



# **MINUTES FOR THE ORDINARY COUNCIL MEETING**

**Thursday 26<sup>th</sup> October 2023**

Megan Dixon  
**GENERAL MANAGER**

**MINUTES OF THE ORDINARY MEETING OF THE WALGETT SHIRE COUNCIL HELD AT  
THE WALGETT SHIRE CHAMBERS ON THURSDAY 26 OCTOBER 2023 AT 9:00AM**

**OPEN FORUM**

**Public Presentations:**

Josh Eagleton - Planning Proposal – Intensive Agriculture  
 Planning Proposal – Rural Residential Strategy  
 Pauline Kearl – Lighting Ridge Easter Festival Funding

*The Mayor declared the meeting open at 9.25am*

**PRESENT**

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

**ABSENT**

Nil

**11/2023/1 Leave of Absence**

Nil

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

<b>Councillor</b>	<b>Item No.</b>	<b>Report title/ Subject matter</b>	<b>Pecuniary/Non - Pecuniary</b>	<b>Reason</b>
Clr Jane Keir	9.3.1	Monthly Maintenance Grading Report as at 30 September 2023	Pecuniary	Family Business interest
Mayor Jasen Ramien	9.3.1	Monthly Maintenance Grading Report as at 30 September 2023	Pecuniary	Family Business interest

**11/2023/2 Minutes of Ordinary Council Meeting – 26 September 2023**

**Resolved** on the motion of Councillor Keir and Councillor Rummery that the Minutes of the meeting held 26 September 2023 as itemised in Minute Numbers 9/2023/1 to 9/2023/19 pages 2 to 6, be confirmed with the changes made as discussed.

**11/2023/3 Mayoral Monthly Report**

**Resolved** on the motion of Councillor Ramien and Councillor Cooke that the Mayoral report for September 2023 be received and noted.

**11/2023/4 Reports of Committees/Delegates**

Resolved on the motion of Councillor Keir and Councillor Hundy that the minutes of the Local Area Traffic Committee Meeting held 4<sup>th</sup> October 2023 having been circulated, be taken as read and confirmed as a true and accurate record of the proceedings on the meeting.

*A report to November Council meeting on schedule of representatives and delegates for the period terminating September 2024.*

**11/2023/5 Circulars Received from the NSW Office of Local Government**

**Resolved** on the motion of Councillor Seaton and Councillor Keir that the information contained in Departmental Circular 23-12 from the office of Local Government Division, Department of Premier and Cabinet, be received and noted.

**11/2023/6 Important Dates – Upcoming Meeting and Events**

**Resolved** on the motion of Councillor Hundy and Councillor Rummery that Council receive and note the list of upcoming meetings and events.

*General Manager to email Councillors to check availability to change the December meeting date to 14th December 2023*

**11/2023/7 Lightning Ridge Easter Festival 2024**

**Resolved** on the motion of Councillor Keir and Councillor Rummery that Council subject to the Lightning Ridge Easter Festival Committee meeting the requirements of an incorporated association that \$10,000 be allocated to the Lightning Ridge Easter Festival.

**11/2023/8 Safety Summit Conference - Sydney**

**Resolved** on the motion of Councillor Hundy and Councillor Rummery

1. That Council acknowledge the seriousness of this major incident by conducting a one-day safe work seminar for all Council staff & Council's main contractors (some of whom were involved with the work site at Cryon) with an invitation to conduct such seminar to be given to Lisa Moore, Transport for NSW, and that the presenters at this seminar include:

- Transport for NSW
- Greg Wear – Traffic Control Management Consultant
- Patrizia Cassantiti – Work Health & Safety Advocate,

2. Attendance at such seminar be compulsory for staff and that Council business be suspended for the day to facilitate the conduct of the seminar,

3. And further that David Callander, Council's WHS Officer, Rehabilitation Coordinator be authorized to co-ordinate this proposed seminar with Transport for NSW.

**11/2023/9 Lightning Ridge Welcome Sign**

**Resolved** on the motion of Councillor Cooke and Councillor Hundy that John Murray be engaged to undertake the refurbishment of the welcome sign at the corner of Bill O'Brien Way and the Castlereagh Highway in accordance with the proposal lodged for the work at a cost of \$10,200 and that such cost be funded from the Marketing and Promotion Account – 11.3763.2250

**11/2023/10 Collarenebri Water Meters**

**Resolved** on the motion of Councillor Seaton and Councillor Hundy that the General Manager continue endeavours to:

1. Obtain copies of the documents committing the Council to this Project,
2. To clarify the ongoing costs of the project and
3. To Report these matters to the Council for consideration of what may be done to limit those costs.
4. and review Council's delegation to the General Manager in the amount of \$1m.

