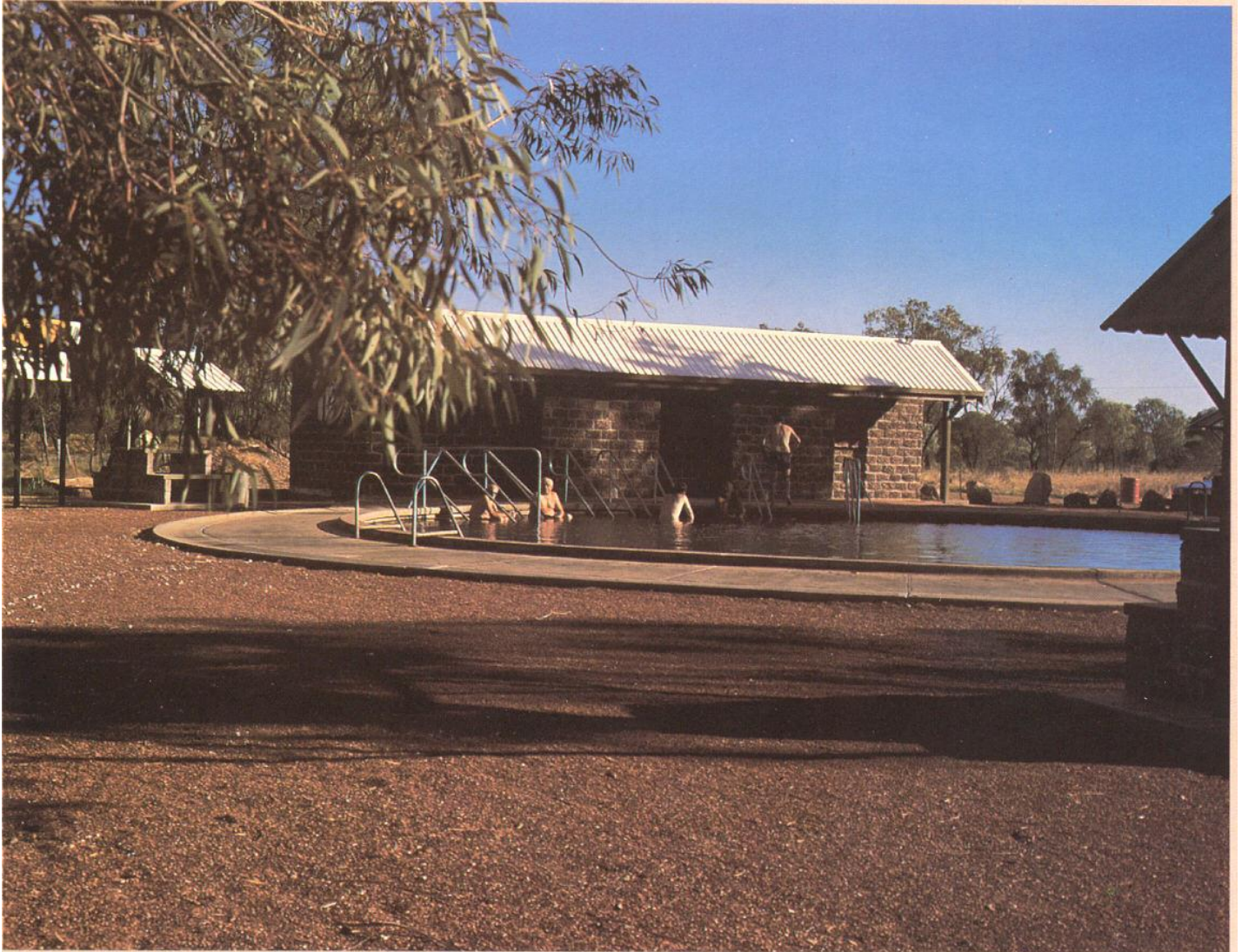


BUSINESS PAPER

EXTRAORDINARY MEETING OF COUNCIL

3 July 2024



I hereby give notice that an Extraordinary Meeting of Council will be held on:

Date: Wednesday, 3 July 2024
Time: 9.00 AM
Location: Lightning Ridge District Bowling Club
29 Morilla Street, Lightning Ridge

Megan Dixon
General Manager

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1. MEETING OPEN

Meeting Opened at:

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.

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

3. INTRODUCTION OF MEMBERS PRESENT

Our Councillors

Mayor Jasen Ramien
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
Director Infrastructure and Compliance
Executive Officer

Megan Dixon
Kazi Mahmud
Sherisse Fensom

4. APOLOGIES

Recommendation:

That the apology from 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.

7. MAYORAL MINUTE

Nil at time of writing

8. CORRESPONDENCE AND PETITIONS

Nil

9. REPORTS FROM OFFICERS

9.1 GENERAL MANAGER

9.1.1 2024/25 Annual Operating Plan and Budget

RESPONSIBLE OFFICER:	General Manager
REPORT AUTHOR:	General Manager
FILE NUMBER:	24/9/0143
PURPOSE:	For Decision

RECOMMENDATION

1. That Council having considered submissions from the community, up until 25 June 2024 adopts:
 - a. the 2024/25 Operational Plan and budget
 - b. the 2024/25 fees and charges, with the Council reserving the right to vary fees and charges of a commercial or legislative nature as circumstances may require and
 - c. that Council endorses the long-term financial plan, as presented.
2. That Council formally thank those people and organisations that made submissions on the documents and advise them of the decisions of Council with regard to issues raised.

Moved:

Seconded:

Summary:

This report recommends that Council adopt the 2024/25 Annual Operational Plan and budget, along with the 2024/25 fees and charges and the long term financial planning.

