



MINUTES  
COUNCIL  
ORDINARY  
MEETING

**Tuesday 28<sup>th</sup> May 2024**

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

*The Mayor declared the meeting open at 11.32am*

## PRESENT

Mayor Jasen Ramien  
Deputy Mayor Colin Hundy  
Councillor Jane Keir  
Councillor Daniel Walford  
Councillor Greg Rummery  
Councillor Michael Cooke  
Councillor Ian Woodcock  
Councillor Alf Seaton

Megan Dixon (General Manager)  
Kazi Mahmud (Director Infrastructure and Compliance)  
Phil Denniston (Acting Manager Planning and Compliance)  
John Van Gaalen (Acting Finance Manager)  
Sharon Smith (Minute Secretary)

## ABSENT

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.*

## 06/2024/01 LEAVE OF ABSENCE

**RESOLVED on MOTION** by Councillor COOKE; Seconded by Councillor WALFORD; That Council grant the leave of absences for Councillor SUE CURREY for 28 May 2024 Ordinary Business Meeting.

## DECLARATION OF PECUNIARY/NON-PECUNIARY INTERESTS

<b><i>Councillor</i></b>	<b><i>Item No.</i></b>	<b><i>Pecuniary/Non-Pecuniary</i></b>	<b><i>Reason</i></b>
Mayor Jasen Ramien	12.2.6	Pecuniary	Family Business
Councillor Jane Keir	12.2.6	Pecuniary	Family Business

## 6. Public Forum

The Council reports having met with the following persons during Public Forum:

<b>Speaker</b>	<b>Topic</b>
Jenni Brammell	Project update on the Australian Opal Centre (via Teams)
Luke Farr	Woodlands Road Development
Katrina Dowell	Water & Sewer Repairs in Walgett

## 06/2024/02 ADOPTION AND CONFIRMATION OF MINUTES OF PREVIOUS MEETING

**RESOLVED ON MOTION** by Councillor WOODCOCK; Seconded by Councillor WALFORD that the minutes from the Ordinary Council meeting held on the 23<sup>rd</sup> April 2024 having been

circulated, be taken as read and confirmed as a true and accurate record of the proceedings of this meeting.

**06/2024/03 ADOPTION AND CONFIRMATION OF MINUTES OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD 8 MAY 2024**

**RESOLVED ON MOTION** by Councillor WALFORD; Seconded by Councillor RUMMERY That the minutes from the Local Emergency Management Committee Meeting held on the 8<sup>th</sup> May 2024 having been circulated, be taken as read and confirmed as a true and accurate record of the proceedings of this meeting.

**06/2024/04 MAYORAL MINUTE - INTERNATIONAL OPAL JEWELLERY DESIGN AWARDS ASSOCIATION INC – REQUEST FOR SPONSORSHIP**

**RESOLVED ON MOTION** by Councillor COOKE; Seconded by Councillor HUNDY That Council

1. Accept an Independent Audit review, as an alternative method of assessment from Associations seeking support from Council
2. Provide the International Opal Jewellery Design Awards Association Inc \$3,500 in sponsorship for the 2024 event
3. Decline to waive hire fees for rent for the Lightning Ridge Multipurpose Centre

The MOTION upon being PUT to the MEETING was declared CARRIED

**06/2024/05 MAYORAL MINUTE – AERODROME DEVELOPMENT**

**RESOLVED ON MOTION** by Councillor COOKE; Seconded by Councillor HUNDY that Council

1. Note the information in this report
2. Seek funding to develop masterplans for the 3 significant aerodromes in the Walgett Shire (Walgett, Lightning Ridge and Collarenebri)

**06/2024/05a AMENDMENT MAYORAL MINUTE – AERODROME DEVELOPMENT - AMENDMENT**

**RESOLVED ON MOTION** by Councillor WOODCOCK; Seconded by Councillor SEATON that Council

1. Note the information in this report
2. Seek quotes for the development of an aerodrome masterplan and provide a further report to Council in June

**The amendment on being put to the meeting was carried.**

**The amendment then became the MOTION.**

**06/2024/06 MAYORAL MINUTE - COMMUNITY SAFETY IN REGIONAL AND RURAL COMMUNITIES**

**RESOLVED ON MOTION** by Councillor KEIR; Seconded by Councillor RUMMERY that the Country Mayors submission - "Community safety in regional and rural communities" be received and noted.

