

**MINUTES OF THE ORDINARY MEETING OF THE WALCHA COUNCIL  
HELD IN THE COUNCIL CHAMBERS, HAMILTON STREET, WALCHA ON  
WEDNESDAY, 19 DECEMBER 2007 COMMENCING AT 2.07PM**

**PRESENT:** Councillor WJ Heazlett (Chairman) Mayor, together with Councillors PR Blomfield, DJ Cross, JM Archdale, KW Ferrier, L Levingston, RS Thomson and MJ Woods.

**IN ATTENDANCE:** Mr JG O'Hara (General Manager), Mr SC McCoy (Director – Engineering Services) and Mr GA Moran (Director – Environmental Services).

**APOLOGIES:** NIL

**CONFIRMATION OF THE ORDINARY MEETING MINUTES OF THE  
WALCHA COUNCIL HELD ON 28 NOVEMBER 2007:**

310 **RESOLVED** on the Motion of Councillors Levingston and Ferrier that the Minutes of the Ordinary Meeting of the Walcha Council held on Wednesday, 28 November 2007, copies of which have been distributed to all members, be taken as read and confirmed a **TRUE** record.

**DECLARATIONS OF INTEREST**

NIL.

**SENIOR OFFICERS' REPORTS**

311 **RESOLVED** on the Motion of Councillors Cross and Ferrier that the Senior Officers' Reports be received for further consideration.

**1. 2006/2007 ANNUAL FINANCIAL STATEMENTS** **WINT/07/578**

312 **RESOLVED** on the Motion of Councillors Ferrier and Levingston that the Report be **ADOPTED** by Council.

**2. ABORETUM RECREATIONAL USE** **WINT/07/580**

312 **RESOLVED** on the Motion of Councillors Ferrier and Thomson that Council ensure the use of the park is in accordance with the adopted Parks Plan of Management, and enable the Police to take necessary action by erecting a sign advertising that motorised devices are prohibited in the park.

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**3. UPGRADE OF TWO WAY RADIO BASE STATIONS      WINT/07/574**

313 **RESOLVED** on the Motion of Councillors Woods and Cross that Council provide \$12,000 for additional work involved in the upgrading of the two way radio base stations by deferring the upgrading of the network wiring and remote access sites and cancelling the Depot Server UPS.

**4. SPRAYING OF ST JOHNS WORT      WINT/07/573**

314 **RESOLVED** on the Motion of Councillors Cross and Thomson that Council support the current New England Weeds Authority spraying program.

**5. REVIEW OF WARD BOUNDARIES      WINT/07/577**

315 **RESOLVED** on the Motion of Councillors Ferrier and Levingston that Council adopt the publicly exhibited Ward Boundaries as submitted by the Department of Lands.

**6. COMMITTEE OF THE WHOLE REFERRAL – REPLACEMENT  
BRIDGE TENDERS      WINT/07/575**

316 **RESOLVED** on the Motion of Councillors Cross and Ferrier that, in accordance with the provisions of Section 10 of the Local Government Act, 1993, the matter of tenders for construction of three bridges in Walcha shire, be referred to be discussed in 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.

**LATE REPORTS**

**1. REQUEST FOR COUNCILLOR REPRESENTATION ON WALCHA  
DEVELOPMENT COMMITTEE      WINT/07/583**

317 **RESOLVED** on the Motion of Councillors Woods and Cross that Council nominate Councillor Ferrier as the representative to the Walcha Development Committee and with Councillor Archdale being an alternate.

**2. INVESTMENTS REPORTS      WINT/07/600**

318 **RESOLVED** on the Motion of Councillors Ferrier and Thomson that Council **NOTE** the Report.

**AFTERNOON TEA**

Council adjourned for afternoon tea at 3.00pm and resumed at 3.30pm.

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**3. NEW ENGLAND CLIMATE CHANGE ADAPTATION ACTION PLAN**

**WINT/07/601**

The Report was **NOTED** by Council.

**4. SQUASH COMPLEX – ADDITIONAL USERS**

**WINT/07/602**

319 **RESOLVED** on the Motion of Councillors Archdale and Levingston that Council approve the request of Carmen Wall to utilise the Squash Complex to conduct her business Sports & Fitness 109, subject to an agreement/lease being entered into between Walcha Council and Carmen Wall for six months and subject to the following conditions:

1. The facilities are to be managed so as not to interfere with competition squash (which is currently played on a Tuesday night).
2. The floor of the building is to be protected from damage by the machines and equipment.
3. Copies of all relevant insurance policies including Public Liability and Professional Indemnity are to be lodged with Council.
4. A qualified person is to be in attendance when the facility is open to the public. NOTE: this includes Tuesday night when squash is been played.
5. Cleaning of the Squash Complex, including the squash courts, is to be the responsibility of the applicant.
6. Proposed advertising structures are to be approved by Council prior to installation.
7. The applicant is to indemnify the Council from any actions/damages resulting from the use of the facilities by clients other than users of the squash courts.
8. Selling or transferring the agreement/lease can only occur with the consent of Council.
9. The agreement/lease to be for a period of six months.
10. Rent is set at \$150-00 per week.

**MATTERS OF URGENCY**

Councillor Ferrier raised the issue of poor television reception within the Shire.

320 **RESOLVED** on the Motion of Councillors Woods and Levingston that the matter of Television Reception be transacted at the meeting, it was also ruled by the Chairperson to be a matter of great urgency.

The General Manager will investigate the television networks obligations in providing television transmission and report to a future meeting of Council.

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**WALCHA MANAGEMENT REVIEW REPORTS**

**WINT/07/562**

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

**Committee Reports:**

- a) Minutes of the Walcha Preschool Advisory Committee Meeting held at the Walcha Preschool on Thursday, 27 November 2007. WINT/07/579
- b) Minutes of the Walcha Floodplain Management Committee Meeting held at the Council Chambers on Wednesday, 5 December 2007. WINT/07/616

322 **RESOLVED** on the Motion of Councillors Archdale and Woods that Council provide funding of \$2,000 subject to matching 2:1 NSW Government subsidy for additional Blairs Gully only modelling for 20y and 100y events by BMT WBM Pty Ltd.

**Delegate Reports:**

- a) Minutes of the Walcha Australia Day Committee Meeting held at Walcha Council Chambers on Monday, 5 November 2007. WI/07/1076

**COMMITTEE OF THE WHOLE**

323 **RESOLVED** on the Motion of Councillors Cross and Blomfield 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.

324 The Meeting resumed in **OPEN** Council on the Motion of Councillors Cross and Levingston.

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 Councillor Cross and the press and the public.

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**1. TENDERS FOR THE REPLACEMENT OF DAVIDSONS,  
MCHATTANS AND MUKKI BRIDGES** **WINT/07/582**

It was **MOVED** Councillor Woods Seconded Councillor Ferrier that the Committee **RECOMMEND** that Council:

1. Award Contract No W07/4040 for the design and construction of Davidsons, McHattans and Mukki Creek Bridges to Fernandes Constructions Pty Ltd for the lump sum tendered price of \$725,000 (excluding GST) in accordance with the contract documents, specifications and drawings in their tender dated 4 December 2007
2. Approve the fixing of the Common Seal to the necessary contract documents and that the affixing of the Common Seal be attested to by the Mayor and General Manager.
3. Provide an additional \$91,000 from the Road Infrastructure Reserve to fund the project.

**AND FURTHER THAT** add:

4. Subject to confirmation in writing from the RTA of their contribution of 50% of the total construction cost.

An **AMENDMENT** was **MOVED** by Councillor Thomson Seconded Councillor Blomfield that Council:

1. Award Contract No W07/4040 for the design and construction of Davidsons, McHattans and Mukki Creek Bridges to Fernandes Constructions Pty Ltd for the lump sum tendered price of \$725,000 (excluding GST) in accordance with the contract documents, specifications and drawings in their tender dated 4 December 2007
2. Approve the fixing of the Common Seal to the necessary contract documents and that the affixing of the Common Seal be attested to by the Mayor and General Manager.
3. Provide an additional \$91,000 from the Road Infrastructure Reserve to fund the project.

The Amendment on being put to the **VOTE** was **CARRIED**.

It then became the substantive Motion and was again **CARRIED**.

**ADOPTION OF COMMITTEE OF THE WHOLE**

325 **RESOLVED** on the Motion of Councillors Cross and Levingston that the Report and Recommendations of the Meeting of the Walcha Council Committee of the Whole held on (day and date of Meeting) be **ADOPTED** by Council.

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

**THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED  
THE MEETING CLOSED AT 4.30PM.**