This follows on from Council adopting draft documents that enabled a 28 day public consultation period, during which time the Council received submissions, which have been addressed in the body of this report.

Background:

Council is required to prepare and adopt an Annual Operational Plan & Budget for each financial year which incorporates the Statement of Revenue Policy, fees and charges and long-term financial plan.

The Draft Annual Operational Plan, Budget, Fees and Charges and Draft Revenue Policy were placed on public exhibition following the Council meeting 28 May 2024 for the Statutory 28 days which expired 25 June 2024.

Under Section 405 of the Local Government Act 1993, Council should now formally adopt the Operational plan and endorse the Long-Term Plan and other plans initially prepared after the last Council election.

Report

The Annual Operating Plan and Budget for 2024/25 period are attached for your approval.

Submissions

The following submissions were received:

Name	Summary of Issue	Response
<p>JS & JL Dowling Brown, Carinda</p>	<p>Stock and domestic user of water, seeking to be rated and charged appropriately. Twp propositions for charging Bowra water supply:</p> <ol style="list-style-type: none"> 1. As Bowra is 2850 hectares, we propose that the charges for the supply and access of water be a total rate of \$2850 per annum with no metering. This is how it was pre 2011 and is how all other stock and domestic water is charged. 2. If metering has to occur, we proposed a flat rate of 20cents per KL (with no excess charges over certain KLs). Also with NO yearly access fee charges (current charge \$1662). If the water is getting metered and charged there is no need for a huge access fee on top. 	<p>Following Mr Dowling-Brown’s complaint regarding his large water bill early this year, Council resolved to consider a new tariff for water supplied in bulk outside the urban water district. Mr Dowling Brown has proposed a flat fee of \$,2850 per annum with no metering. Alternatively, if metered 20c per kilolitre.</p> <p>Best practice Water and Sewer guidelines proclaimed under the Local Government Act 1993 requires all site to be metered and limited cross subsidisation. Officers have recommended that Council set a one-tiered charge of 45c per kilolitre with no higher second tier.</p> <p>Council’s fees and charges are based on cost recovery and ability to maintain service through renewal of assets and undertaking regular maintenance activities</p> <p>This charge was arrived at, after taking into consideration pump maintenance, electricity, network maintenance and relationship with the charge set for Carinda Urban users. Officers were mindful of not setting a precedent for further requests outside the Carinda Urban water District.</p>
<p>Pauline Kearn, Lightning Ridge</p>	<ol style="list-style-type: none"> a. The issue of and process for capital works project identification and inclusion. Items without resolution being removed from the Budget. b. The budget allocation to community services. c. Requesting a copy of the 4th quarterly budget. 	<ol style="list-style-type: none"> a. The AOP and budget process is complex and responds to the Community Strategic Plan, other plans that council may have adopted (such as a Youth Strategy), reports and subsequent resolutions of Council. <p>When Council adopted a previous budget that identified the bird hide as a line item, it became a resolution of Council. Its noted however, that as the bird hide was reliant</p>

		<p>on revenue funding, has no project scope nor grant funding, this project has been removed from the budget and will be added to a Council wish list, where it can be scoped properly and be prepared for a grant funding submission.</p> <p>b. Council has not proposed to change the budget allocation to community services. As advised to Council, the General Manager intends to reconstruct the AOP and budgets to better reflect service areas and include reporting that includes efficiency, effectiveness and workload measures and reporting, which will allow Council to determine if the budget allocation is appropriate to the service area. This will be introduced in the 2025/26 Delivery Plan, AOP and Budget.</p> <p>c. Final quarterly budget reviews don't exist. Council is required to comply with legislation, OLG guides and our external audit engagement. In that regard, Council will receive a report in August requesting approval of the financial statements to be referred to the Audit Office by 27 August 2024.</p>
<p>Burren Junction Progress Committee</p>	<p>Priorities for Burren Junction</p> <ul style="list-style-type: none"> - The oval (sports precinct) - The amenities building - Query of a portable kitchen - Bore baths maintenance - Airstrip maintenance - Roads 	<p>The priorities for Burren Junction are noted. Council is about to commence renewal of the Community Plan and it is intended that the renewed plan includes "place plans" that will incorporate village priorities. The community will have an opportunity to contribute to the plan at which time some of the projects mentioned can be reviewed.</p> <p>Bore baths maintenance includes meeting EPA requirements, facilities repairs and maintenance, daily cleaning, etc.</p> <p>There is little history about the portable kitchen in the organization and its unknown how that project was determined.</p> <p>Airstrip - the Council has not been collecting any income</p>

		<p>from users of the Burren Junction Airstrip. Maintenance of the facility has been assessed and costed and an allowance has been allocated out of the airports budget for repair of the facility in this year's budget.</p> <p>With regards to roads, Council staff are working towards improved asset planning, scheduling and results for the community of Walgett.</p>
Janine Powell, Burren Junction	<p>Transparency of budget processes; removal of revenue funded projects from the budget; what can the Burren community expect? The worsening state of Shire roads</p>	<p>The entire preparation of the delivery plan, annual operation plan, budget and delivery of the LTFP needs review. The process has previously been led by the finance team, with little input from the service areas. We have suffered from a turnover in financial staff and loss of corporate knowledge, but a number of the projects included and mentioned in Mrs Powell's submission also have no scope, nor resolution from Council, other than when the Council adopted previous budgets.</p> <p>Council is about to embark on the renewal of our community plan, which will include place plans, which will enable to community to have input into and decide their priority projects. That process will help to inform Council to develop it's delivery plan and AOP and budget in future years. This will be associated with the production of more detailed service plans. The Council is also allocating resources to asset management, which will inform the LTFP.</p> <p>Projects removed from the budget will be placed on a Council wish list, scoped and presented to Council as funding opportunities arise.</p> <p>The issue of roads and prioritisation of repairs and renewals remains a significant issue for Council and we are working towards improved assessment, prioritization and scheduling of renewals and repairs.</p>
Early submission:	<p>Request to waive water rates charges of \$20,444.75</p>	<p>Annual rates are set and levied by Council, with the monies</p>