**11/2023/11 Everyone Can Play Park – Lightning Ridge**

**Resolved** on the motion of Councillor Hundy and Councillor Seaton that Council determines whether to proceed with the development or terminate the funding for the Everyone Can Play Park.

A vote was undertaken for the Everyone Can Play Park to go ahead.

For	Against
Clr Seaton	Clr Walford
Clr Woodcock	Clr Hundy
Clr Cooke	
Clr Rummery	
Clr Currey	
Clr Keir	

**11/2023/12 Monthly Outstanding Rates as at 30 September 2023**

**Resolved** on the motion of Councillor Seaton and Councillor Keir that the 30 September 2023 outstanding rates report be received and noted.

**11/2023/13 Cash and Investment as of 30 September 2023**

**Resolved** on the motion of Councillor Keir and Councillor Hundy that Council receive and note the Monthly Outstanding Cash and Investment Report as of 30 September 2023.

**11/2023/14 Investment Policy and Procedure Reviewed 2023**

**Resolved** on the motion of Councillor Currey and Councillor Woodcocke that Council adopts the revised Investment policy and procedure.

**11/2023/15 Annual Financial Statement 2022 - 2023**

**Resolved** on the motion of Councillor Hundy and Councillor Keir

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.

*At 12:16pm Mayor Ramien and Clr Keir declared a pecuniary interest and exited the Council Chamber.*

*Deputy Mayor Hundy took the Chair.*

**11/2023/16 Monthly Maintenance Grading Report as of 30 September 2023**

**Resolved** on the motion of Councillor Rummery and Councillor Seaton that Council receive and note the Monthly Maintenance Grading Report as of 30 September 2023

*Councillor Ramien returned to the meeting at 10.46am*

*Councillor Keir returned to the meeting at 10.47am*

**11/2023/17 Service Progress Report as of 30 September 2023**

**Resolved** on the motion of Councillor Woodcock and Councillor Currey that Council receive and note the Service Progress Report as of 30 September 2023

**11/2023/18 Monthly Major Projects Report as of 30 September 2023**

**Resolved** on the motion of Councillor Rummery and Councillor Seaton that Council receive and note the Monthly Major Projects Report as of 30 September 2023

**11/2023/19 Various Matters Come-By-Chance Road Reconstruction as of 30 September 2023**

**Resolved** on the motion of Councillor Rummery and Councillor Keir that Council receive and note this report

**11/2023/20 Report to Provide Update on Additional Works Required to Open Walgett Splash Park Project and Actions Taken by Council Staff**

**Resolved** on the motion of Councillor Rummery and Councillor Currey that the actions of Walgett Shire Council staff in finalising works to enable Walgett Splash Park to open be endorsed by Council

**11/2023/21 Development Approvals September 2023**

**Resolved** on the motion of Councillor Woodcock and Councillor Keir that Council receive and note the Development Approvals Report for September 2023

**11/2023/22 Matters Generally for Brief Mention or Information Only**

**Resolved** on the motion of Councillor Seaton and Councillor Keir that the Council report on Matters Generally for Brief Mention or Information Only be received and noted.

**11/2023/23 Walgett Derelict Dwelling Demolition – 85 Neilly Street Walgett**

**Resolved** on the motion of Councillor Cooke and Councillor Woodcock that the Council approve the funding for the demolition of dwelling clean-up and removal of wastes of the vacant property at 85 Neilly Street Walgett.

**11/2023/24 Local Heritage Assistance Fund – Grant Recommendations 2023 - 2024**

**Resolved** on the motion of Councillor Keir and Councillor Hundy that the Council disperse a maximum of \$5,000 from the Walgett Shire Council Local Heritage Fund 2023-2024 in accordance with the recommendations of Council's Heritage Advisor.

**11/2023/25 Matters Generally for Brief Mention or Information Only From Bob Harris**

**Resolved** on the motion of Councillor Cooke and Councillor Seaton that the Council report of Matters Generally for Brief Mention or Information Only from Bob Harris be received and noted.

**11/2023/26 Pet Care and Education**

**Resolved** on the motion of Councillor Cooke and Councillor Hundy that the Council receive a further report to consider options for additional Pet Care and Education resources to further promote responsible pet ownership within the community.

