



ORDINARY MEETING OF COUNCIL

held on

Wednesday, 29 May 2013

at

2:10pm

at

Walcha Council Chambers

PRESENT: Cllr JM Archdale (Chairman) Mayor together with Councillors KW Ferrier, WJ Heazlett, L Levingston, CM Lyon, SJ Schmutter and RS Thomson.

IN ATTENDANCE: Mr JG O'Hara (General Manager), Mr SC McCoy (Director – Engineering Services) and Mrs LJ Latham (Acting Director – Environmental Services).

1. APOLOGIES:

187 **RESOLVED** on the Motion of Councillors Levingston and Heazlett that the apology received from Councillor Woods, being unwell, be **ACCEPTED**.

MINUTES



The Mayor opened the Meeting and welcomed Acting Director – Environmental Services Lacey Latham.

2. CONFIRMATION OF THE ORDINARY MEETING MINUTES HELD ON WEDNESDAY, 24 APRIL 2013:

188 **RESOLVED** on the Motion of Councillors Levingston and Lyon that the Minutes of the Ordinary Meeting held on Wednesday, 24 April 2013, copies of which have been distributed to all members, be taken as read and confirmed a **TRUE** record.

3. BUSINESS ARISING

Nil.

4. DECLARATIONS OF INTEREST

Nil.

5. MAYORAL MINUTE

The Mayor advised the Council that she had written to the successful candidate for Northern Tablelands, Adam Marshall, congratulating him on his election and will seek a meeting as soon as possible to resolve some outstanding issues.

The Mayor **MOVED** the Motion that Councillor Schmutter receive half the Mayoral allowance for the two weeks that the Mayor was on leave.

189 On being put to the **VOTE** the Motion was **CARRIED**.

6. SENIOR OFFICERS REPORT

190 **RESOLVED** on the Motion of Councillors Schmutter and Levingston that the Senior Officers' Reports be **RECEIVED** for further consideration.

AFTERNOON TEA

Council adjourned for afternoon tea at 3:00pm and resumed at 3:30pm.



6.1 Integrated Planning & Reporting Framework Plans for Consideration WO/2013/00755

191 **RESOLVED** on the Motion of Councillors Schmutter and Heazlett that the Draft Community Strategic Plan, Delivery Program 2013/2014 – 2016/2017 and the Operational Plan 2013/2014 be placed on public exhibition in accordance with the provisions of the Local Government Act, 1993.

6.2 Rural Addressing WO/2013/00773

192 **RESOLVED** on the Motion of Councillors Ferrier and Thomson that Council:

1. Complete the rollout process for those properties already contacted along Thunderbolts Way.
2. Suspend any further rollout of black and white rural addressing numbers.
3. Advertise and promote the blue and white signs, with the cost to be \$200 to cover materials and part installation – this cost to be included in Council’s Fees & Charges and reviewed annually.
4. Supply and erect the signs in accordance with Council’s specifications and Australian Standards – the number of signs erected each year to be limited by the budget provided by Council.

Councillor Heazlett recorded his **VOTE AGAINST**.

6.3 A New Planning System for NSW – White Paper WO/2013/00769

193 **RESOLVED** on the Motion of Councillors Schmutter and Ferrier that Council prepare a submission to the Department of Planning & Infrastructure in response to the *White Paper – A New Planning System for NSW*, reaffirming our position and requesting the Government to further consider any matters that have not been addressed following Council’s initial submission, which identified the following matters:

1. Will communities lose the opportunity to object to specific development proposals under the new planning system as a trade off for increased participation at the strategic planning stage?
2. Consideration be given to the Department of Planning & Infrastructure developing “Best Practice” resources to enable educating our communities on the new planning system and how to engage them at the strategic planning stage.
3. Minimum consultation requirements will need to be incorporated into the new Act



