CUMBORAH	-			-	-			643.90		321.95	321.95
30726	Australian Indigenous Ministries	35 Sutherland Street, WALGETT	20mm R + F	1,262.00		946.50	564.00		423.00	643.90		321.95	1,691.45
30882	Roman Catholic Church	89 Arthur Street, WALGETT	20mm R + F	1,262.00		946.50	564.00		423.00	643.90		321.95	1,691.45
30916	Anglican Diocese of Armidale	19 Pitt Street, WALGETT	20mm [R x2] + F	1,893.00		1,419.75	564.00		423.00	643.90		321.95	2,164.70
31054	Anglican Diocese of Armidale	15 Hastings Street, BURREN JUNCTION	-						-	75.90		37.95	37.95
31096	Anglican Property Trust Diocese of Bathurst	45-47 Colin Street, CARINDA	20mm	455.00		341.25	-			722.90		361.45	702.70
31104	Roman Catholic Church	9 Colin Street, CARINDA	20mm	455.00		341.25	-			722.90		361.45	702.70
31237	Roman Catholic Church for the Diocese Armidale	2-4 High Street, COLLARENEBRI	20mm R + F	1,262.00		946.50	469.00		351.75	722.90		361.45	1,659.70
31310	Church of England Diocese of Armidale	58-60 Wilson Street, COLLARENEBRI	20mm R + F	1,262.00		946.50	469.00		351.75	643.90		321.95	1,620.20
31377	Church of England Property Trust	1 Cumborah Street, CUMBORAH	-			-				722.90		361.45	361.45
31492	Church of England Property Trust	Kaolin Street, LIGHTNING RIDGE	20mm	455.00		341.25	487.00		365.25	643.90		321.95	1,028.45
31526	Jehovah's Witnesses Congregations	8 Kopi Street, LIGHTNING RIDGE	20mm	455.00		341.25	487.00		365.25	643.90		321.95	1,028.45
31559	Roman Catholic Church	31 Morilla Street, LIGHTNING RIDGE	20mm	455.00		341.25	487.00		365.25	643.90		321.95	1,028.45
31567	Anglican Diocese of Armidale	13 Morilla Street, LIGHTNING RIDGE	20mm	455.00		341.25	487.00		365.25	643.90		321.95	1,028.45
31575	Lightning Ridge Historical Society	7 Morilla Street, LIGHTNING RIDGE	20mm	455.00		341.25	487.00		365.25	722.90		361.45	1,067.95
31708	Seventh Day Adventists	12 Silica Street, LIGHTNING RIDGE	20mm (x 2)	910.00		682.50	487.00		365.25	643.90		321.95	1,369.70
31740	Roman Catholic Church	18 Middle Street, ROWENA	20mm	455.00		341.25	-			722.90		361.45	702.70
31757	Roman Catholic Church	4 Middle Street, ROWENA	20mm	455.00		341.25	-			75.90		37.95	379.20
36970	Grawin Glengarry Sheeppark Opal Field's Men's Shed	Mineral Claim 11572	-				-			75.90		37.95	37.95
	Total			14,470.00	1,262.00	9,906.00	6,585.00	469.00	4,587.00	13,014.80	722.90	6,145.95	23,092.85
	*** 100% Donation in lieu of provision of Council Library services agreement												

12.2.5 MACQUARIE BANK CASH MANAGEMENT ACCOUNT AS OF 31ST JANUARY 2024

RESPONSIBLE OFFICER:	Director Corporate Services
REPORT AUTHOR:	Director Corporate Services
FILE NUMBER:	24/9/0030
PURPOSE:	For Decision

RECOMMENDATION

That Council resolves to remove old signatories, add appointment of new signatories, approve new signatories' roles and approve signing instructions for the management of Macquarie Bank Cash Management Account 968481408 and Macquarie Bank Cash Management Accelerator Account 940356066: and approve of signing instructions being any 2 signatories to authorize transfers and payments on both Macquarie Bank Cash Management Accounts.

Removal of Old Signatories	Signatory Role
1. Michael Urquhart	General Manager
2. Anthony Hughes	Director of Corporate Services
3. Raju Ranij	Director of Engineering/Technical Services

Additional Signatories	Signatory Role
1. Megan Dixon	General Manager
2. Hafiz Malik	Director of Corporate Services
3. Kazi Mahmud	Director of Engineering/Technical Services

Moved:

Seconded:

Summary:

This report identifies the need and requirements for removal of old signatories, add appointment of new signatories, approve new signatories roles and approve signing instructions to existing Walgett Shire Council – 2 X Macquarie Bank on-call Cash Management Accounts to authorize the management of these accounts.

Background:

Due of the high staff turnover at the Walgett Shire Council, there is currently only one existing signatory on both Macquarie Bank Cash Management Accounts, namely the Macquarie CMA Account and the Macquarie Accelerator Account.

In order to add further signatories and remove signatories, the Macquarie Bank requires 2 existing signatories to authorize the management of the accounts, of which the Council does not currently have.

Current Position:

Council does not have 2 signatories on the 2 Macquarie Bank Cash Management Accounts. The Macquarie Bank will require a Council meeting minute resolution to add new signatories and remove signatories for both accounts.

Please see below information on Council's 2 Macquarie Cash Management Accounts. Furthermore, due to a single existing signatory on both accounts, it is in the Council's interest to assign a further

number of signatures and remove signatories, approve signatory roles and approve signing instructions with any 2 signatories to authorise transfers and make payments, as outlined below.

Macquarie Bank Cash Management Account

Account number 968481408
Balance as at 31/01/2024 \$1,035,910.18

Macquarie Bank Cash Management Accelerator Account

Account number 940356066
Balance as at 31/01/2024 \$1,639,657.13

Removal of Old Signatories

Michael Urquhart
Anthony Hughes
Raju Ranij

Signatory Roles

General Manager
Director of Corporate Services
Director of Engineering/Technical Services

Additional Signatories

Megan Dixon
Hafiz Malik
Kazi Mahmud

Signatory Roles

General Manager
Director of Corporate Services
Director of Engineering/Technical Services

Signing Instructions for both Macquarie Bank Cash Management accounts, as above.

Any 2 to authorise transfer and make payments.

The investments are compliant with the Local Government Act (NSW), the associated Regulations and Ministerial Order and Council's Investment Policy.

Attachment 1 displays the existing 2 Macquarie Bank Cash Management Accounts statements needing additional signatories to authorise the management of these accounts. 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.

As at 31st January 2024, these 2 Macquarie Bank Cash Management Accounts held a total of \$2,675,567.31 with financial institutions in Australia.

Relevant Reference Documents/Policies:

Local Government Act (NSW), 1993
Local Government (General) Regulation 2021
Ministerial Investment Order 5th January 2016
Investment Policy (Revised and adopted in October 2023)

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: Due to a single existing signatory on both Macquarie Bank Cash Management Accounts, it is in the council's interest to assign further number of signatures and remove old signatories, approve signatory roles and approve signing instructions.

Attachment: Attachment 1 - 2 Macquarie Bank Cash Management statements.

Hafiz Malik
DIRECTOR CORPORATE SERVICES

APPROVED FOR SUBMISSION

Megan Dixon
GENERAL MANAGER

page 1 of 3 statement no. 37
from 29 Dec 23 to 31 Jan 24



MACQUARIE

Macquarie Cash Management Accelerator Account

MACQUARIE BANK LIMITED
ABN 48 008 583 542 AFSL 237502

enquiries 1800 806 310
transact@macquarie.com
www.macquarie.com.au

GPO Box 2520
Sydney, NSW 2001



WALGETT SHIRE COUNCIL
PO BOX 31
WALGETT NSW 2832

1 Shelley Street
Sydney, NSW 2000

account balance **\$1,639,657.13**
as at 31 Jan 24

account name WALGETT SHIRE COUNCIL
account no. 940356066

transaction	description	debits	credits	balance
29.12.23	OPENING BALANCE			1,632,664.76
31.01.24	Interest		6,992.37	1,639,657.13
	CLOSING BALANCE AS AT 31 JAN 24	0.00	6,992.37	1,639,657.13

* Stepped interest rates for the period 30 December to 31 January: balances \$0.00 to \$1,999,999.99 earned 4.75% balances \$2,000,000.00 to \$9,999,999.99 earned 4.15% balances \$10,000,000.00 and above earned 3.00% pa (33 days)

page 1 of 3 statement no. 37
from 29 Dec 23 to 31 Jan 24



Macquarie Cash Management Account

MACQUARIE BANK LIMITED
ABN 46 008 583 542 AFSL 237502

enquiries 1800 806 310
transact@macquarie.com
www.macquarie.com.au

GPO Box 2520
Sydney, NSW 2001



020 83417

WALGETT SHIRE COUNCIL
PO BOX 31
WALGETT NSW 2832

1 Shelley Street
Sydney, NSW 2000

account balance **\$1,035,910.18**
as at 31 Jan 24

account name WALGETT SHIRE COUNCIL
account no. 968481408

transaction	description	debits	credits	balance
29.12.23	OPENING BALANCE			1,033,115.74
31.01.24	Interest		2,794.44	1,035,910.18
	CLOSING BALANCE AS AT 31 JAN 24	0.00	2,794.44	1,035,910.18

* Stepped interest rates for the period 30 December to 31 January: balances \$0.00 to \$4,999.99 earned 3.00%
balances \$5,000.00 and above earned 3.00% pa (33 days)

12.2.6 QUARTERLY BUDGET REVIEW STATEMENT – DECEMBER 2023

RESPONSIBLE OFFICER:	Director Corporate Services
REPORT AUTHOR:	Director Corporate Services
FILE NUMBER:	24/9/0014
PURPOSE:	For Decision

RECOMMENDATION

That Council adopt the attached Quarterly Budget Review Statement for 31st December 2023 as tabled.

Moved:

Seconded:

Summary:

The Director of Corporate Services is reporting to Council on the status of the December 2023 Quarterly Budget Review (QBR) Statement. The report outlines the second quarter operations against the adopted 2023/2024 budget estimates, with income and expenditure variations made because of actual differences or known trends.

Background:

The Quarterly Budget Review document is a statutory requirement under the Local Government (General) Regulations 2005, Part 9, Division 3, Section 203 and is an essential aspect of Council's financial management. A budget review is to be prepared and submitted to Council not later than two months after the end of each quarter.

Current Position:

The current position is detailed in the attached Quarter 2 (period ending 31st December 2023) Quarterly Budget Review Statement report.

Generally, the majority of income and expenditure estimates for 2023/2024 are on track, however there are some major variations brought to account in the attached report because of current expenditure trends, new grant projects, rollover projects from 2022/2023 or the availability of known actual figures.

Council's General Fund operations after capital expenditure has recorded a quarterly cash deficit of \$90,289 which brings the forecast end of year result to a cash deficit of \$673,490. The major variations for the December 2023 quarter are attached along with the budget review.

Waste Services has recorded a number of variations to recurrent income and expenditure items. The December 2023 quarter adjustments have resulted in a net surplus of \$12,299 after adjusting proposed changes with operational reserve as per attached report.

Water funds - The consolidated water fund has recorded a surplus of \$129,903. Major variations include movements in interest received from investments offsetting by increase in projected transfer to reserves.

Sewer Services - The December 2023 quarter adjustments have resulted budget movements in interest received from investments offsetting by increase in projected transfer to reserves by \$221,583.

Relevant Reference Documents/Policies:

Local Government Act 1993

Local Government (General) Regulation 2021

Governance issues:

The Quarterly Budget Review Statement is a key document for Council in monitoring the progress of the Annual Budget and more broadly its achievement of the objectives within the Community Strategic Plan.

Financial Implications:

The Quarterly Budget Review details Council's current financial projections for the 2023/2024 fiscal year as at the quarter ending 31st December 2023.

Alternative Solutions/Options:

Not Applicable

Conclusion:

The QBRS as at 31st December 2023 provides council with information relating to the status of the budget after three (6) months of operation. The movement of rollover grants and their related expenditure and the ongoing capital works this financial year has impacted upon the result, with a revised projected year end general fund cash deficit of \$673,490.

Quarterly Budget Review Statement – December 2023**Attachment:**

[Attachments for December 2023 QBRS report to Council.pdf](#)

Hafiz Malik

DIRECTOR OPERATE SERVICES

APPROVED FOR SUBMISSION

Megan Dixon

GENERAL MANAGER

12.2.7 DOLLY PARTON IMAGINATION LIBRARY PROGRAM

RESPONSIBLE OFFICER:	Director Corporate Services
REPORT AUTHOR:	Manager Community Development
FILE NUMBER:	24/9/0025
PURPOSE:	For Decision

RECOMMENDATION

1. That Council consider funding or partly funding the Dolly Parton's Imagination Library program from 2024/25 onwards
2. Council considers funding commitment on an annual basis with reviews and support information presented to Council prior to commitment/agreement each year
3. Council allocate cost for Dolly Parton Imagination Library 2024/2025 from the annual State Library – Local Priority Grant.
4. That Council invite Leo Kirkman from Unite Way to work with Council towards finding additional funding avenues for the Dolly Parton Imagination Library Program.

Moved:

Seconded:

Summary:

Informing Council of options regarding the existing Dolly Parton's Imagination Library Program (DPILP) consider long-term funding for the project.

Background:

Dolly Parton's Imagination Library Program (DPILP) is a global book-gifting program which provides one age appropriate, culturally sensitive, book a month, from birth to five years, (60 books in total) delivered to the mailbox addressed to the child. These books are chosen by a book selection committee comprised of academics, early educators and speech therapists with each book accompanied by a tip sheet which guides caregivers before, during and after reading to maximise the impact of the reading session.

The program has been delivered in Australia since 2014 by United Way Australia and is currently being offered in over 400 locations nationally. By providing books directly into the home the Imagination Library promotes shared book reading and helps to break the cycle of illiteracy.

Walgett Shire LGA has been a participant in the DPILP since April 2022 as Walgett LGA was inclusive of 25 other NSW LGAs selected to be funded by the State Government for the Dolly Parton's Imagination Library (DPIL) early literacy project.

The selection was based on combined socio-economic and childhood development data including the Australian Early Developmental Census and the ABS SEIFA Index.

The project delivers the gift of a book each month to children born from 1 January 2022. The goal is to encourage families to read to their babies from birth, building the bonding, brain development and language skills they need. All children born from 1 January 2022, residing in the Walgett LGA, are eligible.

The project is delivered through a partnership between United Way Australia (who administer the project with DPIL), Walgett Shire Council libraries in Walgett and Lightning Ridge and Western NSW

Local Health District.

At the first baby health check, the local Community and Family Health Nurse provides the option for parents to register, provides the form and presents the baby with their first book. From approximately two months following this appointment, they receive the gift of a book each month in the mail. The books are all of high quality and are specially selected for this program.

Under the funding, the program will enrol children up to 30 June 2024, providing each enrolled child at least 2 years of books (24) by the end of the program in June 2026. The library's role is to input the registration information into the DPIL book ordering system, and to approve the registrations that parents complete themselves, online.

Our Libraries are the local contact point for DPIL enquiries. As of December 2023, Walgett Shire Council recorded 75 children registered in this wonderful program enjoying their books at home.

Current Position:

As the funding for new enrolments will cease at the end of June 2024, United Way recently contacted Council to seek Council's help in funding additional enrolments to the program from July 2024, or in fostering community fundraising for the program. United Way are interested in supporting Council to fund-raise for the program or find philanthropic partners.

A 'collaborative co-funding' approach is proposed to the 'universal' model, where every child has access to the program.

This involves local ownership by the community and where funding, to sustain the program, is a partnership between local council, local business, local community and United Way Australia along with support from local health services to enrol children onto the program at birth. The program will require local support for newborns to be added to the program from 1 July 2024, when State government funding is no longer covering additional children onto the program.

State Government funding will continue to cover any child already enrolled on the program by 30 June 2024 for an additional 2 years, or until the child turns 5 and graduates from the program.

Local financial support to sustain the program will need to cover only newborns added from 1 July 2024 for 2024/25 and the subsequent year 2025/26. From 2026/27 there is currently no State Government funding in place and will require local funding for all children on the program.

Based on annual birth rate of approximately 75 p.a. the annual cost for all 75 children being on the program for the full year would be approx. \$8,100 (based on 100% take up)

However, since children will be added throughout the year in a phased ramp up, the overall funds required in 2024/25 will be phased across the 12 months and therefore the full amount of \$8,100 will NOT be required in the 2023/24 budget.

Babies receive books from 0-5yrs. United Way have advised that the cost of the book and postage will remain fixed at \$9 per book per month, and will not increase with inflation, and that the following estimate is fair.

Projections: Dolly Parton's Imagination Library Community Program Costing

Note: statistics based on 75 births per year- Walgett LGA

75 babies will be born each year in our LGA (not taking into account time of year when child is born) Children in the DPILP prior to 2024 will receive books up till the time they turn 5 years of age under State Funding.

Children exit program at 5 years of age.

There will also be the cost of a set of each book for the library to use for programming activities costing approximately \$400.

Therefore, the overall cost of covering the program in Walgett in 2024/25 is approximately \$5,100.

Following is a projection table for the next 5 years period of cost developed by Uniting Way.

