



ORDINARY MEETING OF COUNCIL

held on

Wednesday 29 April 2015

at

4.15pm

at

Walcha Council Chambers

PRESENT: Clr 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 MG Fanning (Director – Engineering Services) and Mrs LJ Latham (Environmental Services Manager).

1. APOLOGIES:

164 **RESOLVED** on the Motion of Councillors Schmutter and Lyon that the apology received from Clr Woods, being absent due to LGNSW commitments, be **ACCEPTED**.

MINUTES



2. CONFIRMATION OF THE ORDINARY MEETING MINUTES HELD ON WEDNESDAY, 25 MARCH 2015:

165 **RESOLVED** on the Motion of Councillors Levingston and Heazlett that the Minutes of the Ordinary Meeting held on Wednesday, 25 March 2015, copies of which have been distributed to all members, be taken as read and confirmed a **TRUE** record with the following Amendment to Minute Number 162:

*162 **RESOLVED** on the Motion of Councillors Schmutter and Levingston that Council remove the Deodar Trees in Jamieson Street and relocate them to form an avenue on the western side of Thunderbolts Way on the ridge approximately 800 metres from the Bergen Bridge.*

3. BUSINESS ARISING

Nil.

4. DECLARATIONS OF INTEREST

Nil.

5. MAYORAL MINUTE

Nil.

6. SENIOR OFFICERS REPORT

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

6.1 Draft Budget 2015/2016

WO/2015/00779

167 **RESOLVED** on the Motion of Councillors Levingston and Lyon that the Draft Budget for the year 2015/2016 be **ADOPTED** by Council and be placed on public exhibition for a period of 28 days.

6.2 Request for Contribution to NSW Rural Fire Service Airbase Operations at Armidale Regional Airport

WO/2015/00711

168 **RESOLVED** on the Motion of Councillors Schmutter and Ferrier that Council agree to the contribution to NSW Rural Fire Service Airbase Operations at the Armidale Regional Airport **FURTHER THAT** write to the Rural Fire Service and the local Member expressing Council's concerns that the state agencies, namely



the Forests NSW and the National Parks & Wildlife, are not required to make a contribution as they will be major beneficiaries to the establishment of the facility.

6.3 Request to rename McKeaton's Bridge WO/2015/00755

169 **RESOLVED** on the Motion of Councillors Ferrier and Levingston that Council proceed with the renaming of the bridge to honour Sgt Andrew Russell in accordance with the consultative requirements and the normal statutory requirements set down for the naming of bridges.

6.4 Request for Sponsorship of a local Sportsman representing Australia – Brian Lockyer WO/2015/00790

170 **RESOLVED** on the Motion of Councillors Lyon and Schmutter that Council provide \$1,500 financial sponsorship to Brian Lockyer to assist with his costs to represent Australia at the International Deaf Lawn Bowls Championships in Belfast Northern Ireland.

6.5 Speed Zone Review – Oxley Highway WO/2015/00787

171 **RESOLVED** on the Motion of Councillors Levingston and Schmutter that Council:

1. Not concur with reducing the existing 110km/h speed limit to 100km/h from Roadloc 106.7km to Roadloc 156.7km. This is a length of 50.1km as it has concerns that the slower speed will increase road fatigue and travel times and that the perceived driver road environment given its width and restricted accesses does not provide the driver with a slower environment, meaning that driver behaviour will not willingly reduce speed. This section of road is patrolled regularly.
2. Not concur with reducing the existing 100km/h speed limit to 80km/h from the Walcha LGA boundary to 8.3km west of the boundary as the road environment does not suit the existing posted limit.

6.6 Protection of the Environment Operations (Clean Air) Amendment (Heaters & Fireplaces) Regulation 2015 WO/2015/00759

172 **RESOLVED** on the Motion of Councillors Lyon and Ferrier that Council respond, in writing, to the EPA advising our support of the amended Regulation, however not choosing to be included in the schedule of the amended Regulation.

6.7 Town Water Supply Update WO/2015/00756

The Report was **NOTED** by Council.



6.8 Small Business Friendly Councils Program WO/2015/00771

173 **RESOLVED** on the Motion of Councillors Lyon and Ferrier that Council join the Small Business Friendly Councils Program.

6.9 Walcha Stores Stocktake as at 22 January 2015 WO/2015/00765

174 **RESOLVED** on the Motion of Councillors Lyon and Ferrier that stock value adjustments totalling \$2,017 write on be made to inventory items detailed in the schedule.

6.10 Funding Deed – Restart NSW – Fixing Country Roads Bergen Bridge and Timber Bridge Assessment WO/2015/00785

175 **RESOLVED** on the Motion of Councillors Heazlett and Levingston that Council approve the affixing of the Common Seal to the following legal documents:

- ◆ Restart NSW Funding Deed – RNSW 648 Bergen Bridge Widening
- ◆ Restart NSW Funding Deed – RNSW 619 Livestock Loading Scheme: 29 Timber Bridges.

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

6.11 On-site Sewage Management Strategy for Adoption WO/2015/00757

176 **RESOLVED** on the Motion of Councillors Lyon and Ferrier that Council **ADOPT** the “On-Site Sewage Management Strategy” as presented.

6.12 Referral to Committee of the Whole – Risk & Audit Committee Members; CRC Tender Evaluation; Tender for the Supply and Delivery of Bulk Fuel T521415NEC; and Tender for the Provision of Hygienic Services T521415NEC WO/2015/00767

177 **RESOLVED** on the Motion of Councillors Ferrier and Levingston that, in accordance with the provisions of Section 10 of the Local Government Act, 1993, the matter of “Risk & Audit Committee Membership” be referred to be discussed in Committee of the Whole for the reason that the report relates to personnel matters concerning particular individuals (other than Councillors) **FURTHER THAT** the matters of “CRC Tender Evaluation, Tender for the Supply and Delivery of Bulk Fuel T521415NEC and Tender for the Provision of Hygienic Services T521415NEC” be referred to be discussed in Committee of the Whole for the reason that these reports 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.

7. NOTICE OF RESCISSION MOTION

178 **RESOLVED** on the Motion of Councillors Schmutter, Heazlett and Ferrier that Minute No.: 140/20142015 passed at 11 February 2015 Council Meeting be **RESCINDED**. The Minute read:

9.2 Minutes of the Walcha Council Arts Advisory Committee Meeting held on Tuesday, 20 January 2015. WO/2015/00123

Suggested locations of acquisitions from Sculpture by the Sea

Goulburn River Landscape by Paul Bacon

140 **RESOLVED** on the Motion of Councillors Lyon and Thomson that Council place the Goulburn River Landscape by Paul Bacon outside the Council Chambers.

179 **RESOLVED** on the Motion of Councillors Heazlett and Schmutter that *The Figure in the Landscape* by John Petrie be placed between the Whale and the Middle Street Bridge **FURTHER THAT** the *Goulburn River Landscape* by Paul Bacon be placed on the levy bank adjacent to the Apsley River Park.

8. MATTERS OF URGENCY

1. Request from a Ratepayer to make a Donation towards the Grading of Enfield Forest Road.

The Mayor **MOVED** that the Grading of Enfield Forest Road donation be considered as a matter of urgency.

180 On being put to the **VOTE** the matter was **RESOLVED** as **URGENT**.

181 **RESOLVED** on the Motion of Councillors Schmutter and Heazlett that Council make representations to Forests NSW requesting they carry out maintenance work on the Enfield Forest Road.

Councillor Lyon **RECORDED** his **VOTE AGAINST** this Motion.

2. Closure of Westpac Bank Agency in Walcha

Councillor Archdale declared an interest in this matter and left the Council Chambers and therefore took no part in the debate. Councillor Schmutter took the Chair.



The Deputy Mayor **MOVED** that the Closure of Westpac Bank Agency in Walcha be considered as a matter of urgency.

182 On being put to the **VOTE** the matter was **RESOLVED** as **URGENT**.

183 **RESOLVED** on the Motion of Councillors Heazlett and Levingston that Council write to the Management of Westpac Banking Corporation expressing our severe disappointment at the removal of the Agency in its current form from Walcha **FURTHER THAT** request they reconsider their decision in closing the Westpac Banking Agency in Walcha.

9. MANAGEMENT REVIEW REPORTS **WO/2015/00761**

184 **RESOLVED** on the Motion of Councillors Thomson and Lyon that items included in the Management Review Report, numbered 1 to 9 inclusive, be **NOTED** by Council.

10. COMMITTEE REPORTS

10.1 Minutes of the Walcha Council Community Care Committee Advisory Committee Meeting held on Tuesday, 21 April 2015. **WO/2015/00795**

185 **RESOLVED** on the Motion of Councillors Ferrier and Schmutter that Council seek an additional two (2) members on the Walcha Council Community Care Advisory Committee by way of advertisement in local publications.

11. DELEGATE REPORTS

11.1 Minutes of the Namoi Councils Joint Organisation Meeting held at Narrabri Shire Council on Thursday, 2 April 2015. **WI/2015/02216**

12. COMMITTEE OF THE WHOLE

186 **RESOLVED** on the Motion of Councillors Lyon and Thomson 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 the reports relates to personnel matters concerning particular individuals (other than Councillors) **AND** 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.

187 The Meeting resumed in **OPEN** Council on the Motion of Councillors Lyon and Ferrier.



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.

1. Audit & Risk Committee Independent Representatives Membership
WINT/2015/00945

The Committee **RECOMMENDED** on the Motion of Councillors Lyon and Heazlett that Council offer Michael O'Connor and Sean Johnston the Independent Representative positions on Walcha Council's Audit & Risk Committee.

The Committee **RECOMMENDED** on the Motion of Lyon and Heazlett that Council advertise for a third representative to join the Walcha Council Audit & Risk Committee.

2. CRC Tender Evaluations **WO/2015/00774**

The Committee **RECOMMENDED** on the Motion of Schmutter and Ferrier that Council resolves not to invite fresh tenders on the grounds of upholding the probity the original invitation to tender and that Council resolve to enter into negotiations with the three tenderers to invite fresh offers for a revised scope of works.

3. Tender for the Supply and Delivery of Bulk Fuel Tender T521415NEC
WO/2015/00778

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

1. Accept the tender of Campbell Fuels for the single source supplier for Bulk Fuel for the period 1 July 2015 to 30 June 2017.
2. Allow a provision for a 12 month extension based on satisfactory supplier performance which may take this tender through to 30 June 2018.

4. Tender for the provision of Hygienic Services Tender T521415NEC
WO/2015/00781

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

1. Accept the tender of San Serve Pty Ltd T/A Country Hygienic Services for the single source supplier for the provision of hygienic services for the period 1 July 2015 to 30 June 2017.
2. Allow a provision for a 12 month extension based on satisfactory supplier performance which may take this tender through to 30 June 2018.



ADOPTION OF COMMITTEE OF THE WHOLE

188 **RESOLVED** on the Motion of Councillors Lyon and Heazlett that the Report and Recommendations of the Meeting of the Walcha Council Committee of the Whole held on Wednesday, 29 April 2015 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 6:10PM.