4. No details have been provided on how natural resource management will be incorporated into the planning system.
5. Council notes that the new system is to be relevant and beneficial for all parts of NSW. Given the very different demographic and environmental characteristics throughout the state the new system will need to be more flexible in its application to take account of these differing circumstances. Therefore strong support should be given to regionally-relevant sustainable social, economic and environmental planning policy within the legislative framework.
6. No details are available for determining the boundaries of regional and subregional land use planning boundaries.
7. More information is required on the development of Sub-Regional Delivery Plans and should they be developed for areas other than high growth areas.
8. Will the expected impacts of climate change be able to be addressed through the Regional Growth and local land use plans (LLU plans).
9. Will there be a requirement to notify merit assessable developments?
10. Council raises the possibility of the level of independence of the Planning Assessment Commission (PAC), Joint Regional Planning Panels (JRPPs), and Regional Planning Boards given the appointments to these organisations.
11. Details need to be provided on the eligibility criteria for people to be appointed to the various panels proposed in the new system.
12. Regional Planning Boards should have direct political representation from constituent councils.
13. Council believes that in the proposed “de-politicising” of development decisions, there is envisaged a change to what many communities still see as an important role for Councillors in their consideration of more contentious local development matters. Council consider it essential for local democracy for the community to retain the right to make effective representations on planning matters, especially where variation to adopted policy may be sought, through their elected representatives.
14. Council considers that where the likely benefits are considered marginal, Council should retain the right to act as decision maker for development applications, with an option to refer matters to an independent panel if appropriate. Factors could include a threshold “trigger” for public submissions, or if independent assessment is sought and additional costs are funded by applicants.
15. For infrastructure planning Council requests that in reaching a final position for non growth centres, the system must be flexible enough to reflect circumstances where the pace of development may be relatively slow and may not always proceed in a logical sequence.
16. it is noted that the new levy system does not allow for open space embellishment or the construction of community facilities.
17. The ability of Councils to recoup funds to address increased loadings on road and other infrastructure arising from major projects should be clearly defined.
18. Regional Strategic Planning (Changes 6, 7, 13, 21)



- How will local communities be represented on new Regional Planning Boards – this seems unclear (e.g. statements on pp.8, 21 vs. Change 21, p.86)?
 - How will the planning regions be established? In our own area we think the Department’s current Northern Region is too large and diverse an area for regional land use planning, which should be based on socio-environmental catchments.
 - How is it anticipated that the Boards (and possibly JRPPs, see p.61) will be resourced technically going forward?
19. Local Land Use Plans (Changes 8 & 9)
- Will the White Paper cover new merit based processes for approving variations as opposed to the legal mechanisms currently under SEPP 1 or SILEP CL.4.6? (see also Merit assessment option at p.64).
 - New zones (pp.44-45): how is it intended that the future “Suburban Character” zones will not simply become the preserve of the wealthy and politically active? Could this not instead be an evolution of current Conservation Areas?
20. Development Assessment (Chapter 6)
Code assessable provisions in LLUPs (Change 14) – how are they going to be simpler than the current arrangements? This will still have a major bearing on take up.
21. Infrastructure (Chapter 7)
- The Chapter does not appear to mention water and sewer infrastructure specifically. In rural and regional areas Councils are the local water supply authorities and is this not key infrastructure which will need to be considered in Part C of all LLUPs?
 - Strongly support the move to a spatial rather than a sectoral model (p. 72). However in terms of Change 18, two questions:
Will an agreed model be part of the White Paper?
What is the rationale for levying for local open space and drainage at a regional level? (p.76). What agency will administer regional funds?
- 22 Delivery (Chapter 8)
- How will ‘stop the clock’ work in future, especially with the proposed “amber light” approach (p.61), under the new performance reporting arrangements (Change 22, p.87)? Council strongly supports a net median approach to time frames and the potential for applicant-driven stop the clock options for performance monitoring purposes.

6.4 Review of Waste Transfer Station Opening Hours

WO/2013/00772

It was **MOVED** Councillor Heazlett Seconded Councillor Lyon that Council set the weekday opening hours for the Walcha Waste Transfer Station to Monday, Wednesday, Friday – 7:30am to 3:30pm and Saturday and Sunday – 10:00am to 2:00pm.

The Motion on being put to the **VOTE** was **LOST**.

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.....General ManagerMayor



It was **MOVED** Councillor Schmutter Seconded Councillor Thomson that Council set the weekday opening hours for the Walcha Waste Transfer Station to be Monday, Wednesday, Friday – 7:30am to 3:30pm commencing 1 July 2013.

194 On being put to the **VOTE** the Motion was **CARRIED**.

Councillor Heazlett and Lyon recorded there **VOTE AGAINST**.

6.5 Local Government Remuneration Tribunal Annual Review
WO/2013/00721

It was **MOVED** Councillor Thomson that Councillor Fees remain at \$9,000 and the Mayoral Fee remain at \$16,000.

The Motion failed to get a Seconder and therefore **LAPSED**.

It was **MOVED** Councillor Heazlett Seconded Councillor Ferrier that Councillor Fees for the 2013/2014 year be \$10,000 and the Mayoral Fees for the 2013/2014 year be \$18,000.