<p>Lightning Ridge Olympic Pool Association Inc</p>	<p>Annual rates and charges – request to waive fees approx. \$17,461.90 per annum</p>	<p>received being used to provide facilities and services to the community, including services such as public swimming pools. Council has a policy of providing rate relief to charities, but not to not-for-profit organisations. Legislation requires Council to be consistent and equitable in its decision making and should Council waive the rates, fees and charges for this organisation, it could open Council up to significant loss of income, affecting service delivery more broadly. For this reason, the request to waive rates, fees and charges is not recommended.</p>
<p>Liz Powell, Secretary, Cumborah Recreation Reserve Land Manager</p>	<p>Council has not including any provision for water reticulation to the residential dwellings and recreational facilities of Cumborah</p>	<p>The Cumborah community has the benefit of two bores, with an unmetered stand-pipe. The community has received correspondence over the years from various management with regard to reticulation, but no report nor resolution has ever been provided to Council. People should understand the risks, when they are choosing the lifestyle and location to live. Consideration for reticulation should be considered as part of long-term asset management and business planning.</p>

Cemeteries

In June 2024, Cemeteries and Crematoria NSW (CCNSW) announced a new tax effective from 1 July 2024, charging \$156 per burial, \$63 per ash interment, and \$41 per cremation for large operators (those conducting over 50 interments annually).

Smaller operators will start paying the levy from 1 July 2025. As Council can perform more than 50 interments per year, it may qualify as a large operator at times.

Due to the timing of the announcement, the Council couldn't include these charges in the draft 2024/2025 Operational Plan's proposed Fees and Charges before the public exhibition period. These fees and charges have been included in the 2024/25 Fees and Charges for adoption.

Operators may choose to pass this onto the customer and reflect the levy in the price of their services.

Budget Changes

The budget has been derived, after a period of turmoil within the Council. This has resulted in a loss of corporate knowledge and exacerbated the ongoing issues relating to staffing and financial systems and procedural documentation.

The IT issues relate to a poor original setup of the Civica Authority system and subsequent lack of maintenance partly because of the staff changes and the lack of ongoing management of the system.

It should also be noted that Walgett Shire Council has significant grant funded projects as a proportion of their size and staffing levels.

Following a discussion with Councillors on these budget issues, unfunded capital works projects have been removed from the budget. These projects now sit on a Council "wish list" which will be used by staff to seek funding for, as opportunities arise.

These reports (attached) identify a cash-balanced result, including positive operating results for Water & Sewerage. Whilst the General Fund has an accounting deficit, with associated capital expenditure being below depreciation expense, it results in a positive cash result for the General Fund (\$2.065M).

An updated and achievable Asset Management Plan should be maintained from 2024/25 going forwards and managed as an ongoing process.

Strategies to move forward are to review and update the current corporate and financial systems into an appropriate reporting structure.

In terms of the financial system, the addition of a reporting module will then drive regular (monthly) financial reporting including regular updates of all capital works including all grant-funded projects.

The aim is to ensure the Council is aware of its core operating position in order to be able to accurately cost and identify on-costs and implications when taking on new Grants. These projects should always align with the council's long-term community strategic plan.

The Income Statement shows a deficit of \$1.2M, with a positive Net Cash Result (before non-cash depreciation expenditure of \$7.2M) being \$6M. Against this is new Council Capital works of \$2.7M. The net result in the Cash Flow Statement is a cash surplus for the year of \$2M when allowing for payment of borrowings.

It is important to note that post the end-of-year, a review of expenditure against budget and against grant-funded and council-funded projects is completed.

From this reconciliation those items not being expended, as projected, are included in an amended budget against the additional cash reserves that has been triggered, as a result. This correction would normally be done as part of the Q1 Budget Review, and would be cost-neutral, as it's based on unexpended funds for Capital Works in 2023/24 sitting in Restricted Cash Reserves as at 30/06/2024.

Relevant Reference Documents/Policies:

NSW Local Government Act 1993 and Regulations 2005
Office of Local Government Circulars

Stakeholders:

Walgett community
Office of Local Government

Legal Implications

Section 405 Local Government Act 1993 (as amended).

Risk Implications

Nil, unless the Draft 2024/2025 Operational Plan is not complete and adopted by Council.

Financial Implications:

Under the Integrated Planning and Reporting process, Council prepares a rolling Long Term Financial Plan. From this Plan, Council prepares a single year Financial Plan from its Delivery Program to identify its day to day operational needs and to determine future capital and maintenance works across all the service areas of Council.

Budget monitoring and reporting will be provided to Council on a regular basis.

Alternative Solutions/Options:

Nil as there is a legal requirement to adopt an Annual Operating Plan, Budget, Fees and Charges and Revenue Policy.

Conclusion:

This report is provided to recommend to Council adoption 2024/25 Operational Plan in conjunction with the 2024/25 Budget.

