



ORDINARY MEETING OF COUNCIL

held on

Wednesday, 28 July 2021

at

3:25pm

at

Walcha Council Chambers

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

PRESENT: Cllr EH Noakes (Chairman) Mayor together with Councillors PR Blomfield, KW Ferrier, WJ Heazlett, JM Kealey, SJ Kermode, CM Lyon and RL Wellings.

IN ATTENDANCE: Mr BWC Omundson – General Manager, Mrs LJ Latham – Director Environment & Development, Mr PR Murray – Director Infrastructure, Mrs EL Hobbs – Executive Assistant and Mr Christopher Weber.

1. LEAVE OF ABSENCE:

Nil.

MINUTES



2. CONFIRMATION OF THE ORDINARY MEETING MINUTES HELD ON WEDNESDAY 30 JUNE 2021:

1 **RESOLVED** on the Motion of Councillors Kealey and Ferrier that the Minutes of the Ordinary Meeting held on Wednesday, 30 June 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

Item 6.6 – Proposed Advocacy and Leadership Request

Clr Blomfield declared a pecuniary interest in this matter as he is involved with Winterbourne Wind Farm and the company Vestas

5. MAYORAL MINUTE

Nil.

6. SENIOR OFFICERS REPORT

2 **RESOLVED** on the Motion of Councillors Kealey and Heazlett that the Senior Officers' Reports be **RECEIVED** for further consideration.

6.1 Review of Development Application Assessment 10.2021.15 – Health Consulting Room – GR Freer WO/2021/03064

Motion:

It was **MOVED** Clr Heazlett **Seconded** Clr Blomfield that Council:

1. Note the peer review of Development Application 10.2021.15 for a change of use from a dwelling to health consulting rooms at 63W Hill Street, Walcha undertaken by Six Hills Group.
2. That the General Manager be authorised to support the applicant of the Development Application for a change of use from a dwelling to health consulting rooms at 63W Hill Street Walcha to facilitate the successful application of a development application to the State Planning Portal.
3. Does not provide any financial relief towards the development application.

Amendment:

An **Amendment** was **MOVED** Clr Kealey **Seconded** Clr Kermode that Council:

1. Note the peer review of Development Application 10.2021.15 for a change of use from a dwelling to health consulting rooms at 63W Hill Street, Walcha undertaken by Six Hills Group
2. Acknowledge that the development assessment undertaken was appropriate and supported Council's decision.



3. Advise the applicant that the development application as submitted to Council for consideration was deficient in the information required to complete a full assessment under Section 4.15 of the *Environmental Planning & Assessment Act 1979*, and
4. Provide the applicant with a copy of the review and welcome another development application that fully addresses the proposed development.

The **Amendment** was put to the **VOTE** and **CARRIED**.

3 The **Amendment** became the **Substantive Motion** and put to the **VOTE** and **CARRIED**.

Being a Planning matter a **Division** was called prior to voting on this matter and the result was as follows:

For: Councillors: Wellings, Ferrier, Lyon, Kealey, Kermode and Noakes.

Against: Councillors: Blomfield & Heazlett

Absent: Nil.

Declared Interest: Nil

6.2 **Review of Credit Card Policy** **WO/2021/03010**

4 **RESOLVED** on the Motion of Councillors Lyon and Kealey that Council:

1. **PLACE** the Draft Credit Card Policy on public exhibition for a period of 28 days;
2. **ADOPT** the Draft Credit Card policy as presented subject to no submissions received during the exhibition period.

6.3 **Development Application 10.2021.25 – Garage – 151W Fitzroy Street Walcha** **WO/2021/03082**

5 **RESOLVED** on the Motion of Councillors Ferrier and Wellings that Council approve Development Application 10.2021.25 for the construction of a garage on Lot A DP398432 known as 151W Fitzroy Street, Walcha as per the development conditions listed within the Development Assessment Report.

Being a Planning matter a **Division** was called prior to voting on this matter and the result was as follows:

For: Councillors Blomfield, Ferrier, Heazlett, Kealey, Kermode, Lyon, Noakes & Wellings.

Against: Nil.

Absent: Nil.

Declared Interest: Nil.

6.4 **Walcha Central School Request for Discounted Gym Membership Fees for School Program** **WO/2021/03065**

6 **RESOLVED** on the Motion of Councillors Wellings and Kealey that Council:



1. **APPROVE** the request of Walcha Central School for discounted membership rates for students participating in a school based program at \$5.00 PAYG per student (who do not have an existing membership)
2. **ADOPT** Draft Amended 2021-2022 Fees & Charges to include a Walcha Community Gym Membership Fee: School Student – School Based Program Pay as You Go (PAYG): \$5.00
3. **PUBLIC** exhibit for a period of 28 days Draft Amended 2021-2022 Fees & Charges.
4. **DELEGATE** to the General Manager to **ADOPT** the Final Amended 2021-2022 Fees & Charges should no submissions be received as a result of the public exhibition.