195 On being put to the vote the Motion was **CARRIED**.

6.6 Committee of the Whole Referral – Tenders for the Supply and Delivery of Bulk Water Treatment Chemicals AND Alliance Tender to provide Water and Sewer Consulting Services to member Councils of Namoi Councils
WO/2013/00770

196 **RESOLVED** on the Motion of Councillors Lyon and Heazlett that, in accordance with the provisions of Section 10 of the Local Government Act, 1993, the matters of tenders for supply and delivery of bulk water chemicals AND Alliance tender to provide water and sewer consulting services to member Councils of Namoi Councils be referred to be discussed in Committee of the Whole for the reason that they relate to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

LATE REPORT

1. The letter from City of Botany Bay Mayor – Ben Keneally

197 **RESOLVED** on the Motion of Councillors Schmutter and Lyon that Council support the stance of the Mayor of the City of Botany Bay and



include it in Council's submission to the Independent Review Panel **FURTHER THAT** Council write to the Mayor of the City of Botany Bay acknowledging his letter and advising of Council's support by addressing this issue in Council's submission to the Independent Review Panel.

7. MATTERS OF URGENCY

Nil.

8. MANAGEMENT REVIEW REPORTS WO/2013/00749

198 **RESOLVED** on the Motion of Councillors Heazlett and Thomson that items included in the Management Review Report, numbered 1 to 8 inclusive, be **NOTED** by Council.

9. COMMITTEE REPORTS

Nil.

10. DELEGATE REPORTS

- 10.1 **Minutes of the Hunter New England Healthshare Meeting held at Pat Dixon Medical Centre, Armidale on Thursday, 4 April 2013.**
WI/2013/02737
- 10.2 **Notes from the Namoi Council's Position on Future Directions for NSW Local Government**
WI/2013/03053

The Report was **NOTED** by Council.

11. COMMITTEE OF THE WHOLE

199 **RESOLVED** on the Motion of Councillors Levingston and Heazlett that Council resolve into Committee of the Whole and that the press and public be excluded from the entire proceedings of the Meeting of the Committee of the Whole for the reason that it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.



200 The Meeting resumed in **OPEN** Council on the Motion of Councillors Schmutter and Lyon.

The Mayor reported whilst in Committee of the Whole the following matters were discussed.

PRESENT: Present and IN Attendance were the same as listed in the Minutes of the Ordinary Meeting with the exception of the press and the public.

11.1 Tender for Supply and Delivery of Bulk Water Treatment Chemicals – Tender T291213NEC

The Committee **RECOMMENDED** on the Motion of Heazlett and Lyon that Council:

1. Accept the tender of Omega Chemicals for the supply and delivery of aluminium sulphate for the period 1 April 2013 to 31 March 2015.
2. Accept the tender of Elite Chemicals for the supply and delivery of sodium hypochlorite for the period 1 April 2013 to 31 March 2015.
3. Accept the tender of Redox Pty Ltd for the supply and delivery of hydrochloric acid for the period 1 April 2013 to 31 March 2015.
4. Accept the tender of Redox Pty Ltd for the supply and delivery of fluosilicic acid for the period 1 April 2013 to 31 March 2015.
5. Accept the tender of Redox Pty Ltd for the supply and delivery of dense soda ash for the period 1 April 2013 to 31 March 2015.
6. Make provision for a twelve month extension of these contracts based on satisfactory supplier performance through to April 2016.

11.2 Alliance Tender to provide water and sewer consulting services to member Councils of Namoi Councils.

The Committee **RECOMMENDED** on the Motion of Schmutter and Heazlett that in relation to the report “Tender No.: T027-2013 Period Consultancy Provision of Water and Sewer Consulting Services”, Walcha Council accept the Tender of Hunter Water Australia Pty Ltd and enter into a contract with Hunter Water Australia Pty Ltd to supply water and sewer consulting services to Walcha Council as a member of the Namoi Water Utilities Binding Alliance for a period of three years with an option to extend for further two years including proposed changes to the commercial conditions as detailed within the Report.



ADOPTION OF COMMITTEE OF THE WHOLE

201 **RESOLVED** on the Motion of Councillors Schmitter and Lyon that the Report and Recommendations of the Meeting of the Walcha Council Committee of the Whole held on Wednesday, 29 May 2013 be **ADOPTED** by Council.

The Chairman publicly declared the recommendations passed by the Committee whilst in Committee of the Whole.

**THERE BEING NO FURTHER BUSINESS THE CHAIRMAN
DECLARED THE MEETING CLOSED AT 5:50PM.**