The MOTION upon being PUT to the MEETING was declared CARRIED

**06/2024/07 MAYORAL MONTHLY REPORT**

**RESOLVED ON MOTION** by Councillor RAMIEN; Seconded by Councillor SEATON That the Mayoral Report for May 2024 be received and noted.

**06/2024/08 NOTICE OF URGENT BUSINESS**

**RESOLVED ON MOTION** by Councillor HUNDY; Seconded by Councillor SEATON That Walgett Shire Council resolves to

1. Support the return of removed Scar Trees to the Aboriginal People of Collarenebri

and the surrounding area

2. Acknowledge that the key decisions around this are matters for these people.
3. Resolves that the Council will support the process of design and building of the keeping areas and other infrastructure utilising external funding.
4. Resolves to help in any reasonable way the process of bringing these trees back to their proper country and to the Custodianship of the local Aboriginal People

The MOTION upon being PUT to the MEETING was declared CARRIED

#### **06/2024/09 NOTICE OF URGENT BUSINESS – PORT OF NEWCASTLE**

**RESOLVED ON MOTION** by Councillor RUMMERY; Seconded by Councillor KEIR That Walgett Shire Council prepare a submission in response to the Transport for NSW Freight Policy Reform Program Consultation Paper due by 31<sup>st</sup> May 2024

#### **06/2024/10 CORRESPONDENCE AND PETITIONS**

**RESOLVED ON MOTION** by Councillor KEIR; Seconded by Councillor COOKE That Correspondence from Luke Farr, Walgett Campdraft and Lightning Ridge Swimming Pool Association be received and noted.

#### **06/2024/11 FISH PASSAGE – RECONNECTING THE NORTHERN BASIN**

**RESOLVED ON MOTION** by Councillor HUNDY; Seconded by Councillor SEATON

1. That the information in this report be noted.
2. 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.
3. 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.

The MOTION upon being PUT to the MEETING was declared CARRIED

#### **06/2024/12 MATTERS IN PROGRESS**

**RESOLVED ON MOTION** by Councillor RUMMERY; Seconded by Councillor HUNDY That the Matters in Progress up until May 2024 be received and noted.

#### **06/2024/13 IMPORTANT DATES – UPCOMING MEETING AND EVENTS**

**RESOLVED ON MOTION** by Councillor KEIR; Seconded by Councillor HUNDY That Council receive and note the list of upcoming meetings and events

#### **06/2024/14 CIRCULARS RECEIVED FROM NSW OFFICE OF LOCAL GOVERNMENT**

**RESOLVED ON MOTION** by Councillor WOODCOCK; Seconded by Councillor RUMMERY That the information contained in the following Department circular 24-05 from the Local Government Division Department of Premier and Cabinet, be received and noted.

**06/2024/15 CASH AND INVESTMENT FOR APRIL 2024**

**RESOLVED ON MOTION** by Councillor KEIR; Seconded by Councillor RUMMERY That the Investment report be received and noted.

**06/2024/16 OUTSTANDING RATES AND CHARGES AS AT 30 APRIL 2024**

**RESOLVED ON MOTION** by Councillor SEATON; Seconded by Councillor KEIR The April 2024 Outstanding Rates & Charges Report be received and noted.

**06/2024/17 2024/25 DRAFT ANNUAL OPERATING PLAN, REVENUE POLICY, FEES AND CHARGES AND BUDGETS**

**RESOLVED ON MOTION** by Councillor RUMMERY; Seconded by Councillor HUNDY That Council advertise the

- Draft 2024/25 Operational Plan
- Draft 2024/25 Revenue Policy
- Draft 2024/25 Fees and Charges and
- Draft 2024/25 Estimates

inviting written public submissions and comments up until 4.00 pm Tuesday 25 June 2024.

The MOTION upon being PUT to the MEETING was declared CARRIED

**06/2024/18 COMMUNITY DEVELOPMENT AND CAPACITY BUILDING JANUARY – APRIL 2024**

**RESOLVED ON MOTION** by Councillor WOODCOCK; Seconded by Councillor KEIR That the report for Community Development: January – April 2024 be received.

**06/2024/19 COUNCIL PROJECT UPDATE**

**RESOLVED ON MOTION** by Councillor RUMMERY; Seconded by Councillor WOODCOCK That the Council projects list be received and noted.

**06/2024/20 REQUEST FOR SPONSORSHIP**

**RESOLVED ON MOTION** by Councillor WOODCOCK; Seconded by Councillor KEIR

1. Council to decide on the amount \$8,500 sponsorship to construct a permanent loading ramp at the Walgett Showground that will benefit the Walgett Rodeo, Campdraft. And other users at the Showgrounds.
2. If supported Council require a sign to be displayed acknowledging the contribution.