Walgett			
Total cost for all children for full 12 months			
Full year	no. of children	cost/child	Total cost
	75	\$108.00	\$8,100.00
Phased enrolments throughout the year			
Month	no. of children	cost/child	Monthly accumulative cost
1	7	\$9.00	\$63.00
2	6	\$9.00	\$117.00
3	6	\$9.00	\$171.00
4	6	\$9.00	\$225.00
5	7	\$9.00	\$288.00
6	6	\$9.00	\$342.00
7	6	\$9.00	\$396.00
8	6	\$9.00	\$450.00
9	7	\$9.00	\$513.00
10	6	\$9.00	\$567.00
11	6	\$9.00	\$621.00
12	6	\$9.00	\$675.00
2024/25	75		\$4,428.00
Bulk books to be given by nurse at enrolment			
	no. of children	Cost/child	Total
2024/25	75	\$9.00	\$675.00
2024/25	4 sets sample books for Library	\$9.00	\$432.00
2024/25	TOTAL	\$117.00	\$5,103.00
Ongoing Cost			
Full year	no. of children		Annual cost
2024/25	75		\$5,103.00
2025/26	150		\$13,203.00
2026/27	225		\$21,303.00
2027/28	300		\$29,403.00
2028/29	375		\$37,503.00

It is worth noting that the State Library NSW has indicated that the library would support any regional libraries allocating some of their annual LPG funding to go toward sustaining the local Imagination Library program, if the local library were wishing to pursue that option to fund the program in 2024/25.

Relevant Reference Documents/Policies:

Walgett Shire Council Community Strategic Plan 2017 – 2027, Walgett Shire Council Aboriginal Community Development and Reconciliation Plan 2020–2025, Walgett Shire Disability and Inclusion Plan 2017-2022, Walgett Shire Youth Development Youth Strategy 2009 – 2014, Walgett Shire Community Safety and Crime Prevention Plan 2016-2020, Australian National Quality Framework.

Governance issues:

Nil

Environmental issues:

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

Stakeholders:

Walgett Shire young people and families addressing the growing problems related to children's developmental vulnerability and the long-term impact in their communities.

Financial Implications:

Potentially \$5,103.00 increase in 2024/25, incrementing annually up to a \$37,503.00 annual cost from 2028/29 onwards.

Alternative Solutions/Options:

That Council withdraws from the program.

Conclusion:

Council resolves to make a decision on which direction to take in relation to the Dolly Parton Imagination Library Program.

Attachments

[DPIL National Impact Report Feb 2021 to May 2023 Final.pdf](#)

[Imagination Library Impact Assessment \(Public\).pdf](#)

[United Way Australia - DPIL program information - Walgett.pdf](#)

George McCormick

MANAGER COMMUNITY SERVICES

APPROVED FOR SUBMISSION

Megan Dixon

GENERAL MANAGER

12.3 DIRECTOR ENGINEERING / TECHNICAL SERVICES

12.3.1 MONTHLY MAINTENANCE GRADING REPORT AS AT 31ST JANUARY 2024

RESPONSIBLE OFFICER: Director of Engineering and Technical Services
REPORT AUTHOR: Manager Infrastructure (Roads)
FILE NUMBER: 24/9/0017
PURPOSE: For Noting

RECOMMENDATION

That Council receive and note the monthly maintenance grading works report for January 2024

Moved:

Seconded:

Summary:

This report provides the Council with the status of the road maintenance programme on Shire Roads for the period ending 31 January 2024.

Background:

The maintenance budget was prepared based on the available funding to maintain the Unsealed Local and Regional Roads to provide an acceptable level of service. This budget is used to maintain the roads as per demand and the road best practice manual. Details of maintenance grading and flood work locations are detailed in the attached report.

Significant rain events over the last three months have required additional grading work. Council is seeking additional funding to cover this extra work.

Current Status:

Council have spent \$445,744 which is 67.7% of the Annual Budget

Relevant Reference Documents/Policies:

Council's approved 2023/2024 Shire Roads Maintenance Grading Works schedule

Stakeholders:

Walgett Shire Council
 Walgett Residents
 Tourists

Financial Implications:

As of 31st January, actual spend is \$445,744

Alternative Solutions/Options:

Nil

Conclusion:

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

Attachments:

Maintenance grading locations report.

Tim McLoughlin
MANAGER URBAN (ROADS)

APPROVED FOR SUBMISSION
Megan Dixon
GENERAL MANAGER

240131 Monthly Maintenance Grading Costs January 24

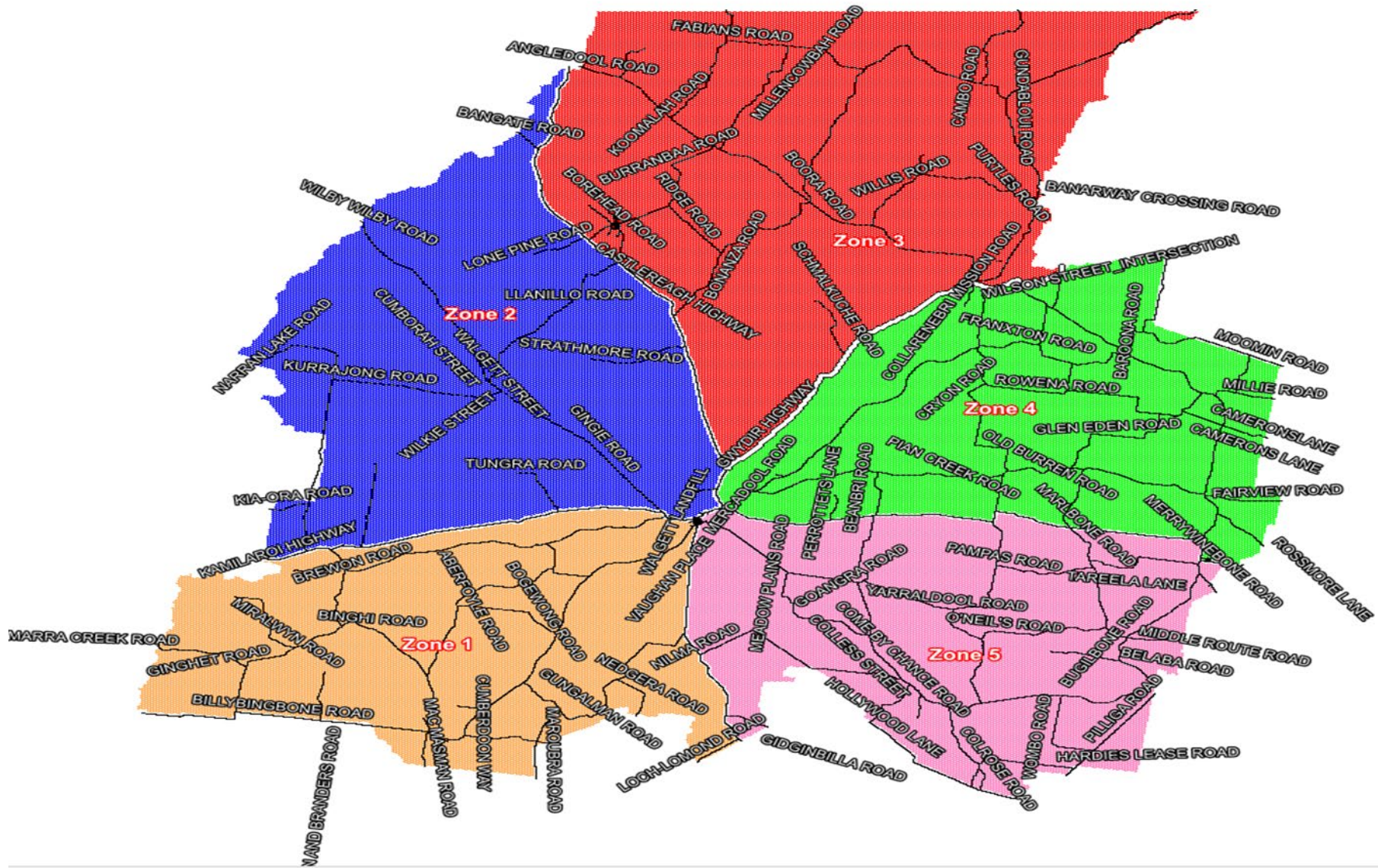
Road Name	Total Length of Road	Budget Required for Entire Road	Road Category	Expenditure For July 2023	Expenditure For August 2023	Expenditure For Sept. 2023	Expenditure For Oct. 2023	Expenditure For Nov. 2023	Expenditure For Dec. 2023	Expenditure For Jan. 2024	Expenditure For Feb. 2024	Expenditure For March 2024	Expenditure For April 2024	Expenditure For May 2024	Expenditure For June 2024	Total Cost to Date
Zone 1																
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	\$ 10,830.00	E													\$ -
Lochlomond Road SR74	8.4	\$ 5,208.00	E													\$ -
Maroubra Road SR75	8.3	\$ 5,146.00	E			\$ 4,391.21										\$ 4,391.21
Nedgara Road SR77	10.7	\$ 6,634.00	F													\$ -
Mac Masman Road SR81	8	\$ 4,860.00	E													\$ -
Binghi Road SR113	20.1	\$ 12,462.00	E													\$ -
Aberfoyle Road SR115	26.2	\$ 16,244.00	D													\$ -
Gungahman Road SR31	43.7	\$ 27,094.00	D		\$ 21,735.00	\$ 12,179.42										\$ 33,914.42
Gilwarry Road SR32	7.9	\$ 4,698.00	F		\$ 2,470.00											\$ 2,470.00
Teranyan Road SR33	13.7	\$ 8,494.00	D		\$ 6,365.00	\$ 6,194.26										\$ 14,498.41
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							\$ 2,442.57						\$ 2,442.57
Billybingbone Road RR7516	18.67	\$ 11,532.00	C													\$ -
Memi Memi Road RR202	6.57	\$ 7,166.00	C				\$ 4,319.28									\$ 4,319.28
Sub total Zone 1	392.29	\$ 250,640.00		\$ -	\$ 30,570.00	\$ 22,764.89	\$ 4,319.28	\$ -	\$ 229.15	\$ 4,152.57	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 62,035.89
Zone 2																
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		\$ 12,410.00											\$ 12,410.00
Lone Pine Road SR70	9.6	\$ 5,952.00	D			\$ 2,574.00		\$ 1,012.00								\$ 3,586.00
Kurrajong Road SR110	27.8	\$ 17,236.00	D						\$ 9,153.05	\$ 2,749.21						\$ 11,902.26
Wilby Wilby Road SR101	28.7	\$ 17,794.00	D		\$ 7,480.00			\$ 80.84								\$ 7,560.84
Grawin Opal Fields Road	0.9	\$ 557.00	C					6559.1								\$ 6,559.10
Woodlands Road SR 130	2.33	\$ 1,445.00	D													\$ -
Cumbarah Town Roads			E													\$ -
Sub total Zone 2	181.95	\$ 116,702.00		\$ -	\$ 19,890.00	\$ 2,574.00	\$ -	\$ 7,651.94	\$ 9,153.05	\$ 12,762.74	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 52,031.73

240131 Monthly Maintenance Grading Costs January 24

Road Name	Total Length of Road	Budget Required for Entire Road	Road Category	Expenditure For July 2023	Expenditure For August 2023	Expenditure For Sept. 2023	Expenditure For Oct. 2023	Expenditure For Nov. 2023	Expenditure For Dec. 2023	Expenditure For Jan. 2024	Expenditure For Feb. 2024	Expenditure For March 2024	Expenditure For April 2024	Expenditure For May 2024	Expenditure For June 2024	Total Cost to Date
Zone 5																
Pampas Road SR7	16.3	\$ 10,106.00	E													\$ -
Wombo Road SR25	17.7	\$ 10,974.00	E					\$ 16,150.00								\$ 16,150.00
Hartlys Lease Road SR26	16	\$ 9,920.00	E				\$ 7,505.00									\$ 7,505.00
Colrose Road SR27	20.6	\$ 12,772.00	E													\$ -
Wingadee Road SR28	11.8	\$ 7,316.00	E			\$ 6,474.15										\$ 6,474.15
Epping Road SR57	15.4	\$ 9,548.00	E													\$ -
Middle Route Road SR72	9.6	\$ 5,952.00	E													\$ -
Gidginbilla Road SR75	7.4	\$ 4,588.00	E													\$ -
Proctors Road SR82	4.4	\$ 4,278.00	F													\$ -
Drilldool Road SR83	5.1	\$ 4,278.00	F			\$ 1,045.00										\$ 1,045.00
Belaba Road SR89	11.2	\$ 6,944.00	F													\$ -
Hollywood Lane SR119	29.9	\$ 18,538.00	E				\$ 14,793.37	\$ 13,490.99								\$ 28,284.36
O'Niels Road SR131	31.1	\$ 19,282.00	D													\$ -
Tareela Road SR17	19.4	\$ 12,028.00	D			\$ 2,280.00				\$ 6,745.00						\$ 9,025.00
Meadow Plains Road SR21	23.9	\$ 14,818.00	D													\$ -
Marlbone Road SR24	28.4	\$ 17,608.00	D							\$ 9,595.00						\$ 9,595.00
Nilma Road SR30	37.8	\$ 23,436.00	D		\$ 17,480.00	\$ 25,175.00										\$ 42,655.00
Buglbone Road SR103	28.7	\$ 32,725.00	C													\$ -
Goangra Road SR116	16.4	\$ 10,168.00	D													\$ -
Yarraldool Road SR118	41.3	\$ 25,606.00	C					\$ 3,503.50	\$ 6,555.00	\$ 15,865.00						\$ 25,923.50
Haynes Hut SR68	4.5	\$ 2,790.00	E													\$ -
Come By Chance Road RR7716	60.9	\$ 65,450.00	C							\$ 10,587.50						\$ 10,587.50
Sub total Zone 5	457.8	\$ 329,125.00		\$ -	\$ 17,480.00	\$ 34,974.15	\$ 22,298.37	\$ 33,144.49	\$ 6,555.00	\$ 42,792.50	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 157,244.51
Total	1,905.45	1,295,183.00		\$ 11,804.82	\$ 30,621.99	\$ 68,957.49	\$ 42,398.75	\$ 55,203.02	\$ 19,585.30	\$ 157,173.33	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 445,744.70

Actual Budget

Month Total \$ 55,203.02



12.3.2 REPORT TO PROVIDE UPDATE ON MAJOR PROJECTS AS AT 31ST JANUARY 2024

RESPONSIBLE OFFICER:	Director of Engineering and Technical Services
REPORT AUTHOR:	Manager Infrastructure (Roads)
FILE NUMBER:	24/9/0018
PURPOSE:	For Noting

RECOMMENDATION

That Council receive and note the monthly major projects report for January 2024.

Moved:

Seconded:

Summary:

This report provides the Council with the current status of major projects within the shire as at the 31st January 2024.

Background and status:

The shire currently has several major projects in progress being:

- **Goangra Bridge** – Bridge is complete. The seal will be installed by 18th March 2024 the next sealing program.
- **Come by Chance Road Reconstruction and seal** – Contractor hauled gravel during January. The council expect construction to recommence in the third week of February working from the western end of the project. Variations to the work scope are being considered including modifications to the drainage and pavement specifications. Scheduled completion August 2024 – Council is in discussion with funding providers for a revised scope that will enable delivery of the project within the approved grant funds. Additional funding from the HSVPP funding stream is not available.
- **Burrnbaa Road Reconstruction and reseal** – Seal has been completed. Wet weather has hampered progress. Signs, line marking yet to be done.
- **Lorne Road Reconstruction and reseal** – Lorne Road has been open to traffic. Due to existence of significant mining cavities in Fred Reece Way and the northern end of Lorne Road, Traffic Committee, sighting hazard to heavy traffic, in February 17, 2024 meeting recommended that that the road be closed at Kangaroo Hill until the cavity issue is fully addressed. Council has an alternative route to the airport and are preparing a budget for the installation and maintenance of a bypass to the airport. The remaining works on Lorne Road (being Line marking and some road furniture) will be completed by the end of March 2024.
- **Cryon Road** – Project is in Preliminary Phase - Geometric Design is complete. Community Consultation took place and comments and suggestions were considered in the design. Geotechnical design is complete. Contract documents are in preparation.

Relevant Reference Documents/Policies:

Project Funding Deeds
Project contracts

Stakeholders:

Walgett Shire Council
Walgett Residents
Funding bodies
Contractors

Financial Implications:

Alternative Solutions/Options:

Nil

Conclusion:

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

Attachments:

Major Project Report.

Tim McLoughlin

MANAGER URBAN (ROADS)

APPROVED FOR SUBMISSION

Megan Dixon

GENERAL MANAGER

Burrnbaa Road
@ 31st January 2024

% of Project	Task	Units	Contract Quantity	% Complete	Quantity Complete	8600	9000	9400	9800	10200	10600	11000	11400	11800	12200	12600	13000	13400	13800	14200	14600	15000	15400	15800	16200	16600	17000	17400	17800	18200
2.5%	Road Furniture - Sign Posts	Item	10	0.0%	0																									
2.5%	Road Furniture - Guide Posts	Item	408	100.0%	408	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	24
10.0%	Line marking	LM	9,600	0.0%	0																									
20.0%	Sealing	M ²	76,800	100.0%	76800		3200	3200	3200	3200	3200	3200	3200	3200	3200	3200	3200	3200	3200	3200	3200	3200	3200	3200	3200	3200	3200	3200	3200	3200
20.0%	Placement of Gravel	m ³	20,108	100.0%	20108	804.32	804.32	804.32	804.32	804.32	804.32	804.32	804.32	804.32	804.32	804.32	804.32	804.32	804.32	804.32	804.32	804.32	804.32	804.32	804.32	804.32	804.32	804.32	804.32	804.32
20.0%	Stabilisation	M ³	21,610	100.0%	21610	864.4	864.4	864.4	864.4	864.4	864.4	864.4	864.4	864.4	864.4	864.4	864.4	864.4	864.4	864.4	864.4	864.4	864.4	864.4	864.4	864.4	864.4	864.4	864.4	864.4
10.0%	Placement of Bulk fill Cut	M ³	27,847	100.0%	26680		1160	1160	1160	1160	1160	1160	1160	1160	1160	1160	1160	1160	1160	1160	1160	1160	1160	1160	1160	1160	1160	1160	1160	1160
5.0%	Proof roll and removal of Unstable	M ²	377,200	100.0%	377190	7921	15842	15842	15842	15842	15842	15842	15842	15842	15842	15842	15842	15842	15842	15842	15842	15842	15842	15842	15842	15842	15842	15842	15842	7921
5.0%	Installation of Culverts and pipes	EA	35	100.0%	33				33																					
5.0%	Clearing of Vegetation	M ²	377,200	98.4%	371000		15900	15900	14000	15900	15900	15900	15900	15900	14000	15900	15900	15900	15900	14000	15900	15900	15900	15900	15900	15900	15900	15900	15900	11000

100.0%

Project status 87.42%

PROGRESS

Seal has been completed. Wet weather hampered progress. Signs and linemarking yet to be done.