**11/2023/27 Draft Fire Safety Policy – Walgett Shire Caravan Parks**

**Resolved** on the motion of Councillor Keir and Councillor Rummery that the Council  
1. That Council adopt the following policy.

- 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.***

### 1. Notice of Motion – Cr Cooke & Cr Hundy

Councillor Cooke amended his motion to *'That Council adopt a policy providing for appropriate interaction between senior staff and Councillors, being a policy that is not inconsistent with the requirements of the Walgett Shire Council Code of Conduct and Procedures 2022, including but not limited to Part 7 of that document.'*

### 2. Notice of Motion – Cr Hundy & Cr Cooke – Councillor Hundy amended his motion to:

Roads Contracts

That a full review of the contracts for the

- (a) Come by Chance Road
- (b) Burrembaa Road
- (c) Lorne Road

Be undertaken by the **General Manager**, such report to include but not limited to;

- i. Original contract cost
- ii. Project or total cost of each project (road)
- iii. Any and all alterations (additions) to the original contract including the manner of authorisation
- iv. Cost to Council to meet the commitment made by Council to provide gravel to the contractor at no cost to the contractor
- v. Who made the commitment to provide gravel at no cost
- vi. Manner of recording the amount of gravel being supplied by Council
- vii. Who is responsible for winning and transporting Council gravel for these projects including costs

And further, that this review be reported to Council at the earliest opportunity and if necessary to an extraordinary meeting of Council.

### 4. Notice of Motion – Cr Hundy & Cr Seaton

That a review panel be formed, and a performance agreement be signed by the General Manager regarding a performance review in December 2023.

### 5. Notice of Motion – Cr Keir & Cr Rummery – Walgett Swimming Pool – Motion withdrawn

#### 11/2023/31 Move into Closed Session

Time:12:02pm

**Resolved** on the motion of Councillor Cooke and Councillor Hundy that the council move into Closed Session and that the public be excluded 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

#### 11C/2023/1 Minutes of the Closed Meeting – 26 September 2023

**Resolved** on the motion of Councillor Rummery and Councillor Woodcock that the minutes of the Closed Council meeting held 26 September 2023, itemised in minute numbers 10C/2023/1 to 10C2023/3 pages 1 to 2, be confirmed.

#### 11C/2023/2 Sale of Land Unpaid Rates Stage 2

**Resolved** on the motion of Councillor Cooke and Councillor Woodcock that Council hold the Section 713 sale for the listed 19 properties at Lightning Ridge Multi-Purpose Centre on Saturday 10th February 2024 and appoint Kelly's Real Estate to conduct the Auction.

*The General Manager to ensure proper identification of the blocks of land prior to sale*

**11C/2023/3 Possible Purchase of Land Adjacent to the Collarenebri Bore Bath**

**Resolved** on the motion of Councillor Cooke and Councillor Seaton that the Council adopt a position on acquiring the block or not, and if a decision is made to proceed that an upper limit of what Council is prepared to pay be set.

**11C/2023/3a Resolved** on the motion of Councillor Keir and Councillor Seaton that the Council approve the General Manager to submit a \$25,000 offer to the Real Estate Agent for both land blocks, good for 30 days.

**11C/2023/4 Headstone in the Presbyterian Lawn Section**

**Resolved** on the motion of Councillor Seaton and Councillor Cooke that a further report be provided to Council on the review of the cemetery policy.

**11C/2023/5 Lightning Ridge HACC Centre Lease of Space**

**Resolved** on the motion of Councillor Cooke and Councillor Seaton that the Council enter into a lease agreement with Australian Unity Home Care for \$1,235.00 a month, not including GST, with the lease to include a share of the outgoings, including but not limited to electricity, cleaning, water, maintenance, etc.

**11C/2023/6 Walgett Splash Park**

**Resolved** on the motion of Councillor Woodcock and Councillor Seaton

1. 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.

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

**Motions of Which Notice Has Been Given**

**1. Notice of Motion – Cr Hundy & Cr Walford - Withdrawn**

**11/2023/32 Return to Open Session**

**Time:12.41pm**

**Resolved** on the motion of Councillor Cooke and Councillor Walford that the Council return to open session

**11/2023/32 Adoption of Closed Session Reports**

**Resolved** on the motion of Councillor Keir and Councillor Hundy that Council adopt the recommendations of the Closed Committee Reports

With no further business the meeting was closed by Mayor Ramien at 12.58 pm

To be confirmed at the next meeting of Council.

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Mayor

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General Manager