



# **BUSINESS PAPER**

## **Supplementary Reports**

Notice is hereby given in accordance with the *Local Government Act 1993 and Local Government (General) Regulation 2005* of the below mentioned meeting.

# **ORDINARY MEETING**

**Tuesday, 22 October 2024**

**Commencing at 9:00 AM**

**Walgett Shire Council Chambers,  
77 Fox Street, Walgett**

Megan Dixon  
**GENERAL MANAGER**

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**ITEM 3.1 ATTENDANCE OF MEETING VIA AUDIO-VISUAL LINK**

<b>RESPONSIBLE OFFICER</b>	General Manager
<b>REPORT AUTHOR</b>	Sherisse Fensom, Executive Officer
<b>PURPOSE</b>	For decision

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**RECOMMENDATION**

**That Council approve the attendance of Councillor Cooke via audio-visual link.**

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**Executive Summary**

Councillor Cooke has requested via the General Manager to attend the Ordinary Council Meeting 22 October 2024 via audio-visual link due to a medical appointment.

**Background**

The Walgett Shire Council Code of Meeting Practice states:

*5.18 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee.*

*5.19 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the general manager prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.*

*5.22 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.*

*5.23 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state: (a) the meetings the resolution applies to, and (b) the reason why the councillor is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, disability, or caring responsibilities.*

*5.24 If the council or committee refuses a councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.*

*5.25 A decision whether to approve a councillor's request to attend a meeting by audiovisual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link. However, the council and committees of the council are under no obligation to approve a councillor's request to attend a meeting by audio-visual link where the technical capacity does not exist to allow the councillor to attend the meeting by these means.*

*5.26 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.*

*5.27 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.*

**Conclusion**

Councillor Cooke has provided a valid reason for attending the meeting via audio-visual link as per the *Walgett Shire Council's Code of Meeting Practice 2022*. It is recommended that Councillors approve his attendance.

**Attachments**

None

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**ITEM 11.25 MATTERS IN PROGRESS**

<b>RESPONSIBLE OFFICER</b>	General Manager
<b>REPORT AUTHOR</b>	Sherisse Fensom, Executive Officer
<b>PURPOSE</b>	For noting

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**RECOMMENDATION**

**That Council receive and note the outstanding Resolutions Register for October 2024**

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**Executive Summary**

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

**Background**

Actions related to each motion are recorded in the register. As the register expands, delays may arise due to involvement from other agencies or limited Council resources. The register serves as a tool for tracking outstanding matters.

**Conclusion**

That the Matters in Progress be received and noted.

**Attachments**

1. Matters in Progress October 2024

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	WHOM	ACTION
Lightning Ridge Opal Centre	08/2023/5 31/7/23	That as the contract for construction of the Australian Opal Centre has been signed that Council agree to funding agreement being amended to reflect the remaining milestone (Milestone 4) being tied to lodgment of the private certifier's Certificate of Occupancy).	GM	Milestone 4 completed on 30 September 2024
Lightning Ridge Swimming Pool Complex	08C/2023/2 31/7/23	<p>1. The Council lodge a submission based on this report with the Department of Lands at Dubbo and confirm the Department of Lands Council's desire to meet with the Lands Department and Reserve Trust Managers in Lightning Ridge prior to the Agreement with the Lightning Ridge Olympic Pool Association expiring in 2026.</p> <p>2. A further report be brought to Council regarding the status of Lightning Ridge Swimming Pool Complex.</p>	GM	<p>Acting GM H Percy has written to the Department of Lands.</p> <p>Lands have verbally advised GM that they are satisfied with the management by current Management.</p> <p>Report will be provided to Council, 2025.</p>
Report to Provide Update on Lightning Ridge Bore Line Project	10/2023/15	<p>That Council</p> <p>1. Canvassing to the minister for funding in relation to Lightning Ridge Bore No 1 pipeline replacement project as a first option, or</p> <p>2. In the event that, a grant fund is not forthcoming, Council considers a low interest loan as second option, or</p> <p>3. Council considers funding the project from water reserve as a third option.</p> <p>10/2023/15a An Amendment was moved by Councillor Cooke and Councillor Seaton that the Council call for Tenders for the Lightning Ridge Bore Line Project.</p>	GM DES	<p>In Progress.</p> <p>Funding for the bore line is being supported by the Member for Barwon.</p> <p>An application for funding was lodged to National Water Grid Fund 5/12/23 (unsuccessful)</p> <p>The Mayor and GM have made representation to the NSW Minister for Water, the leader of the NSW Nationals and the Member for Parkes.</p> <p>The NSW Minister for Water was receptive; however, we are still waiting for confirmation.</p>

