



ORDINARY MEETING OF COUNCIL

held on

Wednesday, 16 February 2022

at

3:05pm

at

Walcha Council Chambers

The Audio Statement and Acknowledgement of Country were read by the Chairman.

PRESENT: Clr EH Noakes (Chairman) Mayor together with Councillors MA Berry, KW Ferrier, NF Hicks, SJ Kermode, AC Pointing, A Reilly and GDM Schaefer.

IN ATTENDANCE: Mr Barry Omundson – General Manager, Mrs LJ Latham – Director Environment & Development, Mr PE Hood – Director Infrastructure, Mrs KMD Kermode – Director Community & Tourism, Mr CC Martin – Manager Corporate & Finance and Mrs EL Hobbs – Executive Assistant.

1. LEAVE OF ABSENCE:

Nil.

MINUTES



2. CONFIRMATION OF THE ORDINARY MEETING MINUTES HELD ON WEDNESDAY 24 NOVEMBER 2021:

103 **RESOLVED** on the Motion of Councillors Kermode and Ferrier that the Minutes of the Ordinary Meeting held on Wednesday 24 November 2021, copies of which have been distributed to all members, be taken as read and confirmed a **TRUE** record.

CONFIRMATION OF THE EXTRAORDINARY MEETING MINUTES HELD ON WEDNESDAY 22 DECEMBER 2021:

104 **RESOLVED** on the Motion of Councillors Kermode and Ferrier that the Minutes of the Extra-Ordinary Meeting held on Wednesday 22 December 2021, 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

105 **RESOLVED** on the Motion of Mayor Noakes that the Mayoral Minute as read and submitted be **ADOPTED** by Council.

FROM THE MAYOR: Today the 16 February 2022 marks the first Ordinary Meeting of the newly inducted Walcha Council. As I understand it this is also the 17th Council formed since the amalgamation of Municipality of Walcha and the Shire of Apsley in 1955. To new Councillors Anne-Marie Pointing, Aurora Reilly, Nena Hicks, Mark Berry and Greg Schaefer, along with returning Councillors Deputy Mayor Scott Kermode and Kevin Ferrier, thank you for pledging to take your part in forming Walcha's future.

You have become, and for three years God willing, will remain leaders in your community. I believe from my experience Council will repay you in proportion to what you put into it. It is both an honour and responsibility you have taken on so I ask you to treat it with the respect it deserves. Personally, I am buoyed by the skill set of our elected members shown in our workshops. Walcha is in safe hands.

Thank you to General Manager Barry Omundson for his leadership in up skilling and preparing us to step straight into this role. This is a reflection of the leadership he has shown right through Council. Local Government is a path of constant learning, some empowering, and certainly some frustrating. To all of the Staff who have contributed to



this learning process thank you also. Your collective knowledge should never be taken for granted.

In theory this Council has just 30 months to make the impact we envisage, but this will greatly be tempered by financial pressures that plague Councils. Level of Service will become our mantra, core business and focus.

This is a world of acronyms, policies, committees, acronyms, meetings and more acronyms, but they all have a purpose and play a role in a much bigger picture. In the words of John F Kennedy *"There are risks and costs to action, but they are far less than the long range risks of comfortable inaction."*

Clr Eric Noakes
Mayor of Walcha

6. SENIOR OFFICERS REPORT

106 **RESOLVED** on the Motion of Councillors Kermode and Ferrier that the Senior Officers' Reports be **RECEIVED** for further consideration.

6.1 Quarterly budget Review of Operational Plan & Budget as at 31 December 2021 WINT/2022/00786

107 **RESOLVED** on the Motion of Councillors Kermode and Schaefer that Council:

1. **ADOPT** the December 2021 Quarterly Budget Review Statements; and
2. **APPROVE** the variations in Income and Expenditure votes as detailed in this report.

6.2 Electoral Funding Obligations of Newly Elected Councillors WO/2022/00204

108 **RESOLVED** on the Motion of Councillors Schaefer and Pointing that Council **NOTE** the Report

6.3 Bushfire Community Recovery & Resilience fund BCRRF – Update and Variation Request WO/2022/00275

109 **RESOLVED** on the Motion of Councillors Ferrier and Hicks that Council **APPROVE** the variation report to redistribute \$15,441.90 towards the Council Led Community Grants Program.

6.4 Ordinary Meetings of Council WO/2022/00225

110 **RESOLVED** on the Motion of Councillors Reilly and Ferrier that Council maintain the current Governance Structure for the ensuing term of:



1. One Ordinary Council Meeting held on the last Wednesday of the month between February and November inclusive;
2. December Ordinary Meetings of Council be held on the second Wednesday of the month;
3. No Ordinary Meetings of Council held during the month of January; and
4. All Ordinary Meetings of Council to commence at 3:00pm.

6.5 Review of Agency Information Guide **WO/2022/00283**

111 **RESOLVED** on the Motion of Councillors Kermode and Hicks that Council **REVIEW** and **ADOPT** the Draft 2021-2022 Agency Information Guide under the *Government Information (Public Access) Act 2009* Division 2 Section 21.

6.6 Updated Gifts & Benefits Policy **WO/2022/00265**

112 **RESOLVED** on the Motion of Councillors Hicks and Pointing that Council **ADOPT** the Gifts & Benefits Policy as presented.

6.7 Committees & External Organisations Delegates **WO/2022/00255**

113 **RESOLVED** on the Motion of Councillors Ferrier and Kermode that Council creates a number of Advisory Committees with Council approved Terms of Reference and said Committees are not delegated any powers other than to advise Council **FURTHER THAT** for clarity, the Advisory Committee so established through this report are not Section 355 or 377 Committees under the *Local Government Act 1993*;

114 **RESOLVED** on the Motion of Councillors Schaefer and Kermode that Council **APPROVE** of not re-instating the following Committees:

- Walcha Council Tourism Advisory Committee;
- Walcha Council Festival Committee;
- Local Traffic Committee;
- Walcha Council Community Gym Advisory Committee;
- Management Committee Pioneer Cottage; and
- Northern Inland Regional Waste Group.

Suspend Standing Orders

115 **RESOLVED** on the Motion of Councillors Kermode and Ferrier that Council **SUSPEND** Standing Orders at 3:30pm to discuss and elect the Councillor representatives on Council Committees and External Organisations.

Resume Standing Orders

116 **RESOLVED** on the Motion of Councillors Ferrier and Hicks that Council **RESUME** Standing Orders at 3:38pm.



117 **RESOLVED** on the Motion of Councillors Schaefer and Reilly that Council **ENDORSE** and **APPROVE** the following Councillor Representation to the stated Council Advisory Committees as below:

Advisory Committee	Automatic Representation	Councillor Nomination
Walcha Council Beautification Advisory Committee	Nil	1. Councillor Pointing 2. Councillor Reilly
Walcha Council Arts Advisory Committee	Mayor	Councillor Hicks
Walcha Council Community Care Advisory Committee	Nil	Councillor Ferrier
Walcha Council Preschool Advisory Committee	Nil	Councillor Pointing
Walcha Council Audit, Risk & Improvement Committee	General Manager Mayor attends at his discretion	1.Councillor Hicks 2.Councillor Reilly
Walcha Council Youth Advisory Council		Councillor Reilly
Walcha Council Aboriginal Advisory Council	Mayor & Deputy Mayor	Nil
Walcha Council Motorcycle Rally Advisory Committee	Nil	1.Councillor Berry 2.Councillor Ferrier
Walcha Council Capital Advisory Committee	Mayor & Deputy Mayor	Councillor Berry

118 **RESOLVED** on the Motion of Councillors Ferrier and Schaefer that Council **ENDORSE** and **APPROVE** the following Councillor Representation to the stated Groups and Organisations as below:

Committee - Organisation	Automatic Representation	Councillor Nomination
New England Tablelands (Noxious Plants) County Council – NEWA	Nil	Councillor Kermode
Namoi Unlimited Joint Organisation	Mayor and GM	Nil
Mid North Weight of Loads Group	Nil	Councillor Noakes
NSW Public Libraries Association – North Eastern Zone	Nil	Councillor Reilly
Central Northern Regional Libraries Committee	Nil	Councillor Reilly
New England Bush Fire Management Committee	Nil	Councillor Schaefer
Arts North West	Nil	Councillor Hicks
Walcha Australia Day Committee	General Manager	Nil.
Walcha Local Liquor Accord	Nil	Councillor Schaefer
Walcha Community Consultative Committee	Nil	Councillor Reilly
Walcha Local Health Committee	Mayor	Nil
Country Mayors Association	Mayor and GM	Nil
GM’s Performance Review Committee	Mayor and Deputy Mayor	1.Councillor Berry 2.Councillor Hicks



7. NOTICES OF MOTION

Nil.

8. MATTERS OF URGENCY

Nil.

9. MANAGEMENT REVIEW REPORTS

9.1 Office of the General Manager

WO/2022/00223

119 **RESOLVED** on the Motion of Councillors Kermode and Ferrier that items included in the Office of the General Manager Management Review Report be **NOTED** by Council.

9.2 Infrastructure

WINT/2022/00821

120 **RESOLVED** on the Motion of Councillors Ferrier and Schaefer that items included in the Infrastructure Management Review Report be **NOTED** by Council.

9.3 Environment & Development

WO/2022/00342

121 **RESOLVED** on the Motion of Councillors Kermode and Ferrier that items included in the Environment & Development Management Review Report be **NOTED** by Council.

9.4 Community & Tourism

WO/2022/00103

122 **RESOLVED** on the Motion of Councillors Schaefer and Kermode that items included in the Community & Tourism Management Review Report be **NOTED** by Council.

10. COMMITTEE REPORTS

123 **RESOLVED** on the Motion of Councillors Ferrier and Schaefer that Council **RECEIVE** and **NOTE** the Committee Reports as presented.

10.1 Minutes of the Walcha Council Capital Advisory Committee Meeting held on Monday 29 November 2021.

WO/2021/04881

Item: 4.2.2 – Apsley Falls Entry

124 **RESOLVED** on the Motion of Councillors Kermode and Berry that Council approve the General Manager to establish a listing of unresolved Council Resolutions to track approved projects not undertaken or completed.

Item: 4.2.6 – Swimming Pool Upgrade

125 **RESOLVED** on the Motion of Councillors Ferrier and Kermode that all upcoming grants be reviewed by the Capital Advisory Committee and by Council before applications are lodged.



Item: 4.2.7 – Upcoming Funding

126 **RESOLVED** on the Motion of Councillors Hicks and Ferrier that Council supports Namoi Unlimited in its funding application even if Walcha Council is not eligible for funding.

Item: 4.2.12 – Constructive Solutions Update

127 **RESOLVED** on the Motion of Councillors Kermode and Hicks that Council maintain a Contractor Register which is to be regularly updated **FURTHER THAT** the Director of Infrastructure is to create End of Project Completion Report to include comments on contractor performance.

Item: 4.2.13 – Off Creek Storage Project Update

128 **RESOLVED** on the Motion of Councillors Ferrier and Schaefer that TOBCO is given one week to lodge a late Expression of Interest.

129 **RESOLVED** on the Motion of Councillors Hicks and Ferrier that Council requests a representative from Hunter H2O attend the next CAC Meeting to present a project update.

Item: 4.3.1 – Project Applications -Crocodile Bridge

130 **RESOLVED** on the Motion of Councillors Hicks and Ferrier that Council decline the request for the removal of footpaths and construction of garden beds to prevent foot traffic across Crocodile Bridge.

Item 4.3.2 – Hospital Wall Stage 2

131 **RESOLVED** on the Motion of Councillors Hicks and Ferrier that Council decline the request of \$8,000 to enhance the existing wall façade at the front of the Walcha Hospital on the basis that existing artworks adequately reflect diversity of the region.

Item 4.3.3 – Rose Garden Stage 2

132 **RESOLVED** on the Motion of Councillors Hicks and Ferrier that Council decline the request of \$40,000 to complement Stage 1 work undertaken by Council Staff due to pending more information and available funds.

Item 4.3.4 – Variable Messaging Board & Traffic Lights

133 **RESOLVED** on the Motion of Councillors Hicks and Ferrier that Council approve the request to purchase mobile traffic lights and Variable Messaging board of \$79,000 which is to be funded from the Plant Replacement Reserve.



Item 4.3.5 – Mill Hole Stage 2

134 **RESOLVED** on the Motion of Councillors Hicks and Ferrier that Council decline the request to complete Mill Hole Project for this financial year.

10.2 Minutes of the Walcha Council Preschool Advisory Committee Meeting held on Monday 29 November 2021. WO/2020/04833

135 **RESOLVED** on the Motion of Councillors Pointing and Schaefer that Council **ADOPT** the following Preschool Policies as amended:

- Educators Induction
- Dealing with Complaints
- Educators and Parent Relationship
- Inclusion
- Protective Behaviours
- Educator to Educator Interaction
- Access and Equity
- Emergency and Evacuation
- Environmental Awareness
- Contact between Children and Animals
- Dental Accidents
- Multicultural / Cultural Diversity
- Preschool Bus Service

11. DELEGATE REPORTS

136 **RESOLVED** on the Motion of Councillors Kermode and Schaefer that Council **RECEIVE** and **NOTE** the Committee Reports as presented

11.1 Minutes of the Walcha & District Historical Society Inc Meeting held at the Pioneer Cottage on Saturday 27 November 2021. WI/2022/01303

11.2 Minutes of the Rural Fire Service Service Level Agreement Meeting held at the Armidale Regional Council Committee Room on Tuesday 07 December 2021. WI/2022/00724

11.3 Minutes of the Walcha Community Centre Management Committee Annual General Meeting held on Thursday 09 December 2021. WI/2021/00204

12. QUESTIONS ON NOTICE

Nil.

13. CLOSED COUNCIL

13A Referral to Closed Council – Evaluation of Tenders for:

- 1. Skate Park**
- 2. Derby Street**



3. Walcha Off Creek Storage Phase 2

137 **RESOLVED** on the Motion of Councillors Kermode and Hicks that, in accordance with Section 10A(2)(c) of the Local Government Act, 1993, the matters of Evaluation of Tenders for: Skate Park, Derby Street AND Walcha Off Creek Storage Phase 2 be **REFERRED** to be discussed in Closed Council and close the meeting to the public for the reason that the 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.

138 **RESOLVED** on the Motion of Councillors Kermode and Hicks that Council **RESOLVE INTO** Closed Council and that the press and public be excluded from the entire proceedings of the Meeting of the Closed Council for the reason that ALL 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.

139 The Meeting resumed in **OPEN** Council on the Motion of Councillors Ferrier and Hicks.

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.

The Chairman publicly declared the recommendations passed by the Committee whilst in Closed Council.

13.1 Tender for Walcha Skate Park Upgrade Design *WINT/2022/00797*

CC15/20212022 **RESOLVED** on the Motion of Councillors Hicks and Ferrier that Council **AWARD** Tender No. RFQ-W21/208 Walcha Skate Park Precinct Renewal – Design to Convic Pty Ltd for the lump sum of \$48,060.00 GST exclusive.

13.2 Tender for Derby Street Upgrades *WINT/2022/00802*

CC16/20212022 **RESOLVED** on the Motion of Councillors Kermode and Ferrier that Council:

1. **REJECT** all tender applications for Tender W21/164 – Derby Street Upgrades;
2. **ENDORSE** seeking supplementary funding via Building Better Regions Round 6, Heavy Vehicle Safety and Protection Program or any other funding source deemed applicable by the General Manager, to increase the total funding available, so as to complete the full scope of the Derby Street Upgrade by June 2023.

13.3 Walcha Off Creek Storage Phase 2 Proposal from Hunter H20 *WINT/2022/00825*

CC17/20212022 **RESOLVED** on the Motion of Councillors Berry and Kermode that Council **ENDORSE** the Walcha Off Creek Storage 1 (OCS1) – EPCM (Phase 2) Proposal and associated Walcha Off Creek Storage EPCM – Project Plan from Hunter H20 in order to provide



construction project management services for the Walcha Off Creek Storage Project via the Namoi Unlimited Consultancy Agreement terms of engagement.

THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 4:42PM.