Attachments:

2024/25 Annual Operating Plan

2024/25 Annual Budget

2024/25 Annual Fees and Charges

Office of Local Government – Circular to Councils – 24-12

Cemeteries and Crematoria NSW – Fact Sheet and Frequently Asked Questions

Submissions from

JS & JL Dowling Brown, Carinda
Pauline Kearn, Lightning Ridge
Burren Junction Progress Committee
Janine Powell, Burren Junction
Early submission:
Lightning Ridge Olympic Pool Association Inc
Liz Powell, Secretary, Cumborah Recreation Reserve Land Manager

9.1.2 MAKING OF RATES AND CHARGES FOR 2024/2025

RESPONSIBLE OFFICER: General Manager
REPORT AUTHOR: Acting Rates Clerk
FILE NUMBER: 24/9/0128
PURPOSE: For Decision

RECOMMENDATION

1. That Council adopt option B of the proposed rates structure of 2024/2025
2. That Council adopt all the recommended charges for water, sewer and waste

Moved:**Seconded:**

Summary:

The Council is required to make rate and annual charges for the financial year 2024/2025, commencing 1st July 2024, pursuant to sections 500, 534, 535 of the Local Government Act 1993.

Background:

Following the Council resolution at its meeting 28th May 2024, the Operational Plan for 2024/2025 incorporating the proposed rates and annual charges, containing the Statement of Revenue Policy for 2024/2025 and the schedule of Fees and Charges were placed on public exhibition for 28 days until 26th June 2024 in accordance with Section 532 of the Local Government Act 1993.

This year IPART has individually assessed each Council taking into consideration various factors including population and growth. Walgett, like most other rural Councils has been granted 4.5% rate pegging increase. Council has just been advised that IPART has increased the rate peg percentage to 4.51% due to some Crown land becoming rateable. Consequently, the draft rating table has been adjusted to accommodate the small percentage increase along with some revaluation changes which have occurred since the first draft.

Current Position:

Having advertised the draft in accordance with Section 532 of the Local Government Act, Council should determine which rating option it wishes to adopt at its Special meeting on Friday 28th June 2024. The draft resolution to make Rates and Annual Charges can then be prepared for the Special meeting.

Relevant References and Policies

NSW Local Government Act 1993 and Regulations 2005
IPART determination
Office of Local Government

Governance Issues

Rates and charges are set fair and equitably and that services benefit the entire Council District. Financial Issues. It is important that Council complies with the State Government policies in keeping rates and charges in line with their guidelines, yet at the same time improving the livelihood of its residents with better services and infrastructure.

Stakeholders

Walgett Shire Council
Residents and ratepayers of the Walgett Shire Council
Office of Local Government

Conclusion

Section 533 of the Local Government Act 1993 requires the Council by resolution to set rates and charges so that they conform with the requirements of the regulations to give ratepayers 30 days' notice for payment of the first instalment.



WALGETT SHIRE COUNCIL
OPERATIONAL PLAN 2024/2025
Statement of Revenue Policy



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The Statement of Revenue Policy details a number of significant factors which have been considered in forming the projected Operational Budget. The 2024/2025 Operational Budget has been formulated within a number of income and cost constraints including rate pegging, allowable increases and the additional cost impacts of operating within a remote location.

2024/2025 RATE PEGGING

Council's primary objective for rating in the forthcoming financial year is to maintain a rating structure that is fair and equitable for all ratepayers.

Equity is the corner stone of Council's Rating Policy and to achieve the best possible result for the community, Council has chosen to have all rating categories have a base and Ad valorem.

The level of rate pegging is determined by the Independent Pricing and Regulatory Tribunal (IPART) and the maximum amount that the Council is permitted to increase its general rate income by in the 2024/2025 financial year is 4.51% and Council proposes to take up the full amount plus the adjustment from the previous year as advised by IPART. Council rate peg was increased from 4.5% to 4.51% because of adjustment to Crown Land becoming rateable.

The rate peg for 2024/2025 has been calculated by taking the increase in the "Local Government Cost Index" to November 2023 was 4.5% made up of 3.9% plus superannuation and emergency services levy. The allowable rate pegging limit plus the catch-up shall be distributed evenly across all rating categories and sub categories.

The IPART rate peg does not apply to ordinary fees and charges, domestic waste management, water and sewer annual charges.

RATING METHOD OPTIONS & CATEGORISATION OF LAND

The *Local Government Act 1993* provides Council with the following three alternative methods of levying rates:

1. Solely ad valorem rating i.e. cents in the \$ on land value.
2. Minimum rate plus ad valorem rate.
3. A base amount of up to 50% of the total yield required to be raised from a category or sub-category of a rate and applied to all rateable parcels within that category or sub-category plus an ad valorem rate to raise the additional required.

Council's rate structure for 2024/2025 consists of a base amount plus ad valorem rate for all categories.

RATES

Incorporating the increase set by IPART of 4.51% with two options each producing the required income to match the Operational Plan

Rates Statement

Rates are levied on the land value of the property (as determined by the Valuer General) and in accordance with the *Local Government Act 1993*.

Categorisation of Land for Purposes of Ordinary Rates

Council in accordance with Section 514 *Local Government Act 1993* must declare each parcel of rateable land in its area to be within one of the following categories:

1. Farmland
2. Residential
3. Mining
4. Business

Council utilises the provisions of Section 528 and 529 of the *Local Government Act 1993* in applying differential rating to the categories of ordinary rates.

The criteria in determining the categorisation of land is as follows:

Rate may be the same or different within a category

1. Before making an ordinary rate, a council may determine a sub-category or sub-categories for one or more categories of rateable land in its area.

2. A sub-category may be determined:

- a. for the category farmland - according to the intensity of land use, the irrigability of the land or economic factors affecting the land, or
- b. for the category residential. - according to whether the land is rural residential land or is within a centre of population, or
- c. for the category mining - according to the kind of mining involved, or
- d. for the category business - according to a centre of activity.