The MOTION upon being PUT to the MEETING was declared CARRIED

**06/2024/21 MATTERS GENERALLY FOR BRIEF MENTION OR INFORMATION FROM ACTING MANAGER COMPLIANCE**

**RESOLVED ON MOTION** by Councillor RUMMERY; Seconded by Councillor KEIR That Council receive and note this report

**06/2024/22 DEVELOPMENT APPROVALS APRIL 2024**

**RESOLVED ON MOTION** by Councillor SEATON; Seconded by Councillor RUMMERY That Council receive and note this report

**06/2024/23 RESIDENTIAL AND PROPERTY FENCING**

**RESOLVED ON MOTION** by Councillor SEATON; Seconded by Councillor WOODCOCK That Council pursue a public information and education program through social media and advertising, advising that all new fencing on properties must comply with State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (SEPP), or alternatively, they must lodge a development application for a variation of those requirements.

The MOTION upon being PUT to the MEETING was declared CARRIED

**06/2024/24 UPDATE ON MAJOR PROJECTS AS AT 30 APRIL 2024**

**RESOLVED ON MOTION** by Councillor RUMMERY; Seconded by Councillor HUNDY  
That Council receive and note the monthly major projects report for April 2024.

*At 1.29pm Mayor Ramien declared a pecuniary interest and exited the Council Chamber.*

*Deputy Mayor Hundy assumed the role of Chairperson.*

*At 1.29pm Councillor Keir declared a pecuniary interest and exited the Council Chamber.*

**06/2024/25 MONTHLY MAINTENANCE GRADING REPORT AS AT 30 APRIL 2024**

**RESOLVED ON MOTION** by Councillor RUMMERY; Seconded by Councillor WALFORD  
That Council receive and acknowledge the report.

*At 1.39pm Mayor Ramien AND Councillor Keir returned to the meeting.*

*Mayor Ramien resumed the role of Chairperson.*

**06/2024/26 UPDATE ON TECHNICAL SERVICES PROGRESS AS AT 30 APRIL 2024**

**RESOLVED ON MOTION** by Councillor KEIR; Seconded by Councillor HUNDY  
That Council receive and note the Engineering Services monthly works progress report for April 2024

*Council broke for recess 1.45pm*

*Council resumed at 1.55pm*

**06/2024/27 MOVE INTO CLOSED SESSION**

**RESOLVED ON MOTION** by Councillor KEIR; Seconded by Councillor RUMMERY at 1.55pm  
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:

- 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--
  - 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--
  - 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,

**06/2024/28 ADOPTION AND CONFIRMATION OF MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC) MEETING 16 MAY 2024**

**RESOLVED ON MOTION** that the minutes from the Ordinary Council meeting held on the 23<sup>rd</sup> April 2024 having been circulated, be taken as read and confirmed as a true and accurate record of the proceedings of this meeting.

**RESOLVED ON MOTION** by Councillor RUMMERY; Seconded by Councillor SEATON

1. That the minutes from the Audit, Risk and Improvement Committee (ARIC) Meeting held on the 16<sup>th</sup> May 2024 having been circulated, be taken as read and confirmed as a true and accurate record of the proceedings of this meeting.
2. That Council adopt the revised Audit, Risk and Improvement Committee Terms of

Reference, as recommended by ARIC on 16 May 2024.

**06/2024/29 MINERAL LEASE RATES WRITE OFF**

**RESOLVED ON MOTION** by Councillor HUNDY: Seconded by Councillor SEATON That rates levied on expired Mineral Leases as per attachment totalling \$70,928.58 be written off.

The MOTION upon being PUT to the MEETING was declared CARRIED

**06/2024/30 WASTE MANAGEMENT AND LANDFILL**

**RESOLVED ON MOTION** by Councillor COOKE; Seconded by Councillor RUMMERY

1. That the information in this report be noted.
2. 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
3. That Council authorise the General Manager to require an extension to the Initial Contract Period for the for the *Site Management Services for the Lightning Ridge Waste Facility* and *Site Management Services for the Walgett Waste Facility* 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.

The MOTION upon being PUT to the MEETING was declared CARRIED

**06/2024/31 AUSTRALIAN OPAL CENTRE – FUNDING AGREEMENT VARIATION**

**RESOLVED ON MOTION** by Councillor HUNDY; Seconded by Councillor RUMMERY

- (1) That the information in this report be noted.
- (2) That Council agree to the funding variation as follow.