Lorne Road @ 31st January 2024

% 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	80.0%	8	4														4		
0.3%	Road Furniture - Guide Posts	item	80	49.0%	39	2.8	2.8	2.8	2.8	2.8	2.8	2.8	2.8	2.8	2.8	2.8	2.8	2.8	2.8	2.8		
0.3%	Road Furniture - Line Marking	m	5,100	0.0%	-																	
19.0%	Sealing	M ²	40,748	100.0%	40,742	1567	3134	3134	3134	3134	3134	3134	3134	3134	3134	3134	3134	3134	3134	1567		
31.0%	Placement of Gravel	M ³	11,876	100.0%	11,876	834	834	834	834	834	834	834	834	834	834	834	834	834	834	834		
21.0%	Stabilisation	M ²	51,975	100.0%	51,975	3713	3713	3713	3713	3713	3713	3713	3713	3713	3713	3713	3713	3713	3713	3713		
4.0%	Placement of Bulk fill Cut	M ³	4,164	107.6%	4,480	320	320	320	320	320	320	320	320	320	320	320	320	320	320	320		
1.0%	Proof roll and removal of Unsuitable	M ²	56,100	100.0%	56,100	4000	4100	4000	4000	4000	4000	4000	4000	4000	4000	4000	4000	4000	4000	4000		
5.0%	Clearing of Vegetation	M ²	204,000	100.0%	204,000		16000	16000	16000	16000	16000	16000	16000	16000	16000	16000	16000	16000	16000	12000		
3.5%	Preliminary - Site oncosts	item	1	100.0%	1	0.5														0.5		
3.5%	Preliminary - Traffic control	item	1	100.0%	1	0.5														0.5		
7.0%	Preliminary - Site establishment	item	1	100.0%	1	0.5														0.5		
3.5%	Project Management	item	1	100.0%	1	0.07	0.09	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07		

99.4%

Project status 99.19%

Lorne road is open to traffic. Due to existence of significant mining cavities in Fred Reece Way and the northern end of Lorne Road, Transport for NSW through the Traffic Committee require that the road will be closed at Kangaroo Hill until the cavity issue can be fixed. Council have an alternative route to the airport and are preparing a budget for the installation and maintenance of a bypass to the airport. The remaining works on Lorne Road (being Line marking and some road furniture) will be completed by the end of March 2024

Cryon Road @ 31st January 2024

% of Project	Task	Units	Contracty Quantity	% Complete	Quantity Complete	01-Feb-23	01-Mar-23	01-Apr-23	01-May-23	01-Jun-23	01-Jul-23	01-Aug-23	01-Sep-23	01-Oct-23	01-Nov-23	01-Dec-23	01-Jan-24	01-Feb-24	01-Mar-24	01-Apr-24	01-May-24	01-Jun-24	01-Jul-24	01-Aug-24
	Preliminary																							
1	Geometric Design	ITEM	1	100%	1.000					1				0	0									
1	Geotechnical	ITEM	1	100%	1.000					1				0	0									
1	Environmental Factors Review	ITEM	1	100%	1.000					1														
1	Procurement	ITEM	1	15%	0.150													0						
	Construction																							
0%	Site Preperation	ITEM	1	0%	0																			
0%	Removable of unsuitables	M3	1	0%	0																			
0%	Bulk Earthworks (Cut to Fill)	M3	1	0%	0																			
0%	Stabilisation	M2	1	0%	0																			
0%	Mass Haul Gravel	M3	1	0%	0																			
0%	10mm-14mm Spray Seal	M2	1	0%	0																			
0%	Road Furntiture - Traffic Signs	ITEM	1	0%	0																			
0%	Road Furntiture - Guide Posts	ITEM	1	0%	0																			

PROJECT STATUS

Project is in Preliminary Phase - Geometric Design is complete. Community Consultation took place and comments and suggestions were considered in the design. Geotechnical design is complete. Contract documents are in preparation

12.3.3 REPORT TO PROVIDE UPDATE ON TECHNICAL SERVICES PROGRESS AS AT 31ST JANUARY 2024

RESPONSIBLE OFFICER: Director of Engineering and Technical Services
REPORT AUTHOR: Manager Infrastructure (Roads)
FILE NUMBER: 24/9/0019
PURPOSE: For Noting

RECOMMENDATION

That Council receive and note the Engineering Services monthly works progress report for January 2024.

Moved:

Seconded:

Summary:

The purpose of this report is to update Council with regards to the Engineering Services progress works up to 31st January 2024

Background:

The revised budget of the Engineering and Technical Services Department for Capital & Maintenance Works, Quarry Management, Fleet Management, Water & Sewerage works, Parks & Garden and Engineering Administration for 2023/2024 is \$55,575,578

The breakdown of the budget is as follows:

Items	Revised Budget	Expenditure up 31 st January 2024	%
Engineering Technical Services including RMCC Works	\$45,264,111	\$26,664,690	58.9%
Water – Maintenance	\$3,484,869	\$962,590	27.6%
Water – Capital	\$1,052,665	\$324,975	30.9%
Sewer – Maintenance	\$1,083,161	\$313,704	29.0%
Sewer – Capital	\$400,000	\$0	0.0%
Total	\$51,284,806	\$28,265,959	55.1%

Relevant Reference Documents/Policies:

2023/24 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

Financial Implications:

As of 31st January 2024, \$28,265,959 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.

Attachments:

Nil

Tim McLoughlin

MANAGER URBAN (ROADS)

APPROVED FOR SUBMISSION

Megan Dixon

GENERAL MANAGER

12.3.4 REPORT TO PROVIDE UPDATE ON WALGETT SHIRE COUNCIL WATER FUND AND FUTURE PROJECTS

RESPONSIBLE OFFICER:	Director of Engineering and Technical Services
REPORT AUTHOR:	Director of Engineering and Technical Services
FILE NUMBER:	24/9/0012
PURPOSE:	For Noting

RECOMMENDATION

That this report be accepted and noted.

Moved:

Seconded:

Summary:

A discussion session was held with Walgett Shire Council Councillors to inform about the status of water fund and upcoming future projects. This report attempts to provide an insight of Council's water fund status and future projects that the Council must undertake in the short term, to be able to operate water business in a viable and compliant manner. This report also recommends funding option for the future projects.

Background:

In accordance with the directives set forth by the State Authority, the local water utilities business model within the Walgett Shire Council operates as an independent entity, distinct from other Council functions. This model, exempt from rate pegging regulations, underscores the necessity to adhere to Best Practice Management Principles outlined by the state authority. As a self-funded entity, the water utilities business is mandated to cover operational, maintenance, and asset replacement costs.

Notably, co-contribution funding, potentially up to 75%, is accessible for eligible upgrade and capital projects, subject to approval by the state authority. The fundamental principle dictates that 75% of operating income should originate from the sale of water (usage charge), with the remaining 25% derived from availability charges (access charge).

A comprehensive financial overview reveals the un-audited cash reserves balance as of 30th June 2023 across various townships within the Walgett Shire Council. While Walgett and Lightning Ridge exhibit favourable cash reserves, Collarenebri and Villages face deficits. The revenue streams of the water business encompass usage charges (calculated per kilolitre consumption), access charges (dependent on connection type and location), and grants or subsidies.

Table 1.1 Walgett Shire Council Water Business Financial Position

Un-audited cash reserves balance as of 30th June 2023	
Walgett	\$4,491,474
Lightning Ridge	\$3,871,460
Collarenebri	-\$2,989,644
Villages	-\$1,293,381
Total for Business	\$4,079,909

Table 1.2 Water Business Income from Usage and access charge for FY 2023

Water Usage and Access charges for 2023FY				
Town	Assessment Count	Total Usage Charges	Access Charges	Total
Walgett	817	\$ 331,260.05	\$ 1,152,270.00	\$ 1,483,530.05
Lightning Ridge	803	\$ 115,935.36	\$ 372,377.00	\$ 488,312.36
Collarenebri	263	\$ 114,984.40	\$ 351,303.00	\$ 466,287.40
Rowena	22	\$ 2,363.36	\$ 10,924.00	\$ 13,287.36
Carinda	59	\$ 4,047.04	\$ 27,641.00	\$ 31,688.04
	1,964	\$ 568,590.21	\$ 1,914,515.00	\$ 2,483,105.21
Percentage of income		23%	77%	100%

Usage Charges 2023/24 Financial Year		
Portable and Non-Portable Water – Walgett and Collarenebri		\$
Filtered Usage Charge	Per KI up to 600KI	1.17
Filtered Usage Charge	Per KI over 600 KI	1.78
Raw Usage Charge	Per KI up to 600KI	0.40
Raw Usage Charge	Per KI over 600 KI	0.58
Bore Water Lightning Ridge, Carinda and Rowena		
Usage Charge	Per KI up to 600KI	0.40
Usage Charge	Per KI over 600 KI	0.58
The reason Lightning Ridge and Villages pay the same rate as untreated water for Walgett and Collarenebri is that there is no treatment plant involved		

Connection Type	Access Charge - \$
Water Access 20mm Filtered Walgett	631
Water Access 20mm Walgett - Raw	631
Water Access 20mm Filtered Colly	631
Water Access 20mm Raw Colly	631
Water Access 20 mm - Lightning Ridge, Carinda and Rowena	455
Lightning Ridge and Villages access charge is less due to absence of treatment plant/process	

Future projects within the water business, slated for implementation across different townships, underscore the Council's commitment to infrastructure enhancement and service provision. Noteworthy initiatives include the installation of cooling towers and chlorination systems, bore pipeline replacements, and the introduction of high-level reservoirs and pumps.

These endeavours, guided by the imperative of improving water supply reliability and quality, necessitate prudent financial planning and strategic resource allocation.

Table 2.1 - List of Identified Future Projects Related to Water Business

Year	Town	Project	Estimated cost	Comments
2024/25	Lightning Ridge	Cooling tower and chlorination	\$2.1M	In Progress - Part grant funded
2024/25	All	IWCM	\$500,000	In Progress - Part grant funded
2024/25	Lightning Ridge	Bore pipeline	\$2.6M	Funding not available
2024/25 2025/26	Rowena Walgett and Lightning Ridge	New high-level reservoir and pumps Reservoir cleaning and painting	\$80,000 \$200,000	Contamination issue Reservoirs are due for cleaning and painting
2024/25	Walgett	Bore cleaning and pump servicing	\$100,000	Existing Pumps are failing
2024/25	Walgett	VSD's at river pumps	\$100,000	There is no dedicated VSD for individual pumps for raw water pumps
2024/25	All	Stop valve replacement program	\$300,000	Urgent as Valves are leaking across the shire due to lack of maintenance
2024/25	All	Water main replacement program	\$500,000	Aged infrastructure
2024/25	All	Water meter replacement program	\$100,000	Aged meters
2024/25	All	Bore meters for NRAR compliance	\$150,000	Required urgently – All bores require meters – Approx 10 meters. Council received extension
2024/25	All	Telemetry / SCADA upgrade	\$500,000	Obsolete telemetry system replacement
2025/26	Collarenebri	Generators	\$250,000	Power supply redundancy - Water Treatment
2025/26	All	Smart meters	\$500,000	Required to replace inaccessible meters of approximately – 400 Meters
2025/26	All	W&S Strategic Business Plan	\$100,000	The water business has been operating without a business plan and pricing model
2025/26	Collarenebri	Solar Power supplement and Sludge Management	\$350,000	The membrane plant consumes significant amount of power. \$100k for solar and \$350k for sludge management
Total			8.43M	

Despite the Council's endeavors, the Lightning Ridge Water Business confronts several challenges.

- The customers pay untreated water supply rates,
- Free water is accessed via stand pipes by anyone and accounts for approximately 40% of water production,
- The Miners 'association receives free water are to name a few.
- Operational surpluses are undermined by increased operating expenses associated with treatment process upgrades.
- Moreover, the replacement of Bore 1 Pipeline, estimated at \$2.6 million, poses financial constraints.

As this Council report deliberates on financing options and rate adjustments, ensuring sustainable water supply infrastructure remains paramount to meet the evolving needs of the community.

The considerations are outlined below:

1. Council seeks to borrow funds from NSW Treasury Corp.
2. The council prepare for servicing the loan for its life and improve the borrowing capacity.
3. A full review of water rates and the introduction of new rates for water supply.
4. For Lightning Ridge, with the upgrade of the treatment process, the water supply rates will need to be increased to match with Walgett and Collarenebri treated water rates.
5. To provide ongoing water supply via standpipe and to the Miners' Association, an annual charge in the rates notice for "unreticulated water availability" needs consideration. Alternatively, a charging system (Tap and go or similar) will need to be introduced at unconnected water outlets.
6. Council continues to pursue the State and Federal for a grant funding to enable water security for Lightning Ridge (construction of Lightning Ridge Bore 1 pipeline).

Conclusions:

In conclusion, the report underscores the urgency for strategic action in addressing financial deficits and essential water infrastructure projects in the Walgett Shire Council.

To ensure long-term viability, the Council is advised to prioritize seeking State funding, followed by low-interest loans and potential water reserve allocation. The primary recommendation involves canvassing the NSW Government for funding related to the Lightning Ridge Water Security (Bore No 1 pipeline replacement project), noting that this avenue is being actively pursued with the support of local member, Roy Butler, MP.

Additionally, the report emphasizes the importance of a comprehensive water charges review to align water supply rates, particularly in Lightning Ridge, with Walgett and Collarenebri. The Council's prompt consideration and implementation of these recommendations are crucial for sustaining reliable water services and meeting the community's evolving needs.

Relevant Reference Documents/Policies:

Analytical Sampling Results for Lightning Ridge Water Supply
Council Report on Lightning Ridge Bore Line 5 July 2023
Australian Drinking Water Guideline (ADWG)

Stakeholders:

Walgett Shire Council
Walgett Residents
Tourists
Department of Planning, Industry, and Environment (DPIE)

Financial Implications:

A budget of \$8.43M for future short-term projects

Alternative Solutions/Options:

Nil

Report to provide update on Walgett Shire Council Water Fund and future projects 2024

Attachments:

Power Point Presentation on Lightning Pipeline and Water Business Review conducted on 06/02/2024.

Kazi Mahmud
DIRECTOR OF ENGINEERING AND TECHNICAL SERVICES

APPROVED FOR SUBMISSION
Megan Dixon
GENERAL MANAGER

WALGETT SHIRE COUNCIL

- **Lightning Pipeline and Water Business Review**
- Tuesday 6/2/24



Local Water Utilities Business Model as set by State Authority

- Needs to be operated as a business
- Requires to be separated from the Council's other business functions. For example, rate pegging does not apply to the water business.
- Needs to follow Best Practice Management Principles as set out by state authority.
- Needs to be self-funded for operating, maintenance and asset replacement functions.
- Any upgrade and new capital project receives co-contribution funding if accepted by state authority i.e. DPIE and Walgett Council can receive up to 75% co-contribution.
- According to best practice management 75% of operating income should be from the sale of water (usage charge) and 25% from availability charges (access charge)

Walgett Shire Council Water Business Financial Position

Un-audited cash reserves balance as of 30th June 2023	
Walgett	\$4,491,474
Lightning Ridge	\$3,871,460
Collarenebri	-\$2,989,644
Villages	-\$1,293,381
Total for Business	\$4,079,909

Water Business Income Streams

- Usage (Charged as Per Kilo Litre Consumption)
- Access (Charged based on Connection – Meter Size, Residential/Non-Residential etc.)
- Grants, Subsidy etc.