Note: In relation to the category business, a centre of activity might comprise a business centre, an industrial estate or some other concentration of like activities.

3. The ad valorem amount (the amount in the dollar) of the ordinary rate may be the same for all land within a category or it may be different for different sub-categories.

4. Land may be taken to be irrigable for the purposes of subsection (2) (a) if, and only if, it is the subject of a water right within the meaning of the *Valuation of Land Act 1916*.

Categorisation as farmland

1. Land is to be categorised as farmland if it is a parcel of rateable land valued as one assessment and its dominant use is for farming (that is, the business or industry of grazing, animal feedlots, dairying, pig-farming, poultry farming, viticulture, orcharding, bee-keeping, horticulture, vegetable growing,

the growing of crops of any kind, forestry or aquaculture within the meaning of the *Fisheries Management Act 1994*, or any combination of those businesses or industries) which:

- a. has a significant and substantial commercial purpose or character, and
- b. is engaged in for the purpose of profit on a continuous or repetitive basis (whether or not a profit is actually made).

2. Land is not to be categorised as farmland if it is rural residential land.

3. The regulations may prescribe circumstances in which land is or is not to be categorised as farmland.

Categorisation as residential

1. Land is to be categorised as residential if it is a parcel of rateable land valued as one assessment and:

- a. its dominant use is for residential accommodation (other than as a hotel, motel, guesthouse, backpacker hostel or nursing home or any other form of residential accommodation (not being a boarding house or a lodging house) prescribed by the regulations), or
- b. in the case of vacant land, it is zoned or otherwise designated for use under an environmental planning instrument (with or without development consent) for residential purposes, or
- c. it is rural residential land.

Note:

1.

a. For the purposes of this section, a boarding house or a lodging house means a building wholly or partly let as lodging in which each letting provides the tariff-paying occupant with a principal place of residence and in which:

(i) each tariff charged does not exceed the maximum tariff for boarding houses or lodging houses for the time being determined by the Minister by order published in the Gazette for the purposes of this subsection, and

(ii) there are at least 3 tariff-paying occupants who have resided there for the last 3 consecutive months, or any period totalling 3 months during the last year, and includes a vacant building that was so let immediately before becoming vacant, but does not include a residential flat building, licensed premises, a private hotel, a building containing serviced apartments or a backpacker hostel or other tourist establishment.

2. The regulations may prescribe circumstances in which land is or is not to be categorised as residential.

Categorisation as mining

1. Land is to be categorised as mining if it is a parcel of rateable land valued as one assessment and its dominant use is for a coal mine or metalliferous mine.

2. The regulations may prescribe circumstances in which land is or is not to be categorised as mining.

Categorisation as business

Land is to be categorised as business if it cannot be categorised as farmland, residential or mining.

Strata lots and company titles are taken to be separate parcels of land for categorisation

For the purposes of this Part:

- a. each lot in a strata plan that is registered under the *Strata Schemes Freehold Development Act 1973* or the *Strata Schemes Leasehold Development Act 1986*, and
- b. each dwelling or portion of the kind referred to in section 547 (1), is taken to be a separate parcel for the purposes of categorisation.

Mixed development land

1. Definitions In this section, "mixed development land" and "non-residential land" have the same meanings as in section 14BB of the *Valuation of Land Act 1916*.
2. Categorisation of parts of mixed development land If a valuation is furnished under the *Valuation of Land Act 1916* for mixed development land:
 - a. the part of the land that is non-residential land is taken to have been categorised as business, and
 - b. the part of the land that is not non-residential land is taken to have been categorised as residential, despite sections 515-518.
- 3 Sub-categories the council may determine a sub-category for a part of land to which subsection (2) applies according to the category determined by that subsection for the part.
4. Apportionment of rates and charges. A rate, the base amount of a rate, or the minimum amount of a rate or of a charge, that is made and levied according to categories or sub-categories of land is to apply to a parcel of mixed development land according to the percentages represented by the apportionment factor for the parcel ascertained under section 14X of the *Valuation of Land Act 1916*.

How is vacant land to be categorised?

If vacant land is unable to be categorised under section 515, 516 or 517, the land is to be categorised:

- a. if the land is zoned or otherwise designated for use under an environmental planning instrument - according to any purpose for which the land may be used after taking into account the nature of any improvements on the land and the nature of surrounding development, or
- b. if the land is not so zoned or designated - according to the predominant categorisation of surrounding land.

Notice of declaration of category

1. A council must give notice to each rateable person of the category declared for each parcel of land for which the person is rateable.
2. The notice must be in the approved form and must:

a. state that the person has the right to apply to the council for a review of the declaration that the land is within the category stated in the notice, and

b. state that the person has the right to appeal to the Land and Environment Court if dissatisfied with the council’s review, and

PROPOSED RATE STRUCTURE FOR 2024/2025

Incorporating the increase set by IPART of 4.51% with two options each producing the required income to match the Operational Plan being \$6,588,761.

