

**MINUTES OF THE ORDINARY MEETING OF THE WALCHA COUNCIL
HELD IN THE COUNCIL CHAMBERS, HAMILTON STREET, WALCHA ON
WEDNESDAY, 27 AUGUST 2008 COMMENCING AT 2.21PM**

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

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

APOLOGIES:

NIL.

**CONFIRMATION OF THE ORDINARY MEETING MINUTES OF THE
WALCHA COUNCIL HELD ON WEDNESDAY, 23 JULY 2008:**

15 **RESOLVED** on the Motion of Councillors Levingston and Thomson that the Minutes of the Ordinary Meeting of the Walcha Council held on Wednesday, 23 July 2008, copies of which have been distributed to all members, be taken as read and confirmed a **TRUE** record

MATTERS ARISING FROM PREVIOUS MINTUES:

1. Slim Dusty Way

Councillor Ferrier advised that he attended a meeting of the Slim Dusty Way Committee and was quite impressed by the quality of the Committee and he also advised that two members had requested to address Council in October.

2. Early Child Care

The General Manager advised the Meeting that a survey had been circulated and a public meeting held which indicated there was a definite need for early child care in Walcha. The Committee are preparing a financial analysis to establish the feasibility of providing child care service at the preschool.

3. Timber Expo

Councillor Levingston on behalf of the Timber Expo Committee thanked Council for their donation and advised that Forest Enterprise Australia have come on board as the major sponsor.

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DECLARATIONS OF INTEREST

Councillor Woods declared an interest in items 5 & 6 as being the daughter of the applicant.

Councillor Archdale declared an interest in items 2, 3 & 5 as her husband has an interest in a real estate agent that may be involved in the marketing of the blocks.

Councillor Blomfield declared a non-pecuniary interest in item 8 as the applicant was a relative.

SENIOR OFFICERS' REPORTS

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

3. DEVELOPMENT APPLICATION 26-2008 (FAULKNER)

WINT/08/1586

Councillor Archdale left the Meeting and took no part in the debate.

17 **RESOLVED** on the Motion of Councillors Ferrier and Blomfield that the application by Bath, Stewart Associates Pty Ltd to modify Notice of Determination of Development Application No.26-2008 by:

- ❖ Amalgamating proposed Lot 14 to Lot 506 in DP 756502
- ❖ Amalgamating proposed Lots 17, 42 & 43 to form proposed Lot 52 and
- ❖ Creating Lot 53 which is the balance area.

Be approved subject to the following conditions:

1. Access to proposed Lot 52 be from Oxley Drive in accordance with the requirements of the Council's Engineering Department.
2. The existing access from the Oxley Highway to proposed Lot 52 to be closed.
3. Proposed Lot 51 is to be amalgamated to Lot 548 in DP 756502 and Lot 6 in DP 1102072 to provide access direct to Oxley Drive.

Councillor Archdale returned to the Meeting.

1. COMMUNITY WATER GRANT – EFFLUENT REUSE **WINT/08/1538**

The Report was **NOTED** by Council.

2. COMMUNITY WATER GRANT – TRUCK WASH BAY

WINT/08/1536

Councillor Archdale left the Meeting.

The Report was **NOTED** by Council.

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Councillor Archdale returned to the Meeting.

4. OXLEY HIGHWAY AND OXLEY DRIVE INTERSECTION UPGRADE **WINT/08/1551**

18 **RESOLVED** on the Motion of Councillors Woods and Ferrier that Council provide \$4,000 from net current assets to fund their share of the design of the Oxley Highway and Oxley Drive intersection upgrade in 2008/09.

AFTERNOON TEA

Council adjourned for afternoon tea at 3.08pm and resumed at 3.30pm.

5. DEVELOPMENT APPLICATION 307-2008 **WINT/08/1589**

Councillors Archdale and Woods declared an interest in this matter and left the meeting and took no part in the debate.

19 **RESOLVED** on the Motion of Councillors Cross and Levingston that Council support the application by Bath Stewart Associates Pty Ltd under State Environmental Planning Policy No 1 to vary a development standard and not require a reticulated water supply system to the development.