				<p>With regard to the amendment, Council would be in breach of procurement regulations, if it called a tender now.</p> <p><b>The procurement regulations require that Councils must have an Intention to Proceed: Councils must not invite or submit tenders without a firm intention and capacity to proceed with a contract, including having funds available.</b></p> <p>To call for and award a tender without funding source being resolved risks the Council being issued intervention orders by the Minister for Local Government. This may include administration, performance improvement or loss of financial control. Council has been invited and has submitted an application for funding to the National Water Grid Fund, with the support of the NSW Government. Application submitted 20 June to the State Government. The State Government has submitted the bid on 30 June 2024 and we are now waiting for the outcome.</p>
Lightning Ridge Water Fund	10/2023/22 26/9/23	Notice of Motion: That a full report of all funds relating to the Lightning Ridge water fund be brought to the Council at its next	DES	Report provided to Council 27/2/2024

		meeting including historical information relating to the transfer of funds across the respective towns.		See Resolution 05/2024/05
Grawin Playground – Request to MEG not to regrant mineral claim over the playground	13/2023/5 12/12/23	The council is advised to write to the Mining, Exploration, and Geoscience (MEG) department, urging them to refrain from regranting the mineral claim that currently encompasses the Grawin Playground and Miners Road.	GM	Open. Request submitted to MEG by the GM. Last correspondence 13/8/2024 stated it was still under review.
Cumborah Cemetery Memorial Wall	13/2023/8 12/12/23	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.	GM	Project Managers have been engaged due to unavailable internal resources. Initial discussions indicate funding is insufficient. A report will be submitted to Council with quotes.
New Walgett Shire Council Animal Facility	13C/2023/02 12/12/23	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).	GM	Tenders declined. Review of scope pending resources.
Roads to Home Asbestos Waste	13C/2023/4 12/12/23	Walgett Shire Council undertake the necessary actions to achieve approval from the EPA to receive asbestos waste generated by the Roads to Home project.	DES	Underway. DA to take waste is being prepared, as well as negotiations with EPA and Roads to Home on the detail of the project.
Mining Cavities in Fred Reece Way	03/2024/24 27.2.24	1. Closure of Fred Reece Way and Lorne Road to all traffic 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.	DICS	Matter underway. Road closure implemented, under the authority of NSW Police. Chicanes and signage installed. Redirection in place. First meeting has been held between MEG and Crown Lands, with MEG agreeing to pay for Geotech report

		<ol style="list-style-type: none"> <li>4. Upgrade of three intersections to accommodate articulated vehicles on the proposed alternative route.</li> <li>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.</li> </ol>		<p>required to access the risk of the cavities. Report provided, stating that risk exists. Next step is to meet and discuss report with MEG and Crown Lands.</p>
Grawin/Sheepyards Bin Bank – Waste Strategy	03/2024/28 27.2.24	<ol style="list-style-type: none"> <li>1. Reserve the idea of the Bin Bank Strategy for Grawin/Sheepyards area until a suitable site solution can be obtained.</li> <li>2. That council staff carry out further research into finding a suitable location for implementing the Bin Bank system.</li> </ol>	DICS	Matter pending, allocation of staff resource to attend to the matter.
New Waste Depot Perimeter Fences – Grawin/Sheepyards	03/2024/29 27.2.24	Council resolves to the matter of Council funding covering the costs for the perimeter security fences located at Grawin and Sheepyards 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.	DICS	Matter pending preparation of 2024/25 budgets.
Development Application for Subdivision 39 Gem Street Lightning Ridge	03/2024/32 27.2.24	<ol style="list-style-type: none"> <li>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.</li> <li>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.</li> </ol>	DICS	Completed.



		<ol style="list-style-type: none"> <li>3. That Council endorse Council Staff to submit minor changes to Councils Local Environment Plan 2013 in conjunction with the above submission.</li> <li>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 &amp; Assessment Act 1979 and any directions of the Gateway Determination.</li> </ol>		
Water Usage Charges for Assessment 22434	3C/2024/36 27.2.24	<ul style="list-style-type: none"> <li>• Accept the proposed reduction of \$923.94 in the water usage account according to legislation provisions.</li> <li>• Consider the preparation of a report to Council regarding potential reduction in water access charges for stock and domestic use, highlighting policy consistency and financial implications.</li> </ul>	DICS	See item 09C/2024/2523
Come-By- Chance Road Rescoping	3C/2024/37 27.2.24	<ul style="list-style-type: none"> <li>• Council notes changes to the scope of works are required on the Come by Chance Project and approves entering into negotiation with</li> <li>• The funders to change the scope of works and</li> <li>• the Contractor to review and confirm revised length of road to be upgraded.</li> </ul>	DICS	Completed. Funders have agreed to the variation and project is about to start.
Castlereagh Macquarie County Council Contribution	3C/2024/39 27.2.24	<ol style="list-style-type: none"> <li>1. The annual contribution to the Castlereagh Macquarie County Council be received and noted for payment.</li> <li>2. work to implement a detailed service level agreement for weeds management that improves accountability for noxious weed services.</li> </ol>	GM	Pending resources.
Lightning Ridge Water Fund	05/2024/05	That a forensic Audit be undertaken on the Lightning Ridge Water Fund from the beginning of 2016.	CFO	A brief has been drafted, with a further report to Council on the scope,