Option 1		4.51% without special rate							
		numbers	ad valorm	Base	% base		Valuation	revenue	
Residential	Walgett	618.00	2.0539	240.00	38.59%		11,491,460	\$384,343	
Residential	Lightning Ridge	641.00	0.9347	240.00	38.06%		26,780,970	\$404,162	
Residential	Collarenebri	198.00	11.443	240.00	41.91%		575,630	\$113,389	
Residential	Burren Junction	94.00	5.3927	210.00	40.75%		532,160	\$48,438	
Residential	Carinda	65.00	5.4548	120.00	48.02%		154,780	\$16,243	
Residential	Rowena	37.00	2.6692	120.00	49.04%		172,830	\$9,053	
Residential	Cumborah	58.00	0.6116	120.00	49.25%		1,172,480	\$14,131	
Residential	General	82.00	0.5575	116.00	22.19%		5,982,380	\$42,864	
Residential	Opal fields	1,730.00	8.8551	141.00	37.54%		4,582,650	\$649,728	
Business	Walgett	119.00	2.5006	400.00	31.95%		4,053,820	\$148,970	
Business	Lightning Ridge	119.00	0.9942	400.00	31.91%		10,216,510	\$149,173	
Business	Collarenebri	31.00	5.7436	400.00	42.21%		295,610	\$29,379	
Business	Burren Junction	21.00	4.795	300.00	41.18%		187,630	\$15,297	
Business	Carinda	14.00	1.7521	150.00	37.17%		202,580	\$5,649	
Business	Rowena/come by chance Cumborah	9.00	1.8479	210.00	48.57%		108,320	\$3,892	
Business	Opal fields	48.00	3.6631	250.00	41.48%		462,240	\$28,932	
Business	General	100.00	0.688	260.00	45.42%		4,541,390	\$57,245	
Farmland	Farmland	838.00	0.15653	300.00	5.63%		2,693,716,450	\$4,467,874	
								\$6,588,761	

Option 2		Similar rate revenue incorporating a special Business Intensive Rate.							
		numbers	ad valorm	Base	% base		Valuation	revenue	
Residential	Walgett	618.00	2.0831	230.00	37.26%		11,491,460	\$381,519	
Residential	Lightning Ridge	641.00	0.9335	230.00	37.10%		26,780,970	\$397,430	
Residential	Collarenebri	198.00	11.385	230.00	41.00%		575,630	\$111,075	
Residential	Burren Junction	94.00	5.3967	200.00	39.56%		532,160	\$47,519	
Residential	Carinda	65.00	5.4561	120.00	48.01%		154,780	\$16,245	
Residential	Rowena	37.00	2.6707	110.00	46.86%		172,830	\$8,686	
Residential	Cumborah	58.00	0.6109	110.00	47.11%		1,172,480	\$13,543	
Residential	General	82.00	0.5579	115.00	22.03%		5,982,380	\$42,806	
Residential	Opal fields	1,730.00	8.8485	141.00	37.56%		4,582,650	\$649,426	
Business	Walgett	119.00	2.46766	400.00	32.24%		4,053,820	\$147,634	
Business	Lightning Ridge	119.00	0.9929	400.00	31.94%		10,216,510	\$149,040	
Business	Collarenebri	31.00	5.7385	400.00	42.23%		295,610	\$29,364	
Business	Burren Junction	21.00	4.7887	300.00	41.22%		187,630	\$15,285	
Business	Carinda	14.00	1.7511	150.00	37.19%		202,580	\$5,647	
Business	Rowena/come by chance Cumborah	9.00	1.6944	175.00	46.18%		108,320	\$3,410	
Business	Opal fields	48.00	3.6621	250.00	41.48%		462,240	\$28,928	
Business	General	100.00	0.6883	250.00	44.44%		4,541,390	\$56,258	
Farmland	Farmland	838.00	0.1555	300.00	5.66%		2,693,716,450	\$4,440,129	
		6.00	3.659	3,000.00	40.16%		732,900	special rate \$44,817	
								\$6,588,761	

Special Business Intensive Rate

With Councils diminishing rate Base principally caused by Aboriginal Land Claims, housing project claiming charitable status and the Valuer-General amalgamating assessments Council needs to boost its revenue other than expecting its current ratepayers to make up the shortfall. During the current year \$10,373 rate revenue has been lost because of amalgamation and charitable status claims. One method is to adopt the system used by Moree Plains Council and implement a special rate for industries which create extraordinary costs to Councils Road network due to the nature of their business. Moree plains have identified the receival centres for cotton and wheat for a special rate and in fact raise in excess of \$300,000 from the 21 identified Cotton Gins and wheat Receival Centres. The average special rate is \$15,990. 6 sites have been identified within Walgett Shire which could attract a special rate as a result of heavy traffic to & from the centres. Owners of the centres are the same as in Moree Plains.

Ass No	Owner Address	property	Current rate	suggested rate
58374	Graincom Graincom Operations Ltd Burren Junction	Lot 10 DP 1067218 Lot1 DP 1090146	\$928.35	\$6,750
22061	Graincom Graincom Operations Ltd Merrywinebone	LI487725 Lot 1 DP1011983 Pt Lot7301 DP1133759 Pt Lot 7300 DP 1133776	\$1,229.78	\$8,450
26906	AWB Grain Centres Pty Ltd Walgett wheat storage	Lot 98 DP720283 Lot 1 DP 819858	\$2,535.18	\$6,600
22046	Namoi Cotton Co-Operative Ltd Collarenebri Cotton Gin	Lot 20 DP 1112824 Lot 30 DP 705416	\$450.56	\$4,120
26302	NSW Grain Corporation Board Cryon Silos	Lot 100 DP 881077	\$805.98	\$6,095
53579	AWB Grain Centres Pty Ltd Beanbri wheat silos	Lots 1/3 DP 1009636	\$2,012.61	\$12,800
TOTALS			\$7,962.46	\$44,815

Other Services

Council may, under Section 501 (1) of the *Local Government Act 1993*, make an annual charge for any of the following services provided, or proposed to be provided, on an annual basis by the Council:

- Water supply services
- Sewerage services
- Drainage services
- Waste management services (other than domestic waste management services)
- Any services prescribed by the regulations

BEST-PRACTICE PRICING – WATER SUPPLY

Council in 2012/13 introduced user pays water billing under the State Government Best-Practice Guidelines for the effective and sustainable supply of reticulation water supply. Council seeks to ensure that its water supply and sewerage tariffs:-

- Provide appropriate pricing signals that enable customers to balance the benefits and costs of using the water supply and sewerage services and promote efficient use of resources;
- Distribute costs equitably among its customers and eliminate significant cross-subsidies; and
- Reflect the cost of providing the service and raise the annual income required for the long-term financial sustainability of Council's water supply and sewerage services, including investment in new and replacement infrastructure.