FURTHER THAT Development Application No. 307-2008 lodged by Bath Stewart Associates Pty Ltd to subdivide Lot 2 in DP 818494 into three allotments been Lot 22 comprising 2 hectares, Lot 21 comprising 2 hectares and Lot 23 comprising 3.286 hectares be approved subject to the following conditions:

1. Engineering plans together with the 88b Instrument is to make satisfactory provision for the Right of Carriageway to provide access to proposed Lots 21, 22 and 23. Provision is to be made for the ongoing management/maintenance of the carriageway including clear details of the responsibilities of all affected parties, including mechanisms for the resolution of conflicts between affected parties. Details are required to be lodged with Council with the application for the Subdivision Certificate. Construction of this Right of Carriageway is to comprise a two coat bitumen seal 4 metres wide with 1.2 metre wide shoulders.
2. Road design and construction is to ensure the retention of as many existing trees as possible
3. Bus stopping areas are required on both sides of Aberbaldie Road as indicated on "Typical Rural Property Access Standard" (see attached)
4. Access road design shall be in accordance with Austroads or other industry recognised standard providing a road alignment, drainage and pavement suitable for the design estimated vehicles movements. Plans demonstrating compliance to be provided to Council for approval.
5. The intersection of the access road and Aberbaldie Road is to be upgraded to provide a "Typical Rural Access Standard" (No. 1 on the attachment), with the

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optional laybys for bus stopping included and the pavement areas to have a two coat bitumen seal. The intersection shall be located to ensure adequate stopping sight distance.

6. Construction of a two-lane access road between the development site boundary (frontage) and Aberbaldie Road to ensure an effective, safe and nuisance free vehicle access is to be provided. Construction is to comprise a two coat bitumen seal pavement 6.0 metres wide for the first 20 metres from Aberbaldie Road and than 4 metres wide for the remainder of the access road. Gravel shoulders 1.2 metres wide are to be provided to both sections.

NOTE: the cost of providing plans, specifications and undertaking the engineering works is the responsibility of the proponent.

7. Council will require certification from telecommunications and electricity providers confirming that satisfactory arrangements have been made for the provision of telecommunications and electricity services to the created allotments.
8. Any dwellings to be constructed on the created allotments are required to have water tank/s with a minimum 20000 litre capacity in addition to the Basix requirement and be fitted with Rural Fire Services approved connections.
9. An approved aerated wastewater treatment and irrigated system is to be installed and operated in accordance with AS 1546 and the performance standards as set out in clause 47 and 48 of the Local Government (General) Regulations for new dwellings.

Councillor Archdale returned to the Meeting.

6. DEVELOPMENT APPLICATION 352-2008

WINT/08/1590

20 **RESOLVED** on the Motion of Councillors Levingston and Thomson that Development Application No. 352-2008 lodged by I. Woods to develop proposed Lot 23 currently part of Lot 2 DP 818494 as a nursery with associated works be approved subject to the following conditions:

1. This development is not to commence operating until the upgrading of the access road and intersection from Lot 2 DP 818494 to Aberbaldie Road has been completed in accordance with Council's requirements as detail in the Development Consent for the subdivision of Lot 2 in DP 818494.
2. The Business Identification Sign is to be installed in a location determined in consultation with Council when the access road to the development has been completed and is not closer than 10 metres from the centreline of Aberbaldie Road. NOTE approval to erect a sign at the intersection of Derby Street and Fitzroy Street is not granted.
3. The erection of an approved sign is permitted at the intersection of Thunderbolts Way and Aberbaldie Road. This sign to be either a property name sign or alternatively a sign with the word "Nursery".

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4. No run-off water is to escape from the nursery/garden area to any water course or neighbouring property.
5. The development is to take place in accordance with the approved plans, documents and specifications lodged with the application.
6. The external finishes of new buildings are to be of colours blending with the landscape and not reflective in nature, to ensure that buildings are visually integrated with its environment.
7. Any lighting used on site in connection with the development is to comply with AS 4282 Control of the Obtrusive Effects of Outdoor Lighting
8. The development is to be conducted in accordance with the requirements of the Protection of the Environment Operations Act.
9. The Right of Carriageway together with the car parking area is to be constructed to an all-weather, nuisance free surface. The surface shall be provided with effective edge support/drainage control to be self draining.
10. The Right of Carriageway is to be sealed within twelve months from the nursery commencing operations and maintained at that standard.
11. If the development expands and this results in a dust nuisance being created Council will require sealing of the internal driveway within proposed Lot 23.
12. All vehicles are to enter and leave the development in a forward direction.

Councillor Woods returned to the Meeting.

8. DEDICATION OF ACCESS ROAD – LOTS 5 & 7 DP 756480

WINT/08/1562

Councillor Blomfield declared a non-pecuniary interest in this matter.

21 **RESOLVED** on the Motion of Councillors Ferrier and Levingston that Council offer to accept the dedication of the road subject to the following conditions:

- ❖ The property owner meets the full cost of survey and design.
- ❖ The property owner meets the full cost of maintaining the road to a minimum standard for three years after the dedication is Gazetted.
- ❖ The dedication be extended to the border of the National Park.

9. DEDICATION OF GLENROY ROAD

WINT/08/1552

22 **RESOLVED** on the Motion of Councillors Cross and Thomson that Council include the dedication of Glenroy Road as its first priority for funding using the \$40,000 allocated for the Network Extension program in 2008/09.

10. DEDICATION OF BLUE MOUNTAIN ROAD – LOT 2 DP 858107

WINT/08/1568

23 **RESOLVED** on the Motion of Councillors Woods and Blomfield that Council:

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1. Provide \$10,000 from net current assets to fund the relocation of the legal road reserve over Blue Mountain Road through Lot 2 DP 858107.
2. Make application to the Minister to close the Crown Road Reserve adjacent to Blue Mountain Road at Lot 2 DP 858107 and dedicate a public road reserve over the physical road to Council.
3. Raise no objection to the closing of the Crown Road Reserve at Blue Mountain Road through Lot 2 DP 858107.
4. Approve the affixing of the Common Seal of the Walcha Council to the necessary paperwork associated with the road closure, road dedication and land transfer to the adjoining landholder **AND FURTHER THAT** the affixing of the Common Seal be attested to by the Mayor and the General Manager.

7. RURAL ROAD NETWORK EXTENSION – PRIORITIES FOR 2008/09
WINT/08/1569

24 **RESOLVED** on the Motion of Councillors Blomfield and Archdale that Council:

1. Carry forward \$15,000 from 2007/08 to fund the dedication of Road 28.
2. Proceed with the dedication of Glenroy Road, Road ID No. 9 – From Brackendale Road to “Cherrybrook”, Road ID No. 63 – From Ohio Road to “Ohio” and Road ID No. 23 – From Lakes Road to “Lakeside” in 2008/09.

**11. REQUEST TO PURCHASE UNUSED ROAD RESERVE ADJACENT
TO LOT 1 DP 350359**
WINT/08/1584

25 **RESOLVED** on the Motion of Councillors Cross and Ferrier that Council not object to the closure of the Crown Road Reserve running along the northern boundary of Lot 1 DP 350359 provided that:

1. A drainage easement is created over the laneway land in favour of Walcha Council for the purpose of drainage which prevents any permanent structure from being erected on the land.
2. All costs incurred by Council in processing the road closure will be met by the applicant.

**12. COMMITTEE OF THE WHOLE REFERRAL – TENDERS FOR THE
COLLECTION OF ROAD CONDITION DATA AND PAVEMENT
MANAGEMENT SOFTWARE**
WINT/08/1390

26 **RESOLVED** on the Motion of Councillors Woods and Ferrier that, in accordance with the provisions of Section 10 of the Local Government Act, 1993, the matter of tenders for the collection of road condition data and pavement management software, 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.

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- 13. ENTERING AND SEALING OF THE RATE BOOK – 2007/2008 YEAR** **WINT/08/1507**
- 14. INITIAL RECONCILIATION OF VALUATIONS TO RATES LEVIED –
2008/2009** **WINT/08/1507**
- 15. FUNDING AGREEMENT – NSW DEPARMENT OF COMMUNITY
SERVICES** **WINT/08/1587**
- 16. SCAN ACCEPTANCE OF FUNDING TERM 3 2008 – AFFIX COMMON
SEAL** **WINT/08/1505**

27 **RESOLVED** on the Motion of Councillors Ferrier and Woods that Council approve the affixing of the Common Seal to the following documents:

- ❖ Funding Agreement with the NSW Department of Community Services.
- ❖ Initial Reconciliation of valuations to rates levied as at the 1 July 2008.
- ❖ 2007/2008 Rate Book Reconciliation.
- ❖ Acceptance of Funding for Walcha Preschool – New England SCAN – Supporting Children with Additional Needs Term 3 2008.

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

JUNE QUARTERLY REVIEW

28 **RESOLVED** on the Motion of Councillors Levingston and Cross that the Management Plan June Quarterly Review was **ADOPTED** by Council.

LATE ITEMS

- 1. TRUCK PARKING – FITZROY STREET** **WINT/08/1592**

- 29 **RESOLVED** on the Motion of Councillors Woods and Ferrier that Council:
- ❖ Seek Traffic Committee agreement to remove 45 degree angel parking signs from town streets where it is not required nor needed to be enforced.
 - ❖ Advise the Café owner to contact Police when trucks are illegally parked or allowing liquid or waste material to escape onto the road.
 - ❖ Carry out further work on the draft Local Area Traffic Management Scheme to identify areas for long vehicle parking.
 - ❖ Develop a project for long vehicle parking for inclusion in the Future Works Program for Council to consider when setting the Annual Budget.
 - ❖ Include additional carved verandah posts on buildings east of Apsley River Bridge as part of any future project to create more verandah posts.
 - ❖ Place the provision of a local services sign on the back of the advance direction sign near the Apsley River Bridge on the next Traffic Committee Agenda.

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- ❖ Approve variations to the 40kph High Pedestrian Activity Zone as detailed in the report.

At this stage, Councillor Cross left the Meeting at 4.50pm.

2. SEALING OF KANGAROO FLAT ROAD **WINT/08/1591**

30 **RESOLVED** on the Motion of Councillors Ferrier and Levingston that Council approve the proposed scope for sealing Kangaroo Flat Road.

3. REGIONAL MEETINGS FOLLOW UP ACTION PROGRESS REPORT **WINT/08/1572**

The Report was **NOTED** by Council.

**4. PURCHASE OF ART WORK TO BE LOANED TO THE SPEAKERS OF
THE NEW SOOTH WALES LEGISLATIVE ASSEMBLY'S OFFICE**

31 **RESOLVED** on the Motion of Councillors Woods and Ferrier that Council utilise its current art allocation to purchase a landscape painting and offer to loan the piece to the Speaker of the New South Wales Legislative Assembly for use in his office.

Councillor Cross returned to the Meeting at 5.40pm

WALCHA MANAGEMENT REVIEW REPORTS **WINT/08/1515**

32 **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.

Delegate Reports:

- a) Minutes of the New England Tablelands (Noxious Plants) County Council Meeting held in Armidale on Friday, 23 May 2008. WI/08/4743
- b) Minutes of the New England Tablelands (Noxious Plants) County Council Meeting held in Armidale on Wednesday, 25 June 2008. WI/08/4743
- c) Minutes of the Walcha Together Incorporated Annual General Meeting held on Wednesday, 25 June 2008. WI/08/4326
- d) Minutes of the Walcha Together Incorporated Meeting held after the AGM on Wednesday, 25 June 2008. WI/08/4326

Councillor Cross returned to the meeting

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COMMITTEE OF THE WHOLE

33 **RESOLVED** on the Motion of Councillors Woods 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).

34 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 the press and the public.

**1. TENDERS FOR THE COLLECTION OF ROAD CONDITION DATA
AND PAVEMENT MANAGEMENT SOFTWARE WINT/08/1585**

The Committee recommended that Council accept the tender of Australian Surface Testing for the road condition and video survey of the sealed road network.

ADOPTION OF COMMITTEE OF THE WHOLE

35 **RESOLVED** on the Motion of Councillors Blomfield and Cross that the Report and Recommendations of the Meeting of the Walcha Council Committee of the Whole held on Wednesday, 27 August 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 6.08PM.**