				process and timelines to be considered in May 2024. Updated report provided to Council July 2024. KPMG have been appointed to undertake the audit.
Aerodrome Development	06/2024/5a 28.5.24	<ol style="list-style-type: none"> <li>Note the information in this report</li> <li>Seek quotes for the development of an aerodrome masterplan and provide a further report to Council in June</li> </ol>	GM	Matter not yet progressed, due to workload; short resources. Report will be provided to Council once quotations obtained.
Fish Passage – Reconnecting the Northern Basin	06/2024/11 28.5.24	<ol style="list-style-type: none"> <li>That the information in this report be noted.</li> <li>That Council write to the Hon. Rose Jackson MLC, Minister Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health , Minister for Youth and Minister for North Coast, expressing its disappointment as to what it views as inadequate consultation in respect of the Weir Project and further request a review of proposals for the removal of weirs along the Barwon Darling river system and the installation of fishways that result in reductions in the height of current weirs within the river system.</li> <li>That Council take the necessary action to assist the NSW Water Group promote a consultation meeting in respect of the two affected weirs in Walgett during either June 2024 with a view to maximising representation at the meeting by those who are impacted by the project.</li> </ol>	GM	Resolutions completed.  Watching brief to be maintained.
Waste Management & Landfill	06/2024/30 28.5.24	<ol style="list-style-type: none"> <li>That the information in this report be noted.</li> <li>That Council undertakes a review of landfill and waste management services and that a report with recommendations for operating waste services be tabled with Council before February 2025</li> </ol>	GM DICS	Matter underway. Amended contract negotiated.  Review to be scoped and issued.

		<p>3. That Council authorise the General Manager to require an extension to the Initial Contract Period for the for the <i>Site Management Services for the Lightning Ridge Waste Facility</i> and <i>Site Management Services for the Walgett Waste Facility</i> with GG, DA and A Lane a period of between 3 months and 2 years after 30 June 2024 but at the same time request that the contractor agrees to vary the Conditions of Contract to enable an option for a further 5 years of the Initial Contract Term by agreement after the extension period finishes.</p>		
Lightning Ridge Sculpture Acquisition "Stanley"	07/2024/15 25.06.2024	That Council approve and take ownership of the Western Lands Lease for the sculpture "Stanley" from the Lightning Ridge Tourism Association.	EDM	Completed.
Crown Land Management Plans for Community Land within Walgett Shire	07/2024/18 25.06.2024	That Council advertise the draft Crown Land Plan of Management inviting written public submissions and comments up until 4.00 pm Friday 26 July 2024.	GM	Awaiting response from Ministers Office before public exhibition.
Walgett Township Heavy Vehicle Bypass	07/2024/27 25.06.2024	That Council allocate \$250,000 from Council's annual allocation on roads infrastructure out of revenue funded stream, for the investigation and development of design for a heavy vehicle bypass of the Walgett Township.	DICS	Completed
Walgett Swimming Pool Redevelopment	07/2024/28 23.07.2024	<ol style="list-style-type: none"> <li>1. That the information in the report be noted</li> <li>2. That Council nominate 3 Councillors to participate in the project reference group for the project – these Councillors being Councillor Keir, Councillor Rummery, Councillor Walford.</li> </ol>	GM	Completed
Macquarie bank cash management account	09/2024/16 23.07.2024	That Council resolves to remove of 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 authorise transfers and payments on both Macquarie Bank Cash Management Accounts.	CFO	Completed

		<p><i>Removal of Old Signatories Signatory Role</i></p> <ol style="list-style-type: none"> <li>1. Michael Urquhart General Manager</li> <li>2. Anthony Hughes Director of Corporate Services</li> <li>3. Raju Ranij Director of Engineering/Technical Services</li> <li>4. Hafiz Malik Director of Corporate Services</li> </ol> <p><i>Additional Signatories Signatory Role</i></p> <ol style="list-style-type: none"> <li>1. Megan Dixon General Manager</li> <li>2. Kazi Mahmud Director of Infrastructure and Compliance</li> <li>3. Ernest Mhande Chief Financial Officer</li> <li>4. Seema Dutt Finance Manager</li> </ol>		
Water price variation for assessment 22434	09C/2024/2523 .07.2024	<ol style="list-style-type: none"> <li>1) the proposed charge of 28.5c be applied to assessment number 22434</li> <li>2) that 28 days public notice is given for the 28.5c</li> <li>3) that the revised rate of 28.5c does is not to be used intensive livestock activities</li> </ol>	GM	Completed. No Public Submissions.