With increasing demands being placed on the finite water resources of NSW, it is vital that we use the resources efficiently. Introduction of best-practice pricing for water supply, sewerage and liquid waste services is an essential step for achieving the objectives in non-metropolitan NSW.

Each year Council will continue to review its water pricing policy to confirm a continuation of progress towards full compliance of best practice pricing.

Section 552 (1)(b) of the *Local Government Act 1993* prescribes that Council can charge for a water service provided the land is within 225 metres of a water pipe of Council.

Section 552 (3)(a) of the *Local Government Act 1993* prescribes that Council can charge for a sewer service provided the land is within 75 metres of a sewer of Council.

In developing its water pricing structure Council categorised its water supply schemes as 3 Bore and 2 River Systems.

WATER CHARGES

STAND PIPE CHARGES

From the 1st July 2017 Council re-introduced standpipe charges at both Lightning Ridge standpipes, using the pre-paid Avdata system. The system and its processes took some time to fully implement, but was put on-hold because of the on-going drought conditions and vandalism.

All other Standpipes

Metered Standpipes whereby Council has to raise invoices and/or process cash payments

Administration fee per truck load	\$33.00
<u>Plus</u> charge per kilolitre	\$3.35
Purchase/replacement key	\$58.00

BORE WATER CHARGES

The charges for bore water consist of an access charge calculated to raise between 70% of the revenue required to operate the service and a two-part tariff calculated to raise and 30%. This tariff applies to the reticulated water supplies in Carinda, Lightning Ridge and Rowena. Best practice guidelines suggest Water Authorities in rural areas aim for 60-40% ratio

Water Charges

<i>Consumption charges</i>		<i>Lightning Ridge Rowena Carinda</i>		2023/24	2024/25	yield	
User charge	per kilolitre		up to 600kl	\$0.40	\$0.44	\$0	
			over 600kl	\$0.58	\$0.63	\$0	
Bulk user	per kilolitre	Agreement with Council			\$0.45	\$0	
<i>Walgett & Collarenebri</i>		<i>access charges</i>				yield	
20/25/32mm	Residential	<i>raw meter</i>	Walgett	816	\$631	\$681	\$555,696
20/25/32mm	Residential		collarenebri	267	\$631	\$681	\$181,827
20/25/32mm	Residential	<i>filtered</i>	Walgett	825	\$631	\$681	\$561,825
20/25/32mm	Residential		collarenebri	258	\$631	\$681	\$175,698
40/50/75/100mm	Residential			0	\$631	\$681	\$0
20mm	Commercial			48	\$631	\$681	\$32,688
25mm	Commercial			15	\$985	\$1,064	\$15,960
32mm	Commercial			0	\$1,614	\$1,743	\$0
40mm	Commercial			4	\$2,521	\$2,723	\$10,892
50mm	Commercial			14	\$3,940	\$4,225	\$59,150
75mm	Commercial			1	\$8,645	\$9,337	\$9,337
100mm	Commercial			2	\$15,371	\$16,601	\$33,202
							\$1,636,275
<i>Consumption charges</i>		<i>Walgett & Collarenebri</i>		2023/24	2024/25	yield	
User charges	Filtered		up to 600kl	\$1.17	\$1.26	\$0	
	Filtered		over 600kl	\$1.78	\$1.92	\$0	
	Unfiltered		up to 600kl	\$0.40	\$0.44	\$0	
	Unfiltered		over 600kl	\$0.58	\$0.63	\$0	
Bulk user	per kilolitre		filtered		\$1.30		
			raw		\$0.45		
Recreation & Sporting Facilities				\$0.34	\$0.37		
Standpipes							
	purchase/replacement of key			\$56.00	\$58.00		
	metered standpipe administration fee			\$33.00	\$36.00		
	Water purchased per kilolitre			\$3.35	\$3.65		

RIVER SYSTEMS

The charges for water from the river systems comprise separate access charges and consumption tariffs for both filtered and raw water. Like the bore water tariff, the access charge is calculated to raise 75% of the revenue required to operate the service and a two-part tariff for both filtered and raw water to 25%. This tariff applies to the reticulated water supplies in Collarenebri and Walgett.

All properties, either connected to or within 225 metres of a Council water main, or able to connect are charged. This annual charge is independent of the level of consumption and is charged per connection (or possible connection) to the property. The water access charge for the 2024/2025 rating year has been set 75% of the income required to fund the service. Council will progressively move

towards a lower percentage of revenue to be raised from the access charge component as more reliable data on actual consumption levels is available.
 (Section 501 Local Government Act 1993)

It is planned in 2024/2025 to increase all Water Access for filtered water by a minimum of \$50.00 per assessment as per the adopted forward plan charges schedule shown below. The raw water access will remain unchanged.

SEWER CHARGES

Council provides reticulated sewer systems in Collarenebri, Lightning Ridge and Walgett. All properties either connected to or within 75 metres of a Council sewer main and able to connect are charged.

The fees and charges for 2024/2025 have been increased by 4.5%.

The annual charge is levied per sewer connection (or possible connection) to the property. Properties categorised as Business also receive a per Cistern charge.
 (Section 501 Local Government Act 1993)

Access Charge per connection	connections	2023/24	2024/25	Yield
Walgett	617	\$564	\$590	\$364,030
Lightning Ridge	774	\$487	\$510	\$394,740
Collarenebri	224	\$469	\$490	\$109,760
Cistern charges-toilets/urinals	connections			
Walgett	254	\$88	\$91	\$23,114
Lightning Ridge	314	\$75	\$79	\$24,806
Collarenebri	26	\$68	\$71	\$1,846
			TOTAL	\$918,296

Consumption charges		Lightning Ridge Rowena Carinda			2023/24	2024/25	yield
User charge	per kilolitre		up to 600kl		\$0.40	\$0.44	\$0
			over 600kl		\$0.58	\$0.63	\$0
Bulk user	per kilolitre	Agreement with Council				\$0.45	\$0
Walgett & Collarenebri		access charges		number			yield
20/25/32mm	Residential	raw meter	Walgett	816	\$631	\$681	\$555,696
20/25/32mm	Residential		collarenebri	267	\$631	\$681	\$181,827
20/25/32mm	Residential	filtered	Walgett	825	\$631	\$681	\$561,825
20/25/32mm	Residential		collarenebri	258	\$631	\$681	\$175,698
40/50/75/100mm	Residential			0	\$631	\$681	\$0
20mm	Commercial			48	\$631	\$681	\$32,688
25mm	Commercial			15	\$985	\$1,064	\$15,960
32mm	Commercial			0	\$1,614	\$1,743	\$0
40mm	Commercial			4	\$2,521	\$2,723	\$10,892
50mm	Commercial			14	\$3,940	\$4,225	\$59,150
75mm	Commercial			1	\$8,645	\$9,337	\$9,337
100mm	Commercial			2	\$15,371	\$16,601	\$33,202
							\$1,636,275
Consumption charges		Walgett & Collarenebri			2023/24	2024/25	yield
User charges	Filtered		up to 600kl		\$1.17	\$1.26	\$0
	Filtered		over 600kl		\$1.78	\$1.92	\$0
	Unfiltered		up to 600kl		\$0.40	\$0.44	\$0
	Unfiltered		over 600kl		\$0.58	\$0.63	\$0
Bulk user	per kilolitre		filtered			\$1.30	
			raw			\$0.45	
Recreation & Sporting Facilities					\$0.34	\$0.37	
Standpipes							
	purchase/replacement of key				\$56.00	\$58.00	
	metered standpipe administration fee				\$33.00	\$36.00	
	Water purchased per kilolitre				\$3.35	\$3.65	

The Sewerage charges for 24/25 now reflect the physical structure of treatment systems, and the cost associated with their operation, and capital infrastructure renewal.

This service is classified as a category 2 business activity which is subject to the provisions of National Competition Policy and its pricing procedures. In the forthcoming year, the service will not make a recognised subsidy to consumers.

DOMESTIC WASTE MANAGEMENT CHARGES

Domestic Waste Management (Household garbage) collection services are provided to Burren Junction, Carinda, Collarenebri, Cumborah, Lightning Ridge, Rowena and Walgett.
(Section 496 *Local Government Act 1993*)

Domestic		Collections	2023/24	2024/25	Yield
	Standard 240litre -weekly Additional bin per household	1989	\$568	\$585 \$400	\$1,163,565
Business	Standard 240litre weekly	83	\$624	\$670	\$55,610
	360litre bin-weekly	77	\$890	\$956	\$73,612
	360 litre-twice weekly	22	\$1780	\$1913	\$42,086
				TOTAL	\$1,334,873

WASTE MANAGEMENT SERVICES CHARGE

In addition to the Domestic Waste Management and Trade Waste Collection service charges a availability charge for waste management services provided across the Shire is levied on all properties regardless of whether they receive a curb side collection or not.
(Section 501 Local Government Act 1993)

	assessments	2023/24	2024/25	yield
General Waste Management charge	3539	\$75.90	\$79	\$278,165

RECYCLING SERVICES

recycling service. This aspect will form part of the development of the Walgett Shire Solid Waste Management strategy.

INTEREST RATE

In accordance with section 566(3) of the Act, it has been determined that the maximum rate of interest payable on overdue rates and charges for the period 1 July 2024 to 30 June 2025 (inclusive) will be 10.50% per annum.

Notice giving effect to [this decisions](#) was published in the NSW Government Gazette-140, 19 April 24.

INSTALMENT DATES

Section 562 (3) Local Government Act 1993 states "instalments are payable 31st August, 30th November, 28th February and 31st May, except as provided in subsection (4)." It has been Council's practice to extend the payment date to the first working day after the due date if the instalment falls due on a weekend or public holiday.

STATEMENT OF PROPOSED BORROWINGS

No new loan funds are proposed for financial year 2023/2024

10. 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:

11. CONFIDENTIAL REPORTS/CLOSED COUNCIL MEETING

11.1 Director of Infrastructure and Compliance

11.1.1 Cryon Road Upgrade Project: Selection of Contractor

12. RETURN TO OPEN SESSION

Return to open session	
Recommendation:	
That Council return to open session.	
Moved:	Seconded:

13. ADOPTION OF CLOSED SESSION REPORTS

Adoption of closed session reports	
Recommendation:	
That Council adopt the recommendations of the Closed Committee Reports	
Moved:	Seconded:

14. CLOSE OF MEETING

Time: