

**MINUTES OF THE ORDINARY MEETING OF THE WALCHA COUNCIL
HELD IN THE COUNCIL CHAMBERS, HAMILTON STREET, WALCHA ON
WEDNESDAY, 26 MARCH 2008 COMMENCING AT 1.50PM**

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

IN ATTENDANCE: Mr JG O'Hara (General Manager), Mr GA Moran (Director – Environmental Services) and Mr J Lewis (Acting Director – Engineering Services).

APOLOGIES:

NIL.

**CONFIRMATION OF THE ORDINARY MEETING MINUTES OF THE
WALCHA COUNCIL HELD ON WEDNESDAY, 27 FEBRUARY 2008:**

343 **RESOLVED** on the Motion of Councillors Levingston and Cross that the Minutes of the Ordinary Meeting of the Walcha Council held on Wednesday, 27 February 2008, copies of which have been distributed to all members, be taken as read and confirmed a **TRUE** record.

MATTERS ARISING FROM THE MINUTES OF 27 FEBRUARY 2008:

Blood Bank

The Director – Environmental Services advised that the Red Cross were looking at a stand alone vehicle to provide the service in Walcha, not a prime mover, an initial plan was underway.

DECLARATIONS OF INTEREST

Item 1 – Development Application 40-2008 – PJ King Holdings Pty Ltd

Councillor Archdale declared a non-pecuniary interest having a share in an associated company but has no direct relationship with the applicant.

Councillor Woods declared a pecuniary interest being employed by a competitor of the applicant.

Councillor Cross declared an interest being a competitor of the applicant.

SENIOR OFFICERS' REPORTS

344 **RESOLVED** on the Motion of Councillors Woods and Levingston that the Senior Officers' Reports be received for further consideration.

Item 3 was brought forward due to the applicant being in the public gallery.

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3. DEVELOPMENT APPLICATION 64-2008

PROPOSED GAME HARVESTING CHILLER

WINT/08/923

344 **RESOLVED** on the Motion of Councillors Ferrier and Levingston that Council refuse the application by Clint Lyons to erect and use a shipping container as a Game Meat Chiller at Perry's Butcher & Deli 34N Derby Street, Walcha the reason for the refusal being that the structure does not comply with the requirements of Section C, Table 4 of the Building Code of Australia which relates to fire resistance construction.

1. DEVELOPMENT APPLICATION 40-2008

PJ KING HOLDINGS PTY LTD

WINT/08/922

Councillors Woods and Cross left the Meeting at 2.15pm and took no part in the discussions.

345 **RESOLVED** on the Motion of Councillors Ferrier and Archdale that Development Application No.40-2008 lodged by PJ King Holdings Pty Ltd to develop Lot 1 DP 745203 as a Light Industrial development be approved as a "Deferred Commencement" consent subject to the following conditions:

1. That this consent is not to operate until the applicant satisfies Council to all matters specified in this consent.
2. Detailed construction plans are to be lodged complying with the requirements of the Building Code of Australia before a Construction Certificate will be issued.
3. The proposed development being landscaped to enhance its appearance. Details are to be indicated on a plan for approval by council. The plan to indicate the proposed species, height, density and spread at maturity and a specification for soil preparation, drainage, watering and general maintenance.
4. Public Liability – Works over Public Land: the development will involve work/activity over public land and is to be protected by public liability insurance with a minimum cover of \$10 million. Evidence of adequate cover are to be submitted to Council with the application for a Construction Certificate.
5. Loading and unloading – all loading and unloading being carried out on site to provide for safe off-street loading and unloading of vehicles servicing the site and prevent conflict with the use of the public road by vehicles and pedestrians.
6. All vehicles are to enter and leave the site in a forward direction to ensure pedestrian/traffic safety.
7. Public liability insurance cover is to be obtained in respect to any access within the site by council's garbage collection service. The extent of the cover is to be set by council's Insurance officer. Details of the proposed location to be provided on the construction plans.
8. A traffic study is to be undertaken by a suitably qualified consultant, at the applicant's expense, to assess the post development traffic flows at the

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intersection of Thunderbolts Way and Aberaldie Road. This assessment is to be used to determine if thresholds levels require a Capacity Analysis to be undertaken in accordance with Austroads Guide to Traffic Engineering Practice Part 2, Roadway Capacity and if intersection improvements are required. If upgrading works are required they are to be constructed, at the applicants expense in accordance with the requirements of Austroads 1988 Guide to Traffic Engineering Practice Part 5, Intersections.

9. The Aberaldie Road at the entrance to and exit from, the development will require minor widening to safely accommodate through traffic when large vehicles are turning into or out of the site. Widening is to be in accordance with Austroads Guide to Traffic Engineering Practice Part 5 Intersections at Grade, type BAR for the entrance and type BAL for the exit.
10. Details of internal vehicular traffic movements are to be provided. Dedicated areas of loading and/or unloading of large vehicles are to be provided.
11. Design of access roads and internal traffic areas are to be lodged with Council. Council will require detailed plans of traffic areas especially access and egress points to the property boundary.
12. An adequate water supply is to be provided to the development. The recommended and preferred option is connection to Council's reticulated potable supply which meets required standards. Consideration is to be given to providing recycled or collected water to satisfy other requirements for water eg fire fighting and landscape requirements.
13. The applicant is required to install an on-site collection system, pump and rising main to transfer effluent to council's sewer. The design of the system is required to be approved by council prior to the issue of a Construction Certificate.
14. The design, construction and maintenance of this system are the responsibility of the owner.
15. Application is to be made to Council as the local water and sewer authority for a Certificate of Compliance pursuant to section 64 of the Local Government Act 1993, and Chapter 6 of the Water Management Act 2000, and such application being approved.
16. Details of all proposed signs are to be lodged with the construction plans.
17. Details of proposed fences is to be provided to council when construction plans are lodged.
18. Any lighting used on the site in connection with the development is to comply with AS 4282 – Control of the Obtrusive Effects of Outdoor Lighting.

Councillor Woods and Cross returned to the Meeting.

2. ROAD NAMING PART 4

WINT/08/885

346 **RESOLVED** on the Motion of Councillors Ferrier and Levingston that Council propose the gazettal of the following road names:

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Road Name:	Locality:
Angle Street	Walcha
Apsley Street	Walcha
Borthwick Street	Woolbrook
Berman Street	Woolbrook
Brackendale Road	Walcha to Nowendoc
Church Street	Woolbrook
Churchill Lane	Walcha
Churchill Street	Walcha
Commercial Lane	Walcha
Common Road	Woolbrook
Cross Street	Woolbrook
Croudace Street	Walcha
Derby Street	Walcha
Evans Street	Walcha
Fitzroy Street	Walcha
Hamilton Street	Walcha
Hill Street	Walcha
Jamieson Street	Walcha
Lagoon Street	Walcha
Legge Street	Walcha
Logie Road	Nowendoc
Memorial Avenue	Walcha
Meridian Street	Walcha
Millbank Road	Walcha
North Street	Walcha
Nowendoc Road	Nowendoc
Oxley Drive	Walcha
Pakington Street	Walcha
Plumbtree Street	Walcha
Saleyards Road	Walcha
Sempill Crescent	Walcha
South Street	Walcha
Thee Street	Walcha
Towers Street	Walcha
Walsh Street	Walcha
Woolbrook Road	Woolbrook
Post Office Road	Yarrowitch

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AFTERNOON TEA

Council adjourned for afternoon tea at 2.57pm and resumed at 3.23pm.

The Acting Director – Engineering Services left the Meeting at afternoon tea.

**4. INQUIRY INTO SECURE AND SUSTAINABLE URBAN WATER
SUPPLY AND SEWERAGE SERVICES FOR NON-METROPOLITAN NSW**
WINT/08/925

347 **RESOLVED** on the Motion of Councillors Woods and Ferrier that Council lodge a submission suggesting a model based on the NESAC arrangements **FURTHER THAT** Local Government should maintain ownership of any future institutional arrangement for the delivery of water and sewerage services.

**5. COMMITTEE OF THE WHOLE REFERRAL – CLOSURE OF PART
OF PLUMBTREE STREET**
WINT/08/886

348 **RESOLVED** on the Motion of Councillors Cross and Levingston that, in accordance with the provisions of Section 10 of the Local Government Act, 1993, the matter of closure of part of Plumbtree Street, 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 REPORT

**1. SCAN ACCEPTANCE OF FUNDING TERM 2 2008 – AFFIX COMMON
SEAL**
WINT/08/947

349 **RESOLVED** on the Motion of Councillors Archdale and Ferrier that Council approve the affixing of the Common Seal to the following legal documents:

- ❖ Acceptance of Funding for Walcha Preschool – New England SCAN – Supporting Children with Additional Needs – Term 2, 2008.
- ❖ Service Provision Agreement Nowendoc Exercise Group – Leah Von Ahlburg – HACC clients.
- ❖ Aged Disability Service Provision Agreement with Glen Innes Severn Council – HACC Funding.

FURTHER THAT the affixing of the Common Seal be attested to by the Mayor and the General Manager.

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MATTERS OF URGENCY

350 **RESOLVED** on the Motion of Councillors Archdale and Blomfield that a matters of urgency be considered by Council.

The Chairperson ruled that the matters are to be of great urgency.

The items were:

1. Ambulance Service
2. Doctor on Call
3. Licensing Laws
4. Nurturing Posts.

1. Ambulance Service

Councillor Woods advised the Council circumstances surrounding there not being an Ambulance in Walcha on the previous weekend. This was a matter of circumstances which would be very unlikely to happen again.

2. Doctor on Call

351 **RESOLVED** on the Motion of Councillors Woods and Blomfield that Council write to Hunter New England Area Health requesting details of arrangements for on-call doctors on weekends.

3. Licensing Laws

Councillor Ferrier declared an interest and left the Meeting due to being the licensee for the Jockey Club.

Councillor Woods expressed disappointment in the way the bar licensing at the show was handled this year.

Councillor Ferrier returned to the Meeting.

4. Nurturing Post

It was **MOVED** by Councillor Thomson Seconded Councillor Cross that the Nurturing Veranda post not be erected in the town centre.

On being put to the **VOTE** the Motion was **LOST**.

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WALCHA MANAGEMENT REVIEW REPORTS

WINT/08/883

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

Committee Reports:

- a) Minutes of the Walcha HACC Advisory Committee Meeting held at the Walcha Daycare Building on Monday, 10 March 2008 WINT/08/924

353 **RESOLVED** on the Motion of Councillors Ferrier and Archdale that Council pursue all options to have funding for the Walcha to Armidale bus and return forwarded directly to Walcha Council.

Delegate Reports:

- a) Minutes of the Northern Inland Forestry Investment Group held at the Northern Inland Regional Development Board, Armidale on 8 February 2008. WI/08/2117
- b) Minutes of the D Division Meeting of the Shires Association of NSW held in Scone on 15 February 2008. WI/08/2444
- c) Minutes of the New England Local Government Group held in Armidale on Friday, 22 February 2008. WO/08/368

COMMITTEE OF THE WHOLE

354 **RESOLVED** on the Motion of Councillors Ferrier and Levingston 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.

355 The Meeting resumed in **OPEN** Council on the Motion of Councillors Woods 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, the press and the public.

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1. CLOSURE OF PART OF PLUMBTREE STREET

WINT/08/886

The Committee **RECOMMENDED** that Council authorise the General Manager to offer the closed road for sale of the land to the adjoining landholder for \$75,000.

ADOPTION OF COMMITTEE OF THE WHOLE

356 **RESOLVED** on the Motion of Councillors Woods and Levingston that the Report and Recommendations of the Meeting of the Walcha Council Committee of the Whole held on Wednesday, 26 March 2008 be **ADOPTED** by Council.

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 5.05PM.**