Water Usage and Access charges for 2023FY				
Town	Assessment Count	Total Usage Charges	Access Charges	Total
Walgett	817	\$ 331,260.05	\$ 1,152,270.00	\$ 1,483,530.05
Lightning Ridge	803	\$ 115,935.36	\$ 372,377.00	\$ 488,312.36
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Carinda	59	\$ 4,047.04	\$ 27,641.00	\$ 31,688.04
	1,964	\$ 568,590.21	\$ 1,914,515.00	\$ 2,483,105.21
Percentage of income		23%	77%	100%

Fees and Charges As set by the Council

- Usage Charges

Usage Charges 2023/24 Financial Year		
Portable and Non-Portable Water – Walgett and Collarenebri		\$
Filtered Usage Charge	Per Kl up to 600Kl	1.17
Filtered Usage Charge	Per Kl over 600 Kl	1.78
Raw Usage Charge	Per Kl up to 600Kl	0.40
Raw Usage Charge	Per Kl over 600 Kl	0.58
Bore Water Lightning Ridge, Carinda and Rowena		
Usage Charge	Per Kl up to 600Kl	0.40
Usage Charge	Per Kl over 600 Kl	0.58
The reason Lightning Ridge and Villages pay the same rate as untreated water for Walgett and Collarenebri is that there is no treatment plant involved		

Fees and Charges As set by the Council

- Access Charges – The majority of the connections are 20mm residential connections. Larger size meters are excluded for simplicity

Connection Type	Access Charge - \$
Water Access 20mm Filtered <u>Walgett</u>	631
Water Access 20mm <u>Walgett</u> - Raw	631
Water Access 20mm Filtered Colly	631
Water Access 20mm Raw Colly	631
Water Access 20 mm - <u>Lightning Ridge, Carinda and Rowena</u>	455
Lightning Ridge and Villages access charge is less due to absence of treatment plant/process	

Walgett Shire – List of Identified Future Projects Related to Water Business

Year	Town	Project	Estimated cost	Comments
2024/25	Lightning Ridge	Cooling tower and chlorination	\$2.1M	In Progress - Part grant funded
2024/25	All	IWCM	\$500,000	In Progress - Part grant funded
2024/25	Lightning Ridge	Bore pipeline	\$2.6M	Funding not available
2024/25 2025/26	Rowena Walgett and Lightning Ridge	New high-level reservoir and pumps Reservoir cleaning and painting	\$80,000 \$200,000	Contamination issue Reservoirs are due for cleaning and painting
2024/25	Walgett	Bore cleaning and pump servicing	\$100,000	Existing Pumps are failing
2024/25	Walgett	VSD's at river pumps	\$100,000	There is no dedicated VSD for individual pumps for raw water pumps
2024/25	All	Stop valve replacement program	\$300,000	Urgent as Valves are leaking across the shire due to lack of maintenance
2024/25	All	Water main replacement program	\$500,000	Aged infrastructure
2024/25	All	Water meter replacement program	\$100,000	Aged meters
2024/25	All	Bore meters for NRAR compliance	\$150,000	Required urgently – All bores require meters – Approx 10 meters. Council received extension
2024/25	All	Telemetry / SCADA upgrade	\$500,000	Obsolete telemetry system replacement
2025/26	<u>Collarenebri</u>	Generators	\$250,000	Power supply redundancy - Water Treatment
2025/26	All	Smart meters	\$500,000	Required to replace inaccessible meters of approximately – 400 Meters
2025/26	All	W&S Strategic Business Plan	\$100,000	The water business has been operating without a business plan and pricing model
2025/26	<u>Collarenebri</u>	Solar Power supplement and Sludge Management	\$350,000	The membrane plant consumes significant amount of power. \$100k for solar and \$350k for sludge management

Lightning Ridge Water Business Income and Expense Related Issues

- Customers pay for untreated water supply rates - usage and access charges.
- Anyone can access free water via standpipes.
- The miners' association receives free water.
- Lightning Ridge Water supply system undergoing treatment process upgrade that includes Cooling Tower, Laboratory and Chlorine dosing system construction.
- Lightning Ridge Water Supply upgrade will increase operating expenses by \$100,000 as per today's dollar amount.
- In 2022/23 Lightning Ridge water supply had an operating surplus of \$181,525 and an additional operating expenditure of \$100,000 will further reduce it to an amount that is unsustainable for asset renewal and replacement in the future.

Lightning Ridge Bore 1 Pipeline Replacement

- Bore 1 Pipeline replacement cost is estimated at \$2.6M, this includes Electrical and Telemetry upgrades
- Application for funding via NSW Water Grid fund was unsuccessful.
- Given the status of the Water fund, the Council will be required to seek to borrow funds from NSW Treasury Corp.
- This will mean the Council will need to prepare for servicing the loan for its life and improve the borrowing capacity.
- This will require a full review of water rates and the introduction of new rates for water supply.
- For Lightning Ridge, with the upgrade of the treatment process, the water supply rates will need to be increased to match with Walgett and Collarenebri treated water rates.
- To provide ongoing water supply via standpipe and to the miners' association, an annual charge in the rates notice for "unreticulated water availability" needs consideration. Alternatively, a charging system (Tap and go or similar) will need to be introduced at unconnected water outlets.

12.3.5 REPORT TO PROVIDE UPDATE ON MINING CAVITIES IN FRED REECE WAY AND LORNE ROAD

RESPONSIBLE OFFICER: Director of Engineering and Technical Services
REPORT AUTHOR: Manager Infrastructure (Roads)
FILE NUMBER: 24/9/0016
PURPOSE: For Decision

RECOMMENDATION

That Council approves;

1. Closure of Fred Reece Way and Lorne Road to all traffic weighing above 2 tonnes.
2. The installation of concrete chicanes to calm traffic in the area to exclude heavy vehicles completely.
3. Redirection of access to the airport for fuel trucks and garbage service vehicles via Stony Creek Road and the gravel road adjacent to the airport.
4. Upgrade of three intersections to accommodate articulated vehicles on the proposed alternative route.
5. Making representation to the Mines Department and Crown Lands Department emphasizing responsibility requirement to address this historic issue and seek financial support for rectification works.

Moved:

Seconded:

Summary:

This report is to inform the Council of the current status of Fred Reece Way and Lorne Road, The recommendation made by the Traffic Committee on 07 February 2024 and the status of the Mining Cavities under Fred Reece Way and Lorne Road.

Background:

Requests were made to the Council by concerned citizens and councillors regarding significant cavities created by mining activities under Lorne Road and Fred Reece Way. The council commissioned a seismic survey and a ground-penetrating radar survey of the suspect area, which were not definitive. Subsequently, the council commissioned drilling, revealing two cavities under existing roads. The cavities were approximately 150m apart, with volumes of 150m³ and 350m³, spanning the intersection of Fred Reece Way and Lorne Road. The Mines Department has been approached by council staff and was requested that the Council obtain a report from a Geomechanical Engineer. The council has received a fee proposal from GHD to prepare an Engineering report.

The cavities were formed by mining activities at the beginning of the last century approximately around 1910.

The present observation is that the reconstruction of Lorne Road has led to an increase in traffic flow, heavy vehicles in particular. Traffic counters have been in place for the past three months, with data analysis expected to be completed by the end of February 2024.

Recently, Walgett Shire Councillors raised the issue at the Local Area Traffic Committee. Information

provided in the meeting, suggests that during the drilling process, an operator observed material coming off the dome of one cavity when heavy vehicles passed over the area. There are additional unverified reports of a bulldozer and a watercart falling into cavities elsewhere in the opal fields in the past. The Traffic Committee considered these reports and strongly recommended closing the area where the cavities exist until repairs can be done due to the risk it may pose to the travelling traffic.

The status of the road reserve is that Crown Lands is in the process of creating the road reserve for handover to the council. The originally proposed Road Reserve on Fred Reece Way has numerous mining leases intersecting the proposed road reserve to the extent that Crown Land is proposing to narrow the road reserve to exclude those leases. Lorne Road is yet to be gazetted.

Current Position:

Council officers have investigated the area and suggest the following factors to be considered prior to the complete closure of the road.

- Airport Access - Ensuring continuous access to the airport is imperative.
- Preserving local residents' access - It is crucial to uphold access for local residents.
- Sustaining Airport Fuel Deliveries - the continuity of fuel deliveries to the airport must be guaranteed.
- Preserving Garbage Removal Services for Residents - the uninterrupted provision of Garbage removal services to residents is essential.
- Minimisation of dust generated on the alternative route to the airport – the recommended adjustment highlights the specific concern about minimizing dust generation on alternative access routes to the airport, which is a gravelled road.
- Assessing Costs of Alternative Access Implementation - evaluate the costs associated with implementing and maintaining alternative access routes to the airport with particular emphasis on minimising dust generation and the suitability of the alternative to increased traffic volumes due to the narrowness of the route

Relevant Reference Documents/Policies:

Local Area Traffic Committee Meeting Minutes held on 07 February 2024

Stakeholders:

Walgett Shire Council
Lightning Ridge Residents
Tourists
Crown Lands Department
Mines Department

Financial Implications:

To be determined

Alternative Solutions/Options:

No alternative solutions suggested at this stage due to high risk of accident due to subsidence which will potentially increase Council's liability.

Conclusion:

The circumstances require that the Council engage in community awareness and then modify the traffic flow such that, no heavy vehicles use the area of the cavities. Heavy vehicle access to the airport can be provided via Stoniey Creek Road and the track next to the airport. Adequate signage on the alternative route can be provided and three intersections can be upgraded to make this route suitable. Representations to the Mines Department and Crown Lands Department can be made to request resolving this issue as a priority.

Attachments:

Attached Map showing the Cavity location and alternative route options.

Tim McLoughlin
MANAGER URBAN (ROADS)

APPROVED FOR SUBMISSION
Megan Dixon
GENERAL MANAGER

2/15/24, 1:53 PM

Google Maps

Google Maps



Imagery ©2024 Airbus, CNES / Airbus, Maxar Technologies, Map data ©2024 200 m

12.3.6 REQUEST FOR REIMBURSEMENT FROM LRMA

RESPONSIBLE OFFICER:	Director of Engineering and Technical Services
REPORT AUTHOR:	Director of Engineering and Technical Services
FILE NUMBER:	24/9/0015
PURPOSE:	For Decision

RECOMMENDATION

That council resolves to decline the reimbursement payment requested by LRMA Ltd for the installation of three 22,000–litre water storage tanks.

Moved:

Seconded:

Summary:

The report provides Council with information for a decision regarding the request from LRMA Ltd. to reimburse installation of three 22,000 Litres water storage tanks.

Background:

A request has been received from the Lightning Ridge Miners Association (LRMA) Ltd regarding the reimbursement of payment for the installation of three 22,000-litre water storage tanks. A letter dated 09 January 2024 informed the Council of the installation of tanks and that invoices would be forwarded to the Council at a later date. The argument that was put forward within the letter was that the main bore line had several collapses leading to a lack of water supply and had a detrimental effect on mining operations. On 12 February 2024, LRMA Ltd forwarded the invoices to the council requesting reimbursement.

It is noted that no consultation with the Council took place before the installation of water tanks.

Walgett Shire Council has an agreement to supply water from Lightning Ridge bore baths up to 6 l/sec and if the flow is insufficient through the bore baths then this will be supplemented directly from the Llanillo artesian bore located at the baths.

The LRMA and the Walgett Shire Council also have agreements with the two landholders (and their successors whose properties the pipeline passes through. In exchange for the easements for the pipeline registered with Crown Land, the Shire and the LRMA supply these landholders with stock water.

As part of the agreement, the Council is supplying the LRMA with water directly from the original town bore for domestic purposes for use by the three Caretaker on the LRMA's processing tanks with 100 mm outlet off the main bore line which was constructed at the cost of LRMA Ltd.

It is noted that the LRMA's members have been facing difficulty over the summer months due to insufficient water being delivered to the processing facility.

Current Position:

The collapse of the main bore line (bore no 1 pipeline) has occurred over a short period with any prior sign of damage. This has occurred due to the chemical degradation of pipes because of flood water intrusion within plastic wrap and highly reactive soil being present surrounding the pipe. Replacement of this pipe was not within Council's infrastructure replacement schedule and was not budgeted for in Council's Long Term Financial Plan. The Council's water fund is not sufficient to undertake an immediate replacement of this pipe and carry on all other prioritised water infrastructure replacement works.

Council, however, is actively pursuing the NSW Water Minister for emergency funding of the Bore No 1 pipeline replacement as well as finding alternative financing options.

The installed three 22,000-litre water tanks are not part of Council's water infrastructure and funding private infrastructure does not align with the Council's policies and procedures.

Relevant Reference Documents/Policies:

Request letter and invoice

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.

Consistency: - It is good practice for the Council to be consistent with established policies when making decisions. In rare cases, there may be compelling reasons to do otherwise, especially where there are demonstrable public benefits.

Environmental issues:

None identified.

Stakeholders:

Walgett Shire
LRMA

Financial Implications:

Should the council decide to reimburse the invoice, there will be a negative impact financially in the amount of \$9,300 for which, no budget exists.

Alternative Solutions/Options:

Nil

Conclusion

The installed tanks are private infrastructure and current Council policies and Procedures does not allow for funding private infrastructure.

Attachment:

Letter from LRMA on 09/01/2024
Invoice from LRMA on 12/02/2024

Kazi Mahmud

DIRECTOR OF ENGINEERING AND TECHNICAL SERVICES

APPROVED FOR SUBMISSION

Megan Dixon
GENERAL MANAGER

09 January 2024

Megan Dixon
General Manager
Walgett Shire Council
PO Box 31
Walgett NSW 2834

Dear Megan,

Re: Water Agreement – LRMA/Walgett Shire Council

The collapse of the main bore line in Lightning Ridge approximately one year ago has put the LRMA in a difficult position.

The pumps at the bore baths have never been adequate and we now find ourselves in a precarious position as the pumps have failed completely resulting in zero water supply. This renders our four processing dams unusable, and the domestic water for our caretakers' residences non-existent.

(Note: The LRMA has installed three 22,000 litre tanks with high pressure 12-volt pumps to ensure domestic water for our caretakers...the invoice will be in the mail).

As per an agreement with the WSC (2019), the LRMA installed, at *our* expense, a 100mm pipeline from the bore head situated 200m north of the pub to our four processing dams, thereby drought proofing the complex. This successfully solved our previous water issues until the collapse of the main bore line (numerous times).

With the town relying on the new bore for its water supply, the new bore has been found to be lacking. It barely keeps up to the town's needs, therefore not allowing any water to be pumped to the LRMA's processing dams. This is an unacceptable situation as mining is the life-blood of Lightning Ridge.

WSC has effectively managed to break every clause in our water agreement.

Lightning Ridge rate payers incurred an increase in rates to ensure the timely and efficient rectification of infrastructure emergencies. Monies collected from Lightning Ridge by the WSC was to be put aside for such emergencies, but we now find the money pool is not available to facilitate the installation of a new line from the old bore to town.

What is most concerning is that there seems to be no plan of action by the WSC to fix this problem...and no sense of haste.

Sitting on one's hands waiting for government grants which may never eventuate is not a solution.

The solution to the problem is to immediately call for tenders for the installation of the new bore line financed from the funds collected by the WSC from Lightning Ridge ratepayers for infrastructure failures.

It is not only the mining sector that is affected by the problem, but also the township and surrounding residential mineral claims who all rely on artesian water for their daily domestic needs, and who are all rate payers. It would only take one more failure within the water supply infrastructure and Lightning Ridge will be without water within 24 hours. We do not live on a river.

The LRMA looks forward to a resolution to this issue.

Yours sincerely,



Name *ORONA WILLIAM MOLYNEUX*

Title *DIRECTOR*



AGnVET Rural Pty Ltd ABN: 52 125 781 222
 Accounts Office: PO BOX 575, BEROWRA NSW 2061

Tax Invoice
 Delivery Docket

Branch: Walgett
 Number: 30044

Customer: Lightning Ridge
Minares Association
 ABN: Lightning Ridge

Account Cash Card EFTPOS
 Cheque No: _____
 Drawer: _____
 Identification: _____

Date	Account No	Your Order No	Delivery		
9/1/2023					
Code	Description	Qty	Price	Value	
	3 x TANK. 22500 LTR	3	3100	\$9300.00	
	Bank Details				
BBB	062539				
Account	10115814				
				ENTERED	
TOTAL (price includes GST)				\$ 9300.00	

Payment method: Osko
 Scheduled payment date: 11 Jan 2023
 Payment ID: a1c8c2a8-084f-425d-a543-8dc443cc585d

Conrad William Holzner

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ENTERED

12.4 DIRECTOR ENVIRONMENTAL SERVICES

12.4.1 STREET DINING EXTENSION OF HOURS

RESPONSIBLE OFFICER:	Director Environmental Services
REPORT AUTHOR:	Director Environmental Services
FILE NUMBER:	AA2022/58
PURPOSE:	For Decision

RECOMMENDATION

Endorse the extension of operation hours for Stones -Throw Café

Moved:

Seconded:

Summary:

Application was received from the owner on 15th September 2023 for the extension of operating hours of “Stones Throw Cafe” from 6.30am to 10.00pm from Monday to Sunday at 58 Fox Street Walgett (Stones Throw Café) for a trial period of three months, following the expiry of this period, should no issues transpire from operation, then the approval can be extended until expiry of the Local Activity Approval for street dining until 8 November 2027. The lease of the cafe has also contacted Council to inform Council that they have obtained a license from Liquor & gaming, so that they can sell alcoholic beverages from the premises.

Council has previously approved the use of the street dining for the purpose of selling food and drink at a public place from 7.00am to 8.00pm daily.

The owner now wishes to modify the existing approval to extend the operating hours for street dining time by 30 minutes from 6.30am to 7.0am in the morning and two hours at night from 8.00pm to 10.00pm.

At Council’s ordinary meeting held on 26 October 2023 Council approved the report.

To date no issues have been detected or received from the public.

Background:

The last meeting at a meeting held on 26 October 2023 Walgett Shire Council resolved to accept on a trial period of three months, the street dining increase in hours of operation subject to if no issues have been established within that time period to permanently extend the trading hours with the street dining until the expiry date in 2027 of the Activity Approval.

Current position:

No known issues have arisen concerning any incident from Street Dining from the “Stones Throw Cafe” at 58 Fox Street Walgett.

Relevant Reference Documents:

- Local Government Act 1993 and Regulations
- Walgett Local Environment Plan 2013
- Walgett Shire Council Guidelines
- Environment Planning & Assessment Act 1979
- 2008 State Environmental Planning Policy (Exempt and Complying Development)

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 exercise its functions in a manner that is consistent with and promotes social justice principles of equity, access, participation and rights

Environmental issues:

Amenity, and enforcement of, alcohol free zones is likely to reduce littering (especially glass alcohol containers).

Stakeholders:

Walgett Shire Council
Community
Liquor licenses.

Financial implications:

Nil

Alternative solutions/options:

Do nothing: This option has not been recommended as:

Doing nothing would not allow the community not to experience expanded operating hours..

The current arrangement appears to be supported by the community and Police.

Conclusion:

The expansion of street dining operation hours is one of several methods by which Council can maintain public amenity and as the trial period was successful the amended Activity Approval AA2022/52 shall now be extended until 8 November 2027.

Kimley Talbert

DIRECTOR ENVIROMENTAL SERVICES

APPROVED FOR SUBMISSION

Megan Dixon

GENERAL MANAGER

12.4.2 IMPENDING EXPIRY OF ALCOHOL FREE ZONES

RESPONSIBLE OFFICER:	Director Environmental Services
REPORT AUTHOR:	Director Environmental Services
FILE NUMBER:	24/9/0031
PURPOSE:	For Decision

RECOMMENDATION

That Walgett Shire Council resolve to:

1. **Note the letter dated 17 February 2015 from the Superintendent of Castlereagh Local Area Command requesting that the existing Alcohol Free Zones at Walgett, Lightning Ridge and Collarenebri be maintained for a four year period.**
2. **Undertake consultation regarding establishing alcohol free zones in Walgett, Collarenebri and Lightning Ridge for four years, over the same areas as the existing zones. This will include publicising and circulating a proposal document, as well as inviting public submissions, via:**
 - (a) **Advertising within the Walgett Spectator and Lightning Ridge News.**
 - (b) **Advertising on the Walgett Shire Council web site.**
 - (c) **Circulation of the proposal document via mail to the officer in charge of the Walgett, Lightning Ridge and Collarenebri police stations.**
 - (d) **Circulation of the proposal document via mail to the NSW Anti-Discrimination Board.**
 - (e) **Circulation of the proposal document via mail to any known organisation representing an identifiable Aboriginal or ethnic group within the local area**
 - (f) **Circulation of the proposal document via mail to all liquor licensees within or adjoining the proposed alcohol free zones.**
3. **Upon consultation received, concerning the alcohol free zone reintroduction, a report shall be submitted to the council with respect to the community consultation advertising out-come.**

Moved:

Seconded:

Summary:

Alcohol free zones in the towns of Walgett, Lightning Ridge and Collarenebri expired on 14 July 2019. This report recommends that Council resolve to undertake community consultation regarding the re-establishment of the zones.

Background:

The last meeting at a meeting held on 26 May 2015 Walgett Shire Council resolved to establish alcohol free zones over parts of the Walgett, Lightning Ridge and Collarenebri urban areas for the maximum permitted term of four years. Those zones did expire on 14 July 2019.

The last correspondence received dated 17 February 2015 the Superintendent of Castlereagh Local

Area Command has written to Walgett Shire Council and requested that the Alcohol Free Zones be maintained for another four year period (Attachment A). The Superintendent has provided a range of reasons why they are required, and how they are effective.

From a Council perspective, certain problems are exacerbated by uncontrolled street drinking, including:

- Litter, which requires additional resources to remove.
- Broken glass, which presents a safety hazard to the public.

Current position:

The Local Government Act 1993 (LGA 1993) does not make provision for alcohol free zones to be renewed, hence the processes required under Chapter 16 Part 4 of the Act must be followed each time a zone is established. Under section 646 of the LGA 1993, Council is obliged to follow the 2009 Ministerial Guidelines on Alcohol Free Zones.

Alcohol free zones can only be created over public roads or a public place that is a car park (i.e.. a car park on public land or Crown Land). Zones can operate up to a maximum of four (4) years (sub-section 644(5) LGA 1993).

A simplified summary of the process to establish an alcohol free zone is provided below:

- (1) The alcohol free zone proposal must be documented in a manner which specifies its location, when it will apply and reasons for the zone. A draft alcohol free zone proposal document has been prepared (Attachment B).
- (2) Notice of the alcohol free zone proposal must be published in a newspaper circulating in the area and an invitation issued for representations or objections to be submitted within 14 days (sub-section 644A(1) LGA 1993).
- (3) A copy of the alcohol free zone proposal document must be sent to the officer in charge of the Police station within or nearest to the proposed zone, inviting representations and objections within 30 days (sub-section 644A(2)(a) LGA 1993).
- (4) A copy of the proposal document must be sent to all liquor licence holders whose premises border on or adjoin the proposed zone, inviting representations and objections within 30 days (sub-section 644A(2)(b) LGA 1993).
- (5) A copy of the proposal document must be sent to any known organisation representing an identifiable Aboriginal or culturally and linguistically diverse group within the local area inviting representations and objections within 30 days (p.9 of Ministerial Guidelines).
- (6) A copy of the proposal document must be sent to the NSW Anti-Discrimination Board inviting representations and objections within 40 days (sub-section 644A(3) LGA 1993 and the Ministerial Guidelines).
- (7) Council must "*consider all representations and submissions that are duly made to it*" (Sub-section 644A(4) of the LGA 1993 and p.9 of the Ministerial Guidelines).
- (8) After complying with the procedures under section 644 and 644A, a Council may, by resolution, adopt a proposal to establish an alcohol free zone (section 644B LGA 1993). The resolution establishes the zone.
- (9) Council must inform any interested parties, including the applicant, the NSW Anti-Discrimination Board, the local Police Patrol Commander, officer in charge of local police stations, affected liquor licence holders that the zone has been established (p.9 of Ministerial Guidelines).
- (10) Council must then publish a notice in a local newspaper indicating that the alcohol free zones have been established (sub-section 644B(3) LGA 1993).
- (11) Council must then update signs for the zones with the new operating dates (section 644C LGA 1993).

Relevant Reference Documents:

- Ministerial Guidelines on Alcohol Free Zones issued by the Department of Local Government, February 2009.
- Circular 09/05 "Alcohol Free Zones – Update of Ministerial Guidelines", issued by the

Department of Local Government, 5 February 2009.

- Guidelines for Local Government Councillors issued by the Anti-Discrimination Board of NSW, 1999.
- Guidelines for Managers of Local Councils issued by the Anti-Discrimination Board of NSW, 1999.

Governance issues:

Regulatory compliance:- When dealing with a proposal to establish an alcohol free zone, Council must comply with the provisions within Chapter 16 Part 4 of the Local Government Act 1993, as well as the 2009 Ministerial Guidelines on Alcohol Free Zones.

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 exercise its functions in a manner that is consistent with and promotes social justice principles of equity, access, participation and rights

Environmental issues:

Adherence with, and enforcement of, alcohol free zones is likely to reduce littering (especially glass alcohol containers).

Stakeholders:

Walgett Shire Council
Community
Liquor licensees.

Financial implications:

Alcohol free zones signs will need to be updated. This is expected to be able to be completed using an existing Urban Infrastructure budget for signs.

Alternative solutions/options:

Do nothing: This option has not been recommended as:

Doing nothing would allow the zones to lapse.

The existing zones appear to be supported by the community and Police.

If the zones lapsed, it is expected that there would be significant adverse impacts on the community.

Reduce the area of the zones: The Ministerial Guidelines state that generally alcohol free zones should be as small as possible. This option has not been recommended as:

It is expected that reducing the area of the existing zones would be inconsistent with community and Police expectations.

If the zones were reduced, then it is expected that the frequency of adverse impacts associated with street drinking would increase.

The only previous objections to the zones has been from the NSW Anti-Discrimination Board.

Increase the area of the zones: This option has not been recommended as:

No request for an extension has been received.

The current circumstances do not appear to justify an extension.

Conclusion:

The maintenance of alcohol free zones is one of several methods by which Council can maintain public amenity and reduce risks which may otherwise arise from street drinking.

Kimley Talbert
DIRECTOR ENVIROMENTAL SERVICES

APPROVED FOR SUBMISSION
Megan Dixon
GENERAL MANAGER

12.4.3 GRAWIN/SHEEPYARDS BIN BANKS – WASTE STRATEGY

RESPONSIBLE OFFICER:	Director Environmental Services
REPORT AUTHOR:	Director Environmental Services
FILE NUMBER:	24/9/0009
PURPOSE:	For Decision

RECOMMENDATION

1. That Council resolve to Reserve the idea of the Bin Bank Strategy for Grawin/Sheepyards area until a suitable site solution can be obtained.
2. That council staff carry out further research into finding a suitable location for implementing the Bin Bank system.

Moved:

Seconded:

Summary:

Council at an ordinary Council Meeting on 15 December 2020 recommended to conduct a Bin Trial in the vicinity of the two waste depots at Grawin and Sheepyards.

To date, council has proceeded to obtain acceptance of the idea with the leases of the Crown owned Western land Leases, which is required to be able to obtain a licence issued by Crown Land. This council's officers have not been able to achieve.

With the last occasion Council went to the trouble of leasing with one of the land lease's applying for a Crown Licence and then other members of the family refusing to give consent towards the proposal, the land area located off the main track at Grawin.

In order to expedite this matter need to find a suitable site for Bin Banks location.

This report is to consider council to support for a bin bank location and the costs estimated of \$15,000 covering the purchase of the waste bins stands, their installation and site works.

The reason behind this request is that council's officers cannot find a suitable site to instigate the trial.

Background:

Council is now made aware of the current situation with no local support for the proposal.

Current Position:

This matter has been in place for the last three years, Council has not been able to find a suitable location for the bin banks and no allocated funds covering the installation costs.

Relevant reference's document/policies:

Environment Planning & Assessment Act 1979 & Regulations

Work Health & Safety Act 2011 & Regulation

NSW Safe Work Regulations

Protection of Environment Operations Act 1997 and Waste Regulations

Governance issues:

Yes: Council's costs covering the purchase of wheelie bins and stands, employment of the installation contractor to install bins stands and pier pad concrete footings, to install appropriate gravel road base. costs: \$15,000.00 governance issues.

Environment Issues:

Potential impacts on adjoining neighbours from noise and other possible community issues are covered during construction works condition and the other is controlled by civil law requirements.

Possible waste littering.

Stakeholder:

Walgett Shire Council & residents

Financial Implications:

\$15,000.00

Alternative solutions:

The alternative option is to refuse the application for requested costs covering the installation of bin banks or to forget about it's installation.

Conclusion:

The current waste strategy to install the bin bank at either of the two locations cannot be conceived at this point in time until a suitable location can be obtained from the lease's of the Crown owned land area.

Governance issues:

\$15,000.00

Environmental issues:

Health, Fire Risk and Vermin.

Stakeholders:

- Walgett Shire Council
- Residents of Walgett Shire Council

Alternative solutions:

To abandon the idea and refuse the request for costs covering implementation Bin Banks.

Kimley Talbert

DIRECTOR ENVIROMENTAL SERVICES

APPROVED FOR SUBMISSION

Megan Dixon

GENERAL MANAGER

12.4.4 NEW WASTE DEPOT PERIMETER FENCES – GRAWIN AND SHEEPYARDS WASTE DEPOTS RESERVE NO. 1024168 GDA94/ZONE 55 & GDA94/MGA/ZONE 55

RESPONSIBLE OFFICER: Director Environmental Services
REPORT AUTHOR: Director Environmental Services
FILE NUMBER: 24/9/0006
PURPOSE: For Decision

RECOMMENDATION

That the matter of Council funding covering the costs for the perimeter security fences located at Grawin and Sheepparks Waste Depots, that to have the money to be allocated out in July 2024 - 2024/2025 financial year budget to carry out the construction of the security fences.

Moved:

Seconded:

Summary:

This report is to consider the purchase and installation of a 1.8 metre high chain-wire security fences, gates and costs covering the installation to the pre-existing waste depot sites. Council has operated the two existing waste depots since the latter part of 2019/20.

Prior to taking over the responsibility of the two waste depots Council was contributing to Grawin/Sheepparks Miners Association then estimated, a figure over \$30,000 per annum, which was issued in the form of a community grant.

With the transfer of responsibilities council then was required to take on the responsibilities of the Short Term Licence from Crown Land, from 2020 onwards.

The provisions under the Crown land Short Term licence require fencing to be erected around waste management sites.

The provisions set-out under the Protection of Environment Operations Act 1997 Waste Regulation Environmental Guidelines: Solid Waste Landfill, site security is mandatory, so suitably designed constructed fencing is obligatory to be erected around any waste depot.

Council's Resolution Register indicated since 2021 an obligation to obtain quotes covering the fencing of both waste depot sites.

With this fact in place last year council carried out requests for quotes from fencing contractors to provide a quote covering both waste depot sites for 1.8 metre chain-wire fencing with a 6 metre wide double gate system. With the quotes 3 quotation requests were dispatched with only one quote received.

The quotation requests were to the following: Central West Gates, Dunn & Ferrugia and Douglas Bros Fencing. The only quotation received was from Douglas Bros Fencing

Background:

Council has been aware of the current situation with the security of the waste depots for at least the last three (3) years, as was indicated by carrying out the perimeter security fence for waste depot sites.

Current Position:

To construct the essential waste depot security fences will entail obtaining money of at least an

estimated \$95,425.00 this currently is not in the current budget.

Relevant reference's document/policies:

Local Government Act 1993

Protection of Environment Operations Act 1997

EPA Environmental Guidelines Solid Waste landfills

Governance issues:

Non-compliant with current Crown land Licence requirement and EPA Landfill Practise requirements.

Environment Issues:

Potential impacts on adjoining neighbours from safety aspects including environmental issues and other possible community issues are covered during construction works condition and the other is controlled by civil law requirements.

Stakeholder:

Walgett Shire Council & Residents

Financial Implications:

Currently costing is with no funds set aside of \$95,425.00

Conclusion:

Council currently do require sufficient funding to carry out the construction of the two waste depot security fences to Grawin and Sheeppark Waste Depots.

Governance issues:

To Legalise council's operation as a waste landfill facility.

Environmental issues:

Nil.

Stakeholders:

Walgett Shire Council

Contractor

Residents of Walgett Shire Council

Financial implications:

\$95,425.00

Alternative solutions:

Not to utilise the local contractor to carry out the initial basic security fence construction work, this could be requested from the date of recommendation.

Not to proceed with the works.

To Decommission and close waste depots.

Kimley Talbert

DIRECTOR ENVIROMENTAL SERVICES

APPROVED FOR SUBMISSION

Megan Dixon

GENERAL MANAGER

12.4.5 MATTERS GENERALLY FOR BRIEF MENTION OR INFORMATION

RESPONSIBLE OFFICER:	Director Environmental Services
REPORT AUTHOR:	Director Environmental Services
FILE NUMBER:	24/9/0032
PURPOSE:	For Information

RECOMMENDATION

That Council receive and note this report.

Moved:

Seconded:

Summary:

This report provides notes on items for brief mention, or information only, on more significant matters recently arising in the Planning & Regulatory Services Division.

For Councillor Information purposes, the following applications were received during December 2023 & January 2024

Outstanding Notice Certificate

3 approved

Construction Certificate

3 approved

Food Shop Inspections

0

Swimming Pool Compliance Certificates

2

Activity Approvals

Three Activity Approval application received for new project.

Final Occupation Certificate

1

Sub-Division Certificate

1

Fire Safety Schedule

4

Current Building Project Under Construction

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

Private garage @ 38 Warrena Street Walgett

Storage Units @ 40 Nobby Road Lightning Ridge

99 Wee Waa Street Walgett Multi Unit housing project

88 Pandora Street Lightning Ridge Dual Occupancy – Manufactured Home

6560 Castlereagh Highway Walgett – Large Rural metal shed

62 Walgett Street Collarenebri Hospital Staff Multi unit Housing accommodation

141- 159 Fox Street Walgett Hospital Staff Multi Unit Housing Accommodation

1360 Wilby Wilby Road Cumborah Rural Property Garage and dwelling

23 Chrystal Street Lightning Ridge Golf Club Storm Damaged New Roof construction
 398 Bowra Lane Carinda Inground Fibreglass Swimming Pool
 110 Fox Street Walgett new aboveground Diesel Fuel Tank installation
 41 Namoi Street Walgett new Dwelling
 225 Woodlands Road Walgett Inground Fibreglass Swimming Pool
 37 Morilla Street Lightning Ridge new underground fuel tank
 23 Pandora Street Lightning Ridge New manufactured home staff accommodation

Other Activity

Roads To Home have stated that they are cleaning-up Non-friable asbestos wastes at Namoi, Gingie and Walli Villages, to the extent of approximately 50,000 cubic metres of material, this is meant to happen during the month of March 2023, to be disposed of at Walgett Waste Depot. Application has been submitted to EPA for the License extension covering the quantity of contaminated asbestos waste, now waiting EPA response. Response received requesting additional information to be provided.

Matter has been discussed with the Environment Protection Authority, with now awaiting confirmation for to progress the matter. Additional information has been provided concerning existing use rights as a wastes depot, history goes back to the year 1885, information required covering the EPA Waste Licence variation. A Planning consultancy company employed to carry out overall assessment of project for a submission to the Environment Protection Authority for the Licence Variation to activate the project.

Hudson Fire Incident - Walgett Recovery Committee

Up to date: The last meeting held on 8th February 2024, fundamentally the funding to offer assistance to the Crown Land mineral claims holders was only allocated towards persons that had a dwelling with contaminated land with Friable Asbestos material, this was allocated only for the clean-up and transportation of the wastes to the nearest Licenced Waste Depot (Walgett Waste Depot).

At the meeting I was requested to obtain quotes covering the project clean-up.

Following, receipt of the first demolition waste contractor quote, it revealed that the mining claim holders had tracked asbestos material into the soil and tracked it from one site to another site. The original detected asbestos sites covered seven (7) all in total, the original estimate received from the Environmentalist was for approximately one (1) semi-trailer truck load of waste material. This obviously has blown-out, with the overall costs of the project and the proposed quantity of asbestos contaminated wastes delivered to council's waste depot.

The original quote request, "excluded waste tip fees, as the waste quantity was minimal at the time. The issue now concerning costing of Friable waste material delivered to the Walgett Waste Depot by the contractor. Original estimate of 18 tonnes, now estimated 200 tonnes, from \$3,240 to an estimated \$36,000 costing. At this stage, I am not sure whether the national Emergency support funding will cover waste tipping fees!.

Proposed Development

Enquiries concerning conversion doctors surgery to be converted to shop/residential accommodation – Lightning Ridge

Lightning Ridge Fuel Service Station underground Petroleum Tanks Fuel Leak

Barrickneal Service Station, Morilla Street Lightning Ridge has reported both old petroleum tanks both tanks being decommissioned, with a proposal of new future underground tanks installation, subject to development consent. Works under way to decommission disused petroleum storage tanks. For your information the bulk of the fuel that was in the tanks, was siphoned off, the liquid residue that remained in the tanks amounted to 750 ml, which was transported by the environmental company to a licence premises located at Kooragang Island near New Castle NSW.

Abandoned Vehicles

Currently council has just removed four known abandoned motor vehicles within the shire area and Council's costs of \$1,150.00.

PLANNING CERTIFICATES:

December 2023 & January 2024 – Thirty one (31) 10.7 Planning Certificates has been issued.

OTHER ENVIRONMENTAL SERVICES ACTIVITIES**December 2023 to January 2024 Animal Impounding Records**

Month of December 2023 – 11 Dogs and puppies all surrendered were re-homed.

Month of January 2024 19 dogs were impounded
6 seized,
13 dogs surrendered
1 micro-chipped and registered one dog returned to owner.
2 dogs Not suitable for re-homing euthanised

KCSAH Impact Report 2023 was responsible for supplying the cat complaint statistics and community response to the RSPCA, was developed. Walgett Shire Council feature in the document with a significant drop in cat nuisance complaints within Walgett shire Council.

Attachment

Keeping Cats Safe At Home

Kimley Talbert
DIRECTOR ENVIROMENTAL SERVICES

APPROVED FOR SUBMISSION
Megan Dixon
GENERAL MANAGER

12.4.6 DEVELOPMENT APPROVALS DECEMBER 2023 AND JANUARY 2024

RESPONSIBLE OFFICER:	Director Environmental Services
REPORT AUTHOR:	Director Environmental Services
FILE NUMBER:	24/9/0033
PURPOSE:	For Information

RECOMMENDATION

That Council note the information contained within this report.

Moved:

Seconded:

Summary:

This report is to advise the December 2023 and January 2024 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 developments have been lodged and are currently waiting a determination. Please note, this is only current as at 1 December 2023 –31 January 2024

Appl. No	Address	Title	Development	Status
DA2023/31	24 Euroka Street Walgett	Lot 22 DP 253488	Rural Fire Shed 4x bay, 1 x Multi function area, 3x toilet, 1x storeroom	Approved
DA2023/43	Lot 574 DP 1206881 Woolaroo Road Lightning Ridge	Lot 574 DP 1206881	Construction of Dwelling using geodesic 3 x Domes with raised deck with shade sails on existing opal mining site	Approved
S68/2023/2	5 Morilla Street LIGHTNING RIDGE	Lots 1 section 9, lot 1 DP 623130 & Lot 2 DP 40628	Caravan Park License	Assessment awaiting application covering Fire safety Statement covering Fire Hose reels
DA2023/44	19 Wee Waa	Lot 2 DP 35671	New single storey	Deferred to

	corner Namoi Street Walgett		Hebel rendered wall panels metal colorbond roof, garage under main roof- dual Occupancy	Commencement
DA2023/48	39 Gem Street Lightning Ridge	Lot 2 DP 1271292	Allotment Consolidation and Re-zoning	Council Report Re-zoning
AA2023/28	19 Wee Waa Street Walgett	Lot 2 DP 35671	Activity Approval Plumbing & Drainage	Assessment
DA2023/50	Chambers of Black Hand Mine Three Mile Road Lightning Ridge	Lot 510 DP1201786 WLL 15150	Two new Metal colorbond Sheds	Assessment
DA2023/51	Graincorp Operations 1 Slack-Smith Street Burren Junction	Lot 1 DP 1090146 & Lot 10 DP 1067218	Construction of 10 individual bunkers to 300,000 tonnes capacity, two truck marshalling areas, internal driveways two weigh bridges and a sampling stand	Assessment current advertising
CC2023/17	Chambers of Black Hand Mine Three Mile Road Lightning Ridge	Lot 510 DP 1201786 WLL 15150	Two new Metal colorbond Sheds	Assessment
DA2024/1	Two existing sheds demolition & removal	Lot 3 Section 4 DP 75826218-24 Wilson Street Collarenebri	Two existing sheds demolition & removal	Approved
DA2024/2	2123 Cumberland Way Carinda	Lot 25 DP 754248	New rural dwelling Manufactured Home	Assessment
CDC2023/9	16597 Castlereagh Road Walgett	Lot 8 DP 752700	Installation of Telecommunication Tower	Approved
CC2024/1	37 Morilla Street Lightning Ridge	Lot 153 DP 720085	Installation of underground petroleum fuel tank and rehabilitating existing disused fuel tanks	Approved

Governance issues:

Nil

Environmental issues:

Nil.

Stakeholders:Walgett Shire Council
Developer

Residents of Walgett Shire Council

Financial implications:

Nil

Alternative solutions:

Nil

Kimley Talbert

DIRECTOR ENVIROMENTAL SERVICES

APPROVED FOR SUBMISSION

Megan Dixon

GENERAL MANAGER

12.4.7 DEVELOPMENT APPLICATION FOR SUBDIVISION & PLANNING PROPSAL FOR SUBDIVISION AND REZONING 39 GEM STREET, LIGHTNING RIDGE

RESPONSIBLE OFFICER:	Director Environmental Services
REPORT AUTHOR:	Director Environmental Services
FILE NUMBER:	DA2023/48 PAN-383319
PURPOSE:	For Information

RECOMMENDATION

1. That Council, will endorse the submission of the planning proposal of supporting documentation to the Department of Planning Housing and Infrastructure to seek a Gateway Determination.
2. That Council, submit the Planning Proposal for rezoning of land at 39 Gem Street Lightning Ridge as outlined in the submission from Craig Barnes provided in the attachment to the Department of Planning Housing and Infrastructure for a Gateway determination.
3. That Council endorse Council Staff to submit minor changes to Councils Local Environment Plan 2013 in conjunction with the above submission.
4. Subject to the receipt of Gateway determination from the Department of Planning Housing and Infrastructure proceed with the planning proposal and consultation with the government agencies in accordance Schedule 1, Division 1, Clause 4 of the Environmental Planning & Assessment Act 1979 and any directions of the Gateway Determination.

Moved:

Seconded:

Executive Summary:

The development application and planning proposal have been lodged on behalf of the Estate of Late Leanne Pauline Lloyd by Craig Barnes (the Applicant). The proposal to subdivide the existing lot is part of the NSW Crown Land and the inherent owner which seeks to regularise and formalise the status of the existing dwelling that straddles two land zoned areas and allotments.

The proposal seeks to subdivide a small existing allotments into a single lot where the existing dwelling is located including the residual (See attached plan) to be used primarily for residential purposes. Approval of an existing "paper subdivision" will allow for existing and future allotments within Gem Street, to be held in private ownership with a single residential premises zoning.

The development application was lodged in 2023 and issues related to Mineral Claims, infrastructure, and encroachments have delayed presentation of a report to Council.

Granting a conditional consent with commencement conditions allows time for any outstanding matters to be resolved and provides the applicant with certainty to proceed.

Background:

Gem Street property is located within the street alignment, however when the zoning exercise was carried out in 2013 Local Environment Plan was introduced the location of the residential zoning and the dwelling configuration has been overlooked for the area. The opportunity now exists to make a correction with the Local Environment Plan 2013 covering the dwelling location, so that it is incorporated within the one zoned location R1 Residential. The land is located within

the town area of Lightning Ridge, which within the adjoining area has pre-existing mineral claim sites. The overall property area currently consists of two allotments which was carried prior to 2013. The allotment is currently serviced by power, water and sewer infrastructure.

Legal access to the land can be accessed by either through the mining site area or from Gem Street Freehold land area, related to rights of access, land ownership and encroachments. Crown Lands has consented to the sub-division and land zoning change covering the Western Land Lease of the mining site area.

The Proposal

The proposed layout of the subdivision into one lot including the residual is shown on the plan in Attachments. The allotment boundaries have been selected to consider the location of existing buildings on the land, and to provide an appropriate curtilage for allotment based around existing fencing.

Planning Issues

The following issues are relevant to consideration of the development application.

- The Development application and planning proposal will create a subdivision by Torrens Title, consolidation of lots and rezoning of land.
- The application is referred to Council for a decision as required where the changes to LEP with the creation of the new allotment. Ref. Staff delegations for DA determination.
- WLEP Clause 4.1 – The proposed exception to minimum lot sizes is considered reasonable and necessary in the circumstances given the proposed use of the land for residential purposes.
- Bushfire assessment – The area is not mapped as bushfire prone but may experience bushfire or fire emergency in the event of a grass fire or house fire. A bushfire emergency plan is to be provided as a condition of approval.
- Contaminated land – Condition requires site rehabilitation report to be submitted and approved prior to subdivision approval.
- Roads Act Approval – Details to be lodged separately if required for approval of any works on Council roads.
- Existing water, sewer and stormwater services are not considered as part of this application.

Planning Context

Under the *Walgett Local Environmental Plan 2013*, the subject land parcels are zoned R1 Residential and SP1 and Special Activities (Mining)

The majority of the residential lot to be created are within the R1 Residential zone.

The objectives of the R1 zone are -

- *To provide housing needs for the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of the residents.*
- *To enable development that is compatible that is compatible with the surrounding residential environment and that is unlikely to adversely effect the amenity of residential development on land in the zone.*
- *The objectives of SP1 zone:*
- *To provide for special land uses that are provided for other zones.*
- *To provide for sites with special natural characteristics that are not provided for in other zones.*
- *To facilitate development that is in keeping with the special characteristics of site or its existing or intended special use, and that minimises any adverse impacts on surrounding land.*
- *To ensure that opal mining is the main type of development in the zone.*

- *To enable small-tourism uses that are ancillary to agriculture and mining.*

In this regard, the proposal is consistent with the objectives of the R1 & SP1 zones in that the subdivision proposal acknowledges the rights to consolidate the lot area covering the existing residence which was constructed some 60 years prior.

An assessment of the development application against Section 4.15 of the *Environmental Planning & Assessment Act 1979* shows the proposal is generally consistent with the requirements of the relevant State Environmental Planning Policies (SEPPs), the Far West Regional Plan and relevant clauses of the *Walgett Environmental Plan 2013 and Walgett Development Control Plan 2016*. Details are provided in the attached development assessment report.

Planning Proposal

The applicant has submitted a Planning Proposal to amend the Walgett Local Environmental Plan 2013 as detailed in the attached submission from Craig Barnes. This report recommends that Council resolve to submit the planning proposal to the Department of Planning and Environment for a Gateway determination.

Infrastructure

The Development Application does not request any greater services than is currently available to the property.

Council Engineers Comments:

1. Road Reserve: existing allocation is adequate.

Community consultation:

The development application was not notified under the terms of the DCP for the simple subdivision and re-zoning does not warrant the process of neighbour notification.

Financial Implications:

There are no known financial implications for Council. However, Council may in the future consider a differential rating for the lots created.

Director Environmental Services Comments:

The existing issues with current dual owned and zoned allotments makes a reasonable effort to correct a past error with the introduction of the Local Environment Plan 2013 and to place the property in a more conducive position for future occupancy.

Consequently, it is recommended Council grants consent for the subdivision of 39 Gem Street Lightning Ridge in accordance with the Draft Conditions of Consent.

Attachments:

Attachment 1 – Details of development application, plans of subdivision and Statement of Environmental Effects.

Attachment 2 – Bushfire Assessment

Attachment 3 - Details of planning proposal – submission form

Attachment 4 - Details of planning proposal – Rezoning and LEP amendment

Attachment 5 - Development Assessment – Subdivision and rezoning proposal

Kimley Talbert

DIRECTOR ENVIROMENTAL SERVICES

APPROVED FOR SUBMISSION

Megan Dixon

GENERAL MANAGER

12.4.8 PLANNING PROPOSAL – INTENSIVE AGRICULTURE

RESPONSIBLE OFFICER:	Director Environmental Services
REPORT AUTHOR:	Planning & Regulatory Consultant
FILE NUMBER:	24/9/0024
PURPOSE:	For Decision

RECOMMENDATION

Council adopt the amendment

Moved:

Seconded:

Summary:

Council has previously resolved at its meeting held on 26 October 2023 (see attachment 1) to proceed with the proposed amendments to the Walgett Local Environmental Plan 2013.

Council's intention to proceed with the proposed amended to allow "Intensive Plant Agriculture" without development consent was placed on public exhibition and no submissions were received.

The objective of the Planning Proposal is to amend *Walgett Local Environmental Plan 2013* in order to relocating "**intensive plant agriculture**" from **Permitted with consent** to **Permitted without consent** in the RU1 Primary Production zone. It is intended to amend the RU1 Land Use Table accordingly.

Relevant reference document/policies:

Environmental Planning and Assessment Act 1979 and regulations.

Governance issues:

No governance issues have been identified.

Environmental issues:

Potential impacts from vegetation removal and habitat degradation would be considered as a separate issue.

Stakeholders:

Walgett Shire Council
Residents of Walgett Shire Council

Financial implications:

None identified.

Alternative solutions:

None identified.

Conclusion:

As the precautionary measure Council's intention to proceed with the amendment was placed on public exhibition in case further submissions were made.

Following preliminary discussions with NSW Dept of Agriculture and NSW Dept of Planning it has been confirmed that similar amendments have been supported in other NSW Councils to allow an LEP Amendment for intensive agriculture.

Bob Harris
PLANNING & REGULATORY CONSULTANT

APPROVED FOR SUBMISSION
Megan Dixon
GENERAL MANAGER

Page 6 of 8

a) In granting approval for the continued operation of existing Caravan Parks within the Walgett Shire conditions of approval may allow a maximum period of five years for completion of a fire safety upgrading program.

b) Caravan Park owners operating under a Council approved fire safety upgrading program are required to make annual progress towards completion of the upgrading program,

c) Failure to make annual progress on fire safety upgrading will result in lapsing of Council approval and commencement of action by Council to close the Caravan Park,

d) Walgett Shire Council will carry out annual inspections to determine compliance with Fire Safety Upgrading Programs,

11/2023/28 Planning Proposal – Rural Residential Strategy

Resolved on the motion of Councillor Rummery and Councillor Seaton that the Council

1, That receive and note a preliminary presentation from senior planner Mr Josh Eagleton of Barnson PL in relation to the planning proposal for a Rural Residential Strategy.

2, That Council adopt the draft bridging report and delegate authority to the General Manager to exhibit the proposal in accordance with Environmental Planning and Assessment Act 1979 and a further report be provided to Council.

11/2023/29 Planning Proposal – Intensive Agriculture

Resolved on the motion of Councillor Seaton and Councillor Keir that the Council

1. That Council receive and note a preliminary presentation from senior planner Mr Josh Eagleton of Barnson PL in relation to the planning proposal for Intensive Agriculture,

2. That Council adopt the following resolution, that Walgett Shire Council resolves to:

a. 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.

b. Forward the planning proposal to NSW planning, industry & environment with a request for a gateway determination,

c. Request delegation from the Minister to "make" the amendment to the Walgett Local Environmental Plan 2013.

d. Give delegation to the General Manager to make any minor alterations as requested by NSW Planning, Industry & Environment; and

e. 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.

11/2023/30 Street Dining Extension of Hours

Resolved on the motion of Councillor Keir and Councillor Seaton that the Council to approve the modification of AA2022/56 extension of operating hours from 6,30am to 10,00pm from Monday to Sunday at 58 Fox Street Walgett (Stone's Throw café) for a trial period of three months, following the expiry of this time period, should no issues transpire from the operation, then the approval can be extended until expiry of the Local Activity approval for street dining until 8 November 2027,

Motions of Which Notice Has Been Given

1. Notice of Motion – Cr Seaton & Cr Hundy

Councillor Seaton amended his motion to: *That the General Manager provide a report to Council on the legalities and logistics of forming community working parties in Lightning Ridge, Walgett and Collarenebri.*

26 October 2023

Ordinary Council Meeting

Council Minutes

12.4.9 PLANNING PROPOSAL – RURAL RESIDENTIAL STRATEGY

RESPONSIBLE OFFICER:	Director Environmental Services
REPORT AUTHOR:	Planning & Regulatory Consultant
FILE NUMBER:	24/9/0033
PURPOSE:	For Decision

RECOMMENDATION

That Walgett Shire Council resolves to:

1. that Council receive and acknowledge the submissions on the Rural Residential Strategy.
2. that further research be undertaken by Council officers with regard to sites and funding of future residential developments before Council determines the strategy.