No.	Milestone description	Milestone date	Amount (GST exclusive)
1	<b>Milestone 1.</b> Upon execution of the deed of agreement between the Australian Opal Centre and Walgett Shire Council, Council will pay to the Australian Opal Centre \$475,000 plus \$150,000 (Council resolution 25 <sup>th</sup> August 2015)	18th December 2019	\$625,000
2	<b>Milestone 2.</b> Upon completion of the final design, Receipt of statutory approvals, Confirmation of final costs, Tenure/Access of land and building confirmed and 15% of eligible project activities are completed to Councils satisfaction, Council will pay to	31st August 2020	\$475,000

	the Australian Opal Centre \$475,000. <b>(Demonstrated by successful achievement of Milestone I Commonwealth Funding Deed)</b>		
3	<b>Milestone 3.</b> Upon completion to the satisfaction of Council of building substructure including construction of bored piers and capping beams, roof skylights completed and delivered to offsite storage, and commencement of steel roof truss fabrication and wall erection, Council will pay to the Australian Opal Centre Limited \$300,000. <b>(Demonstrated by photographic evidence and certification by RP Infrastructure)</b>	30th June 2024	\$300,000
4	<b>Milestone 4.</b> When construction is complete of the northern, southern and western walls, Council will pay \$300,000 to the Australian Opal Centre Limited. (Demonstrated by photographic evidence and certification by RP Infrastructure)	30th September 2024	\$300,000
5	<b>Milestone 5.</b> Council will pay \$300,000 to the Australian Opal Centre Limited upon lodgement of the private certifiers "Certificate of Occupancy" for occupation of the new opal Centre.	30th April 2025	\$300,000
6	Delivery of Financial Report and Final Report to the WALGETT SHIRE COUNCIL.	1st June 2025	Not applicable
7	Acceptance of Financial and Final Report by the WALGETT SHIRE COUNCIL	30th June 2025	Not applicable

The MOTION upon being PUT to the MEETING was declared CARRIED



**06/2024/32 LIGHTNING RIDGE WATER FUND FORENSIC AUDIT****RESOLVED ON MOTION** by Councillor HUNDY; Seconded by Councillor RUMMERY

That the information in the report be noted.

**06/2024/33 WILDGAME MEATWORK ACCESS****RESOLVED ON MOTION** by Councillor HUNDY; Seconded by Councillor RUMMERY

That Council delegate the General Manager with the Authority to approve Road Access across Councils land, being Lot 63 DP 650476 (Lot 63) to the owners of Lot 64 DP650477 (Lot 64) (Wild Game Processing site) subject to:

- a) Any costs involved in legalising this access across Council's land (Lot 63) will be met by the landowner of (Lot 64).
- b) Any ongoing maintenance required for the road from the Kamilaroi Highways to Council's land (Lot 63) due to vehicles accessing (Lot 64) is to be carried out by the landowner of (Lot 64).

For clarification, if the owners of (Lot 64) or others servicing their activities, make the access from the Kamilaroi Highways to (Lot 63) inaccessible by vehicles, the owner of (Lot 64) will be responsible for repairs and maintenance from the Highway to (Lot 64).

The MOTION upon being PUT to the MEETING was declared CARRIED

**06/2024/34 RETURN TO OPEN SESSION****RESOLVED ON MOTION** by Councillor RUMMERY; Seconded by Councillor KEIR that Council return to open session at 2.56pm.**06/2024/35 ADOPTION OF CLOSED SESSION REPORTS****RESOLVED ON MOTION** by Councillor RUMMERY; Seconded by Councillor KEIR That Council adopt the recommendations of the Closed Committee Reports as follows:

- 15.1.1 MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC) MEETING 16 MAY 2024
- 15.1.2 MINERAL LEASE RATES WRITE OFF
- 15.1.3 WASTE MANAGEMENT AND LANDFILL
- 15.1.4. AUSTRALIAN OPAL CENTRE – FUNDING AGREEMENT VARIATION
- 15.1.5 LIGHTNING RIDGE WATER FUND FORENSIC AUDIT
- 15.1.6 WILDGAME MEATWORK ACCESS

Councillor Jane Keir asked to be noted that both the service boards and the Mayoral pictures required updating and has been an ongoing issue.

**CLOSE OF MEETING 2.58PM**

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**Mayor**

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**General Manager**