6.5 Local Government Remuneration Tribunal Annual Review

WO/2021/03071

7. **RESOLVED** on the Motion of Councillors Lyon and Kealey that Council:
 1. **RECEIVE** and **NOTE** the Local Government Remuneration Tribunal Annual Review report;
 2. **DETERMINE** the annual fee payable to Councillors as \$12,000 per year and the Mayoral Allowance of Walcha Council as \$27,060 for the 2021-2022 financial year.

6.6 Proposed Advocacy and Leadership Request

WO/2021/03072

Clr Blomfield declared a pecuniary interest and left the Chambers.

8. **RESOLVED** on the Motion of Councillors Kealey and Wellings that Council **SUPPORT** the proposed advocacy request for Joint Organisation Namoi Unlimited to advocate for State Government approval of recycled water in Walcha for dust suppression purposes.

Clr Blomfield returned to the Chambers and was informed of the resolution.

7. NOTICES OF MOTION

Nil.

8. MATTERS OF URGENCY

Nil.

9. MANAGEMENT REVIEW REPORTS

9.1 Office of the General Manager

WO/2021/02999

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



9.2 Infrastructure

WO/2021/02778

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

9.3 Environment & Development

WO/2021/02610

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

9.4 Community & Tourism

WO/2021/02842

12 **RESOLVED** on the Motion of Councillors Wellings and Lyon that items included in the Community & Tourism Management Review Report be **NOTED** by Council.

10. COMMITTEE REPORTS

Nil.

11. DELEGATE REPORTS

Nil.

12. QUESTIONS ON NOTICE

Nil.

13. CLOSED COUNCIL

13A Referral to Closed Council – Acquisition of Land for Off-Creek Water Storage AND Ancillary Conditions Related to Off-Creek Water Storage

13 **RESOLVED** on the Motion of Councillors Lyon and Blomfield that, in accordance with the provisions of Section 10A (2)(c) of the Local Government Act, 1993, the matters of Acquisition of Land for Off-Creek Water Storage AND Ancillary Conditions Related to Off-Creek Water Storage 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.

Closed Council:

14 **RESOLVED** on the Motion of Councillors Lyon and Blomfield 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 the matters 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.

15 The Meeting resumed in **OPEN** Council on the Motion of Councillors Kealey and Lyon.



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 Closed Council resolutions.

13.1 Acquisition of Land for Off-Creek Water Storage **WO/2021/06129**
CC1/20212022 **RESOLVED** on the Motion of Councillors Kealey and Kermode that Council:

- 1) **ENDORSE** the creation of proposed Lot 702 DP1273909 from the subdivision of Lots 11 and 12 DP701664 and Lots 154 and 163 DP as an exempt development under Clause 2.75(f) of State Environmental Planning Policy (Exempt & Complying Development) 2008 and associated supporting easements for power, access, pipeline and telecommunications for the purposes of the future construction of the Walcha off creek water storage facility,
- 2) **AUTHORISE** the purchase of the proposed Lot 702 DP 1273909 at the current market valuation,
- 3) Based on current market valuation obtained from a certified land valuer **ALLOCATE** an appropriate amount at the next Quarterly Budget Review for all costs associated with the subdivision, registration and purchase of proposed Lot 702 DP1273909 from a combination of Walcha Stage 1 - Short Term (Emergency) Works and Walcha Water Security Project grant funds and Council's co-contribution,
- 4) **APPROVE** the affixing of the Common Seal to the contracts associated with the creation and purchase of proposed Lot 702 DP1273909 **FURTHER THAT** the affixing of the Common Seal be attested to by the Mayor and the General Manager.

13.2 Ancillary Conditions Related to the Off-Creek Water Storage **WINT/2021/06332**

CC2/20212022 **RESOLVED** on the Motion of Councillors Lyon and Kermode that Council **AUTHORISE** the General Manager to:

- 1) negotiate other conditions related to the construction and operation of the off-creek water storage facility and future access to the emergency raw water on the terms outlined in Table 2 of the report; and
- 2) negotiate early access to proposed Lot 702 DP 1273909 through a lease, Permit to Enter or other appropriate mechanism, if necessary, to avoid delaying the tendering and construction of this project.

THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 4:53PM.