Moved:

Seconded:

Summary:

The Rural Residential Strategy (RRS) was adopted by resolution of Council in March 2019 and following advice from NSW Planning, Housing and Infrastructure a bridging report was prepared and placed on public exhibition by a resolution of Council passed on 26 October 2023. A copy of the most recent resolution is attachment A.

The documents placed on exhibition are listed in Schedule A.

In addition to the display of relevant documents at Council offices, property owners & adjoining owners in the four candidate areas were notified by letter of the proposal. The exhibition period closed on 31st February 24 and eight submissions (attached) were received.

The following report considers the submissions received and the future potential for rural residential development in Lightning Ridge, Walgett, and Collarenebri.

Background

The Rural Residential Strategy has been prepared to guide Council decisions on the future use and development of rural residential land in the shire. As a result of investigations Candidate areas for rural residential subdivision one in Walgett and three areas in Lightning Ridge were identified. See Attachment B & C.

Over the last two years Council has received several enquiries from members of the public and landowners regarding the opportunity for subdivision in rural areas.

The current Walgett Local Environmental Plan 2013 (WLEP 2013) provides very limited opportunities for this type of rural subdivision.

Should Council support a planning proposal an amendment to the WLEP 2013 will need to be considered and approved by NSW Planning, Housing and Infrastructure. If approved the department will issue a gateway determination allowing the proposed rezoning to proceed to a more detailed study and a further period of public exhibition, including consultation with government agencies.

Submissions received after the exhibition closing date and prior to completion of this report are eligible for consideration and have been included in this assessment.

RURAL RESIDENTIAL LAND - LIGHTNING RIDGE

Submission – Lightning Ridge Opal Reserve Committee – Attachment D

The Opal Reserve Committee has lodged a submission in support of the proposed rural residential strategy. It is recommended that the submission be noted.

A copy of the submission is provided in attachment D.

Submission – G & D O'Brien – 181 Shermans Way – Attachment E

The land identified in the submission by Mr & Mrs O'Brien's is located northeast of the Lightning Ridge bore baths and is within and adjoining the Lightning Ridge Candidate area A. This submission identifies an area of approximately 120Ha as being available for rural residential subdivision. A copy of the submission is provided in attachment E.

It is recommended that Council support the proposal to rezone part of the land identified in the submission from G & D O'Brien.

Submission – J Haverhoek – 141 Shermans Way – Attachment F

The land identified in the submission by Mr Haverhoek is located north of the Lightning Ridge bore baths and is generally within the Lightning Ridge Candidate area A. A copy of the submission is provided in attachment F.

It is recommended that Council consider supporting the proposal to rezone land identified in the submission from J Haverhoek.

Lightning Ridge - Candidate Area B

Land located northeast of Lightning Ridge airport and adjacent to Lorne Rd.

No submissions received and no further action is proposed in relation to Candidate Area B.

Lightning Ridge - Candidate Area C

Land owned by Council and located on the northeast corner of the junction of Bill O'Brien Way and the Castlereagh Highway.

No submissions received and no further action is proposed in relation to Candidate Area C.

RURAL RESIDENTIAL LAND – WALGETT

Submission – B Wheelwright – “Birdwood” 37123 Kamilaroi Highway – Attachment G

The land identified in the submission by Ms Wheelwright is an area located between the Kamilaroi Highway and the Namoi River. A copy of the submission is provided in the Attachment.

The land was not considered in the original RRS strategy due to ecological, flooding and bushfire constraints. Further detailed analysis would be required to pursue this option.

It is recommended that Council defer consideration of the proposed rezoning of land identified in the submission G.

Submission – F Baker & M Hudson – 325 Come By Chance Rd – Attachment H

The land identified in the submission by Fiona Baker & Mathew Hudson is within the Walgett Candidate area A. A copy of the submission is provided in the Attachment F.

The submission raises concerns with proximity of neighbours, flooding and alternative locations for rural residential subdivision. These concerns have been addressed generally within the RRS and are further considered below.

Submission – J McKeown – 207 Come By Chance Rd – Attachment I

The land identified in the submission by J McKeown adjoins the Walgett Candidate area A. A copy of the submission is provided in the Attachment I.

The submission raises concerns about unknown future financial and planning impacts and requests that Council defer consideration of the rezoning pending further investigations.

Submission – C Clemson – 195 Come By Chance Rd – Attachment J

The land identified in the submission by C Clemson is east of the Walgett Airport and is on the opposite side of Come By Chance Rd to the Walgett Candidate area A. A copy of the submission is provided in the Attachment J.

Three owners C Clemson, K Holcombe and G Rummery have proposed to subdivide land identified in the attachment.

The submission raises the possibility of a subdivision of land that was identified in the Rural Residential Strategy constraints mapping as suitable for consideration for rezoning pending further investigations.

Submission – G Rummery – 195 Come By Chance Rd – Attachment K

The land identified in the submission by G Rummery is east of the Walgett Airport and is on the opposite side of Come By Chance Rd to the Walgett Candidate area A. A copy of the submission is provided in the Attachment K.

The submission supports the proposal by C Clemson for a subdivision of land that was identified in the Rural Residential Strategy constraints mapping as suitable for consideration for rezoning pending further investigations.

Submission – K Holcombe – 195 Come By Chance Rd – Attachment L

The land identified in the submission by K Holcombe is east of the Walgett Airport and is on the opposite side of Come By Chance Rd to the Walgett Candidate area A. A copy of the submission is provided in the Attachment L.

The submission supports the proposal by C Clemson for a subdivision of land that was identified in the Rural Residential Strategy constraints mapping as suitable for consideration for rezoning pending further investigations.

Walgett Candidate Area A – See Attachment B

The land in Candidate area A is held in various ownerships and is generally located between Come By Chance road and the Namoi River.

No submissions were received in support of this rezoning. One submission (Attachments H) objects to the proposal on grounds of proximity of neighbours, flooding and alternative locations for rural subdivision.

1. Proximity of neighbours – At the time of considering a development application to subdivide, Council would need to consider flooding, allotment boundary locations, proximity to neighbours among other issues.
2. Flooding is an issue in relation to the land in Candidate Area A, however, it is the least flood affected of any land in a 5km proximity to Walgett township.
3. Alternative locations for Rural Residential land are all outside the levy bank and subject to flooding.

The second objection raises concerns about the unknown financial and planning impacts, see

Attachment I.

RURAL RESIDENTIAL LAND - COLLARENEBRI

The RRS 2019 has identified land that is suitable for development Northwest of Collarenebri but development in this area was not pursued due to a lack of any interest shown by the local community at the time.

Enquiries have been received recently regarding rural residential development adjacent to Collarenebri Village and it is now an opportunity to reconsider the previous Council decision.

It is recommended that Council receive a further report in relation to a planning proposal for rezoning in Collarenebri following the receipt of updated flood information.

Engineers Comments

Nil

Relevant reference document/policies:

Environmental Planning and Assessment Act 1979

Governance issues:

No governance issues have been identified.

Environmental issues:

Potential impacts are outlined in the attachment documents.

Stakeholders:

Walgett Shire Council

Residents of Walgett Shire Council

Financial implications:

A commitment of staff time is required to prepare necessary documentation.

The extent of Councils potential financial commitment is outlined in the report.

Alternative solutions:

Council could resolve not to proceed with the planning proposal.

Conclusion:

Further investigations of funding requirements and consultation with those persons making submissions and the NSW Department of Planning, Housing and Infrastructure will assist in preparing a planning proposal to amend the Walgett Local Environmental Plan 2013

Attachments:

Attachment A – Council resolution

Attachment B – Walgett Candidate Area

Attachment C – Lightning Ridge Candidate Areas

Attachment D - Submission – Opal Reserve Committee

Attachment E - Submission – G & D O'Brien – Lightning Ridge Candidate area

Attachment F - Submission – J Havehoek – Lightning Ridge Candidate Area

Attachment G - Submission – Beth Wheelwright – Walgett Alternative area

Attachment H - Submission – F Baker & M Hudson – Walgett Candidate area

Attachment I - Submission – J McKeown – Walgett Candidate Area

Attachment J - Submission – C Clemson – Walgett Alternative area

Attachment K - Submission – G Rummery – Walgett Alternative area

Attachment L - Submission – K Holcombe – Walgett Alternative area

Schedule A - Documents Placed on Public Exhibition
PP Rural Residential Strategy - GHD Report - May 2019
PP Rural Residential Strategy - Bridging Report – Gyde Planning - Nov 2021
PP Rural Residential Strategy - Walgett Water Masterplanning – SMEC 2021
PP Rural Residential Strategy – Frequently Asked Questions

Bob Harris
PLANNING & REGULATORY CONSULTANT

APPROVED FOR SUBMISSION
Megan Dixon
GENERAL MANAGER

- a) In granting approval for the continued operation of existing Caravan Parks within the Walgett Shire conditions of approval may allow a maximum period of five years for completion of a fire safety upgrading program.
- b) Caravan Park owners operating under a Council approved fire safety upgrading program are required to make annual progress towards completion of the upgrading program,
- c) Failure to make annual progress on fire safety upgrading will result in lapsing of Council approval and commencement of action by Council to close the Caravan Park,
- d) Walgett Shire Council will carry out annual inspections to determine compliance with Fire Safety Upgrading Programs,

11/2023/28 Planning Proposal – Rural Residential Strategy

Resolved on the motion of Councillor Rummery and Councillor Seaton that the Council

1. That receive and note a preliminary presentation from senior planner Mr Josh Eagleton of Barnson PL in relation to the planning proposal for a Rural Residential Strategy.

2. That Council adopt the draft bridging report and delegate authority to the General Manager to exhibit the proposal in accordance with Environmental Planning and Assessment Act 1979 and a further report be provided to Council.

11/2023/29 Planning Proposal – Intensive Agriculture

Resolved on the motion of Councillor Seaton and Councillor Keir that the Council

1. That Council receive and note a preliminary presentation from senior planner Mr Josh Eagleton of Barnson PL in relation to the planning proposal for Intensive Agriculture,

2. That Council adopt the following resolution, that Walgett Shire Council resolves to:

- a. 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.
- b. Forward the planning proposal to NSW planning, industry & environment with a request for a gateway determination,
- c. Request delegation from the Minister to "make" the amendment to the Walgett Local Environmental Plan 2013.
- d. Give delegation to the General Manager to make any minor alterations as requested by NSW Planning, Industry & Environment; and
- e. 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.

11/2023/30 Street Dining Extension of Hours

Resolved on the motion of Councillor Keir and Councillor Seaton that the Council to approve the modification of AA2022/56 extension of operating hours from 6,30am to 10,00pm from Monday to Sunday at 58 Fox Street Walgett (Stone's Throw café) for a trial period of three months, following the expiry of this time period, should no issues transpire from the operation, then the approval can be extended until expiry of the Local Activity approval for street dining until 8 November 2027.

Motions of Which Notice Has Been Given

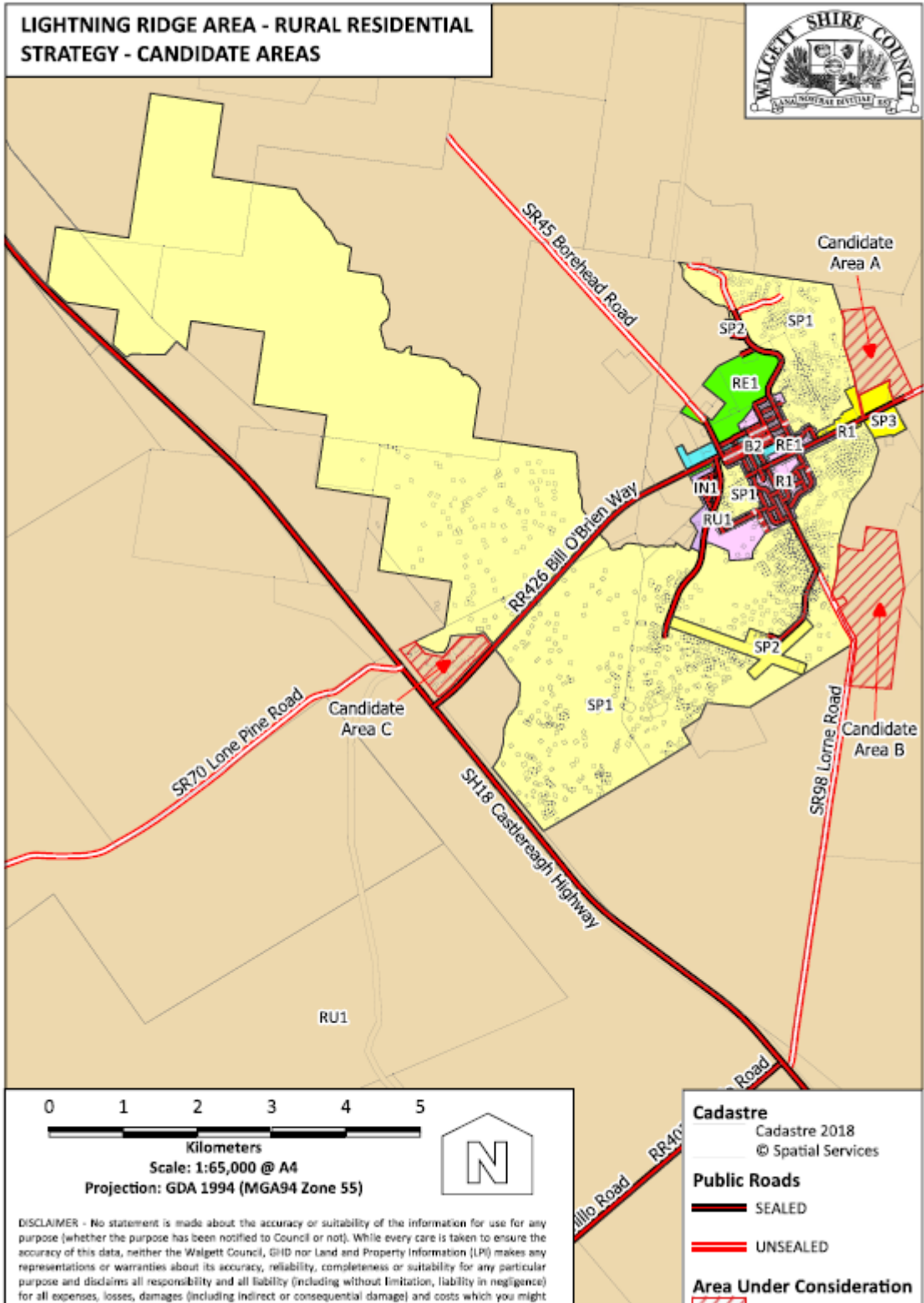
1. Notice of Motion – Cr Seaton & Cr Hundy

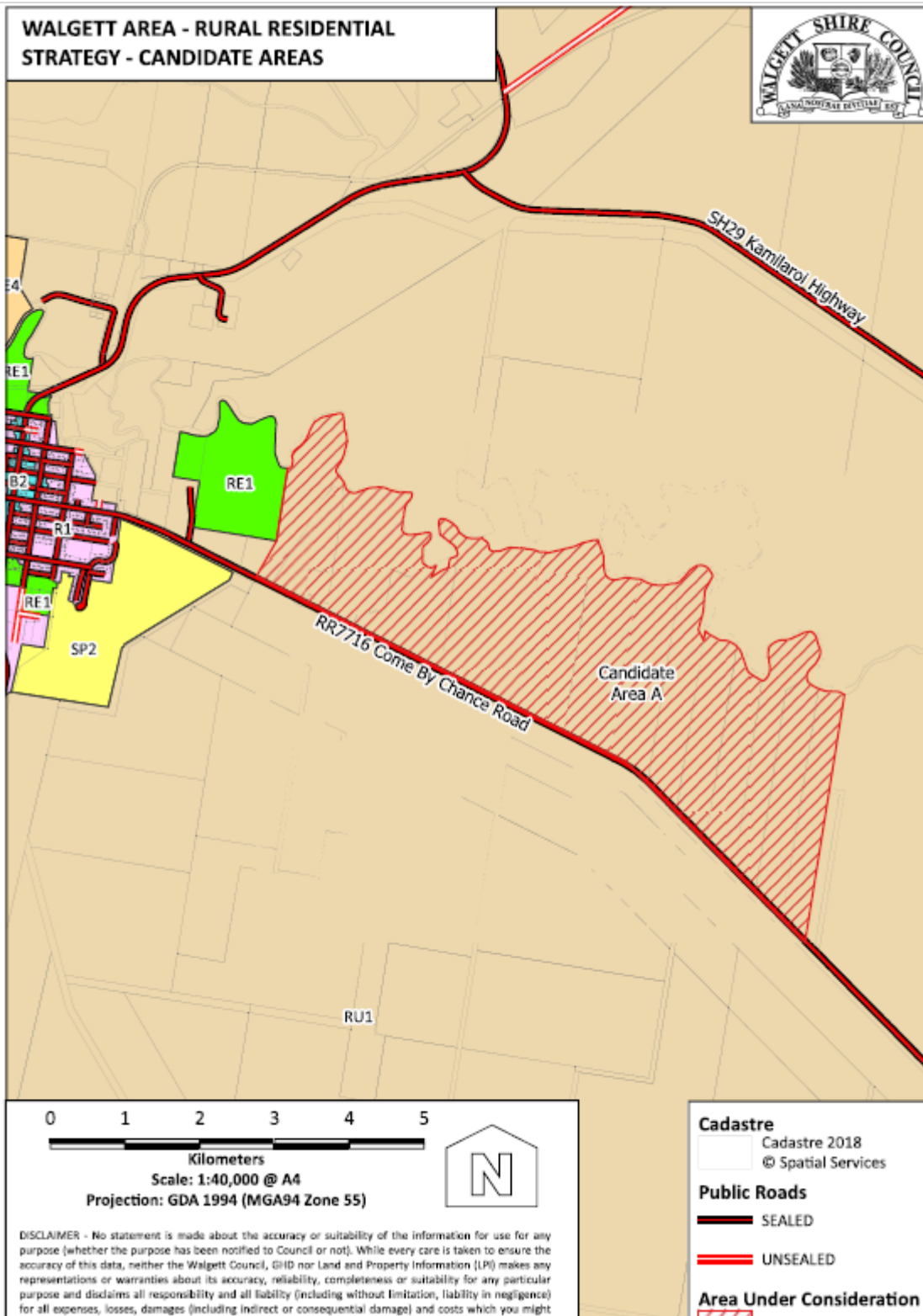
Councillor Seaton amended his motion to: ***That the General Manager provide a report to Council on the legalities and logistics of forming community working parties in Lightning Ridge, Walgett and Collarenebri.***

26 October 2023

Ordinary Council Meeting

Council Minutes







Lightning Ridge Area Opal Reserve

PO Box 100E
Lightning Ridge, NSW, 2834

ABN: 22 866 447 41C

M: 0457 203 814

W: www.lror.org

E: admin@lror.org

To Walgett Shire Council,

The Lightning Ridge Area Opal Reserve (the Reserve) appreciates the opportunity to provide feedback on the *Draft Planning Proposal for the Rural Residential Strategy*, aimed at amending the *Walgett Local Environmental Plan 2013* to facilitate the rezoning of certain sites for subdivisions.

The Reserve expresses its support for the proposed Rural Residential rezone, for allotments of 5ha and 10ha. This initiative is seen as a positive step toward expanding housing opportunities within a market constrained by limited resources.

In emphasising the importance of responsible planning, the Reserve recommends that the Council consider various implications that align with its core purpose. It underscores the significance of safeguarding historical sites, Aboriginal heritage, environmentally sensitive areas, and the unique aspects of opal mining, which are outlined in the constraints analysis. These considerations should be investigated further before implementing any amendments to rezoning, aligning with the principles outlined in the *Far West Regional Plan 2036* strategic framework.

By prioritising a thorough examination, Council will be seen striking a balance between development goals and the preservation of essential cultural and environmental elements in the Lightning Ridge area.

The Reserve looks forward to seeing what this opportunity brings to the local community and broader region.

Regards,

A handwritten signature in black ink, appearing to read 'V. Lugovoy', is written over a light blue horizontal line.

Victoria Lugovoy
Acting Reserve Manager

SUBMISSION
DRAFT PLANNING PROPOSAL – RURAL RESIDENTIAL STRATEGY
14 January, 2024

A portion of my property is covered under Candidate Area A under the proposal outlined in the Draft Planning Proposal.

We are in full support of the aims of Council to rezone this area to allow for subdivisions to create 5 ha and 10 ha blocks.

Please note we have been approached on a number of occasions by prospective buyers wishing to purchase small lifestyle blocks close to town and its facilities, but have been hampered by the prior restrictions.

Candidate Area A is part of a 300-acre freehold block held in my name and I would be further interested in rezoning the remainder of this property which is a long block with bitumen access.

Gerard & Denise O'Brien
Neirbo Plains
P O Box 693
Lightning Ridge, NSW, 2834.

Mob 0438 822 001

From: James <havechat@bigpond.com>
Sent: Wednesday, January 31, 2024 4:42 PM
To: Admin Walgett <admin@walgett.nsw.gov.au>
Subject: submission rural residential strategy

To Whom it may Concern,

I would like to express my interest in the Rural Residential Strategy for rural residential subdivisions in Walgett Shire Council area.

Part of our land covers area A in Lightning Ridge and I believe it would be suitable for small residential subdivisions. Due to the cost involved in subdividing land and developing land to subdivide, providing roads, drainage etc , I believe the areas allowed should be smaller , down to two ha lots.

I would like to point out the Cadastre 2018 illustration shows areas marked red as highly unsuitable and areas marked blue as suitable.

These maps are confusing as the blue areas are all flood areas.

I am available to discuss these matters should you wish.

Regards,

James Haverhoek
Director
Ridgerock Earthmoving & Mining Pty Ltd
A.B.N 12 099 300 544
PO Box 856 Lightning Ridge NSW 2834
Ph: (02) 6829 0520 fax: (02) 6829 0530
Mob: 042829 0520 Email: havechat@bigpond.com

"Phil's River",
942 Cuddyong Road,
CROOKWELL NSW 2583
2nd January 202

Reference LD:BH 12/256-10/0102 ASS 26757,59055

General Manager,

P.O.Box 31,

WALGETT NSW 2832

Dear Sir/Madam,

I contacted Bob Harris in December requesting some further information about your Draft Planning Proposal-Rural Residential Strategy.

This information was received promptly. I have no concerns with candidate Area A. My husband James and I did meet with Walgett Council approximately 5 years ago with regard to possibly rezoning my land.

I would like to submit a question to the Walgett Council. Would it be possible to include "Birdwood" Walgett which lies between proposed area and the Kamilaroi Highway separated by the Namoi River to be considered for rezoning.

It is not my intention at this stage to subdivide or to sell.

However, if it was rezoned it could provide for the future demand for small blocks with Highway and Namoi River frontage close to town for future expansion of Walgett.

Yours sincerely,

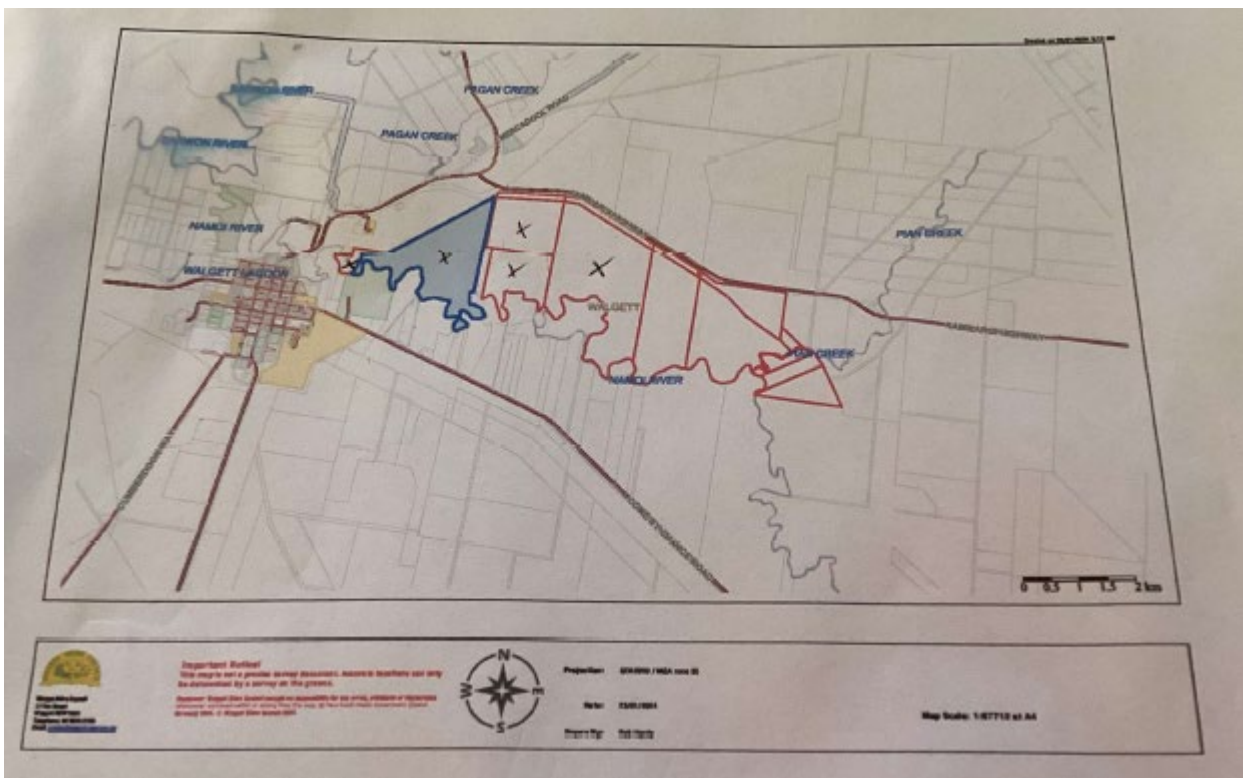


Beth Wheelwright

Bob Harris

From: beth wheelwright <bethwheelwright@hotmail.com>
Sent: Friday, 2 February 2024 10:41 AM
To: Bob Harris
Subject: Birdwood

Dear Bob,
Thankyou for phoning me last week.
I would assume the areas closest to town would be beneficial for all concerned.
I have marked on the map areas that can be considered for rezoning.
All the areas on the western boundary near town and out to and including DP 75221 Lot 90.
Just wondering if you have any other suggestions for DP 752271 Lot 28 at the edge of town. It is approx 18 hectares .
With thanks for all your help.
Regards
Beth Wheelwright
Sent from my iPad



31st January 2024

RE: Rural Residential Strategy

To whom it may concern,

We are not in favour of the rural residential strategy plan. We are already in close proximity to our neighbours and there is just no space to further develop any more dwellings. Majority of the landowners on the Come By Chance road farm their land, as stated in the plan this would reduce their capabilities of doing so. Could you explain this further please! Would this be in the event that if they opt into rezoning their land or if the plan goes ahead would this just be the case for everyone even if they didn't re zone?

This area is a flood prone zone, majority of the houses have mounds or levee banks which cause a diversion of the water during floods. Adding more housing to the area would increase the problem of flood water diversion.

Regarding the lack of housing in Walgett, there are a number of vacant blocks in town in which can be utilised maybe the Walgett shire should investigate this further if it is a population boost you are looking for.

Thank you,

Fiona Baker and Mathew Hudson

Bob Harris

From: Kathleen Holcombe <kholcombe@arm.catholic.edu.au>
Sent: Wednesday, 14 February 2024 7:02 PM
To: Bob Harris
Subject: Rural subdivision plans - Walgett

Good Evening Bob,

My name is Kathleen Holcombe and I own Lot 79 Come-by-chance Rd in Walgett. I have been in discussions with Greg Rummery and Chris Clemson about the proposed subdivision possibilities.

We have adjoining blocks that I believe would be suitable for smaller subdivisions as they are known to be on the higher ground in times of flood. I have personally flown over these blocks in the latest floods and was visibly able to see roads and house pads out of water.

I believe that the proposed area would be suitable for subdivision going forward.

I am happy to discuss anything further.

Kind Regards,
Kathleen Holcombe
0488560984

13. QUESTIONS ON NOTICE

13.1 UPDATE JENNY WRIGHT NETBALL COURTS – 7TH FEBRAURY 2024

Question by Councillor Daniel Walford
Seconded Colin Hundy

Commentary

I wish to submit a Question on Notice at the February Council meeting regarding an upgrade of Tenders, Starting and Completion date. Basically where we are at with the new Netball Courts. I enclose a submission from Elizbeth Wright. Thank you and I look forward to your response.

Attachments

Submission from Elizbeth Wright

Management Comment

The Walgett Shire Council has faced significant delays with the netball courts project due to the high volume of staff turnover.

Project Managers are now working diligently behind the scenes to move it forward. Currently, we've started the design stage, which may take around four months to complete. Following this, we plan to go out for tender by mid-year, with construction expected to begin thereafter. While we can't provide a precise timeline until the construction tender is secured, we want to assure Councillors, the family of Jenny Wright, and the community that we are actively progressing this project despite the setbacks.

To: Walgett Shire Council
Fox street
Walgett 2832

From: Elizabeth Wright
Family of Jenny Wright
58 Baird Drive
Dubbo 2830

RE: Jenny Wright Netball Courts Walgett

I am wanting to bring to your attention our families disappointment in the condition of the Jenny Wright Netball Courts named in our Mother honour.

Our Mother was born and lived in Walgett. She attended Walgett Schools and worked on many properties and premises before working at Walgett Public School for 25 years. She was involved in many Committees in Walgett as well as Regional and State. She is a life Member of the NSW AECG for her commitment to Education and Aboriginal Culture.

We the family was informed, that funding had been allocated for the refurbishment of the Courts and a write up in the Spectator was presented on Wednesday 13th July 2022.

I was also in conversations with the PCYC management for several months regarding the upgrade.

We had hoped that the courts would be completed by 2023 with the PROMISED blue surface such as in other Communities but it was not. Instead the games were played on the No 3 Football Oval. We felt this very disrespectful.

When these courts were named after our Mother we declared this as a sacred place and we spread some ashes from our Mothers dresses after she passed and performed a smoking ceremony declaring it.

Our Mother was very proud when she was alive to have these courts named after her.

To see the conditions of the Courts as people drive past them every day or through town is very heart breaking. Our parents owned their home in town and one of their rules was to always keep the yard clean and respectful. Our family still maintain that today.

We have had many people Especially Elders approach us regarding our Mothers Courts and their condition.

We need some answers to this matter please as it is causing our family much stress.

Thank you.

<p>Woodham Petroleum Services</p> <ul style="list-style-type: none"> • Fuels • Oils etc • Distributors for Walgett District <p>Phone: 6828 1356</p>	<p align="center">The Spectator</p> <p align="center">Walgett NSW 2832</p> <p>Phone (02) 6828 1008 Email: spectator07@bigpond.com</p> <p>Price \$1.20 Wednesday, July 13, 2022</p> <p>Registered by Australia Post Publication No. NAC 1545</p> <p align="center">Walgett • Collarenebri • Lightning Ridge • Rowena Come-By-Chance • Cumborah • Carinda • The Opalfields</p>	<p>New Holland Machinery</p> <p>Walgett Tyre Service</p> <p>102 Fox Street Phone: 6828 1500</p> <p>Trading as Gerónimo Farm Equip</p>
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ANNOUNCEMENT OF UPGRADE OF JENNY WRIGHT NETBALL COURTS INTO A MULTI-SPORT FACILITY

The community of Walgett will have access to improved facilities across a range of sports thanks to a \$1.148m injection of funds from the NSW Government's Multi-Sport Community Facility Fund and a contribution of \$900,000 from Walgett Shire Council.

Minister for Western NSW Digital Services said at the announcement: "Sport is a major part of the psyche of communities in Western NSW and it is something that brings people together, so it makes sense to have facilities that enable more participation across a range of activities."

"This funding will give Walgett Shire Council the chance to not only expand the courts but also create a great barrier zone that will provide privacy and noise reduction for neighbouring properties."

"Projects like this are helping the NSW State Government create a brighter future for people living in western parts of the state, and I know this will be a winner for the Walgett community."

Walgett Shire Council Mayor Jane Kerr (BAM) was delighted to have Council's grant application under the Multi-Sport Community Facility Fund for the upgrade of Walgett No.1 Oval met with such success.

The project sees the conversion of the four existing netball courts with damaged surfaces to a multi-sports complex integrating the four courts to different sports including netball, basketball, tennis and Futsal along with lighting, a small amenities block, extensive seating and storage shed. When complete, Walgett will have one of the best sporting precinct facilities in the north with the new project complementing the existing football and Little Athletics grounds located at the oval.

Mayor Kerr said this was a significant project for Walgett Shire and important for the health and well-being of communities, which is active and committed to ensuring the recovery of the locality from the impacts of the bushfire.

The Mayor thanked the State government for making the grant available, saying this is another good example of collaboration between the State and Local Government delivering much needed infrastructure to local communities.

For further information on the Multi-Sport Community Facility Fund visit: [Multi-Sport Community Facility Fund | NSW Government](#)

At the announcement of the upgrade to the Jenny Wright Netball Courts were: Michael Vorpahlert General Manager WSC, Jane Kerr (BAM) Mayor WSC, WSC Councillor Daniel Walker, The Hon. Dugald Saunders, Coral Wright, Jenny's daughter and Raja Sampson representing the locals, Joshua Hatley WSC, Sandra Haden WSC, George McCarrick WSC and David Kennedy Walgett Junior Rugby League. Continued Page 3.





AGENDA FOR CLOSED COUNCIL MEETING

Tuesday 27TH February 2024

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 Tuesday 27th February 2024 to discuss the items listed in the Agenda.

Megan Dixon
GENERAL MANAGER

AGENDA

14. MOVE INTO CLOSED SESSION

MOVE INTO CLOSED SESSION	
Time:	
That the public be excluded from the meeting pursuant to Sections 10A (1) (a) (b) & (2) (a) (b) & (c) the Local Government Act 1993 on the basis that the items deal with:	
<ol style="list-style-type: none"> 1) A council, or a committee of the council of which all the members are councillors, may close to the public so much of its meeting as comprises-- <ol style="list-style-type: none"> a) the discussion of any of the matters listed in subclause (2), or b) the receipt or discussion of any of the information so listed. 2) The matters and information are the following-- <ol style="list-style-type: none"> a) personnel matters concerning particular individuals (other than councillors), b) the personal hardship of any resident or ratepayer, c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, 	
Moved:	Seconded:

15. CONFIDENTIAL REPORTS/CLOSED COUNCIL MEETING

16. RETURN TO OPEN SESSION

Return to open session	
Recommendation: That Council return to open session.	
Moved:	Seconded:

17. ADOPTION OF CLOSED SESSION REPORTS

Adoption of closed session reports	
Recommendation: That Council adopt the recommendations of the Closed Committee Reports	
Moved:	Seconded:

18. CLOSE OF MEETING

Time: