



ORDINARY MEETING OF COUNCIL

held on

Wednesday, 27 July 2022

at

3.06pm

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 29 JUNE 2022:

1 **RESOLVED** on the Motion of Councillors Reilly and Ferrier that the Minutes of the Ordinary Meeting held on Wednesday 27 July 2022, 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 6.1 Alcohol Free Zone Walcha Proposal and Alcohol Prohibited Area McHattan Park Proposal WO/2022/02045

Clr Schaefer declared a Non- Pecuniary Significant interest in this matter due to being the President and licensee of the Walcha Sports Club AND the Chairman of the Walcha Liquor Accord and will leave the Chambers.

Clr Ferrier declared a Non-Pecuniary Significant interest in this matter due to being the Walcha Liquor Accord Secretary and will leave the Chambers.

**Item 10.1 Minutes of the Walcha Council Beautification Advisory Committee Meeting held on Tuesday 21 June 2022. WINT/2022/04284
Captain Cook Oval**

Clr Kermode declared a Pecuniary Interest in this matter due to being the Director of Treetop Services as he might be employed to remove the trees.

5. MAYORAL MINUTE

2 **RESOLVED** on the Motion of Councillors Noakes and Hicks that Council:

1. writes to the local State Member the Hon Kevin Anderson MP, the Treasurer the Hon Matt Kean MP, Minister for Emergency Services and Resilience the Hon Stephanie Cook MP and the Minister for Local Government the Hon Wendy Tuckerman MP:
 - a. Expressing Council's objection to the NSW Government's determination on ownership of Rural Fire Service (RFS) assets;
 - b. Advising of the impact of the Government's position on Council finances of this accounting treatment;
 - c. calling on the NSW Government to take immediate action to permanently clear up inequities and inconsistencies around the accounting treatment of RFS assets by acknowledging that rural firefighting equipment is vested in, under the control of and the property of the Rural Fire Service; and
 - d. amending S119 of the Rural Fires Act 1997 so that the effect is to make it clear that Rural Fire Service Assets are not the property of Councils.



2. Writes to the Shadow Treasurer Daniel Mookhey MLC, the Shadow Minister for Emergency Services Jihad Dib MP, the Shadow Minister for Local Government Greg Warren MP, the Greens Spokesperson for Local Government Jamie Parker MP and the leaders of the Shooters, Fishers and Farmers, Animal Justice and One Nation parties Robert Borsak MLC, Emma Hurst MLC and Mark Latham MLC:
 - a. Advising Members of Walcha Council's position, including providing copies of correspondence to NSW Government Ministers; and
 - b. seeking Members' commitments to support NSW Councils' call to amend the Rural Fires Act 1997 as set out in correspondence.
3. Promotes these messages via its digital and social media channels and via its networks.
4. Reaffirms its complete support of and commitment to local Rural Fire Service (RFS) brigades noting that Walcha Council's action is entirely directed towards the NSW Government's nonsensical position that rather than being owned and controlled by local brigades, RFS assets are somehow controlled by councils, which councils consider to be a cynical financial sleight of hand abdicating the NSW Government's responsibilities at the cost of local communities.
5. Affirms its support to Local Government NSW (LGNSW) that requests LGNSW continue advocating on Council's behalf to get clarification finally from the State Government about the accounting treatment of RFS assets.
6. Until such time as clarity from the State Government in relation to the accounting treatment of RFS assets is resolved Walcha Council will not have a qualified financial report and consequently recognise the RFS assets.

6. SENIOR OFFICERS REPORT

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

6.1 Alcohol Free Zone Walcha Proposal and Alcohol Prohibited Area McHattan Park Proposal **WO/2022/02045**

Clr Ferrier & Clr Schaefer left the Chambers and took no part in the debate.

- 4 **RESOLVED** on the Motion of Councillors Reilly and Kermode that Council:
 1. In accordance with the provisions of Sections 632A and 644A of the Local Government Act 1993:
 - a. publish a notice of the proposals in a newspaper circulating in the area inviting submissions within 30 days.
 - b. Send a copy of the proposals to:
 - (i) the Police Local Area Commander,
 - (ii) the officer in charge of the closest police station, and
 - (iii) liquor licensees and secretaries of registered clubs whose premises border, adjoin or are adjacent to the proposed locations,



Inviting submissions within 30 days.

2. Request a further report to be submitted at the completion of the consultation period detailing any submissions received during consultation for Council's consideration.

Clr Schaefer & Clr Ferrier returned to the Chambers and were informed of the decision.

6.2 Local Government NSW Annual Conference 2022 WO/2022/02049

5 **RESOLVED** on the Motion of Councillors Hicks and Reilly that recognising Council's financial constraints and recognising the importance of Councillors having the opportunity to network with the wider Local Government community that Council approve the attendance of two Councillors at the Local Government NSW 2022 Annual Conference, being Councillor Hicks and Councillor Reilly.

6.3 Draft 2022 Disability Inclusion Action Plan DIAP WO/2022/02061

6 **RESOLVED** on the Motion of Councillors Schaefer and Ferrier that Council:

1. **ENDORSE** the public exhibition of the Draft 2022 Disability Inclusion Action Plan for a period of 28 days;
2. Following the public exhibition period a report summarizing all community feedback received be presented to Council; OR
3. Following the public exhibition period if no feedback is received, **ADOPT** the Draft 2022 Disability Inclusion Action Plan as presented.

6.4 Appoint Community Representation to Advisory Committees – Tourism and Community Care WO/2022/01822

7 **RESOLVED** on the Motion of Councillors Reilly and Pointing that Council **APPOINT**:

1. Jane Morrison and Louise Clarke to the Walcha Council Tourism Advisory Committee;
2. David Oon to the Walcha Council Community Care Advisory Committee.

7. NOTICES OF MOTION

7.1 Report on Vegetation Regrowth on Roadside Verges WO/2022/02064

8 **RESOLVED** on the Motion of Councillors Hicks and Schaefer that Council seek funding to control vegetation regrowth on roadside verges to maintain an existing but degrading fire hazard control measure.

8. MATTERS OF URGENCY

Nil.



9. MANAGEMENT REVIEW REPORTS

9.1 Office of the General Manager

WO/2022/02055

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

9.2 Infrastructure

WO/2022/02066

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

9.3 Environment & Development

WO/2022/02015

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

9.4 Community & Tourism

WO/2022/01824

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

10. COMMITTEE REPORTS

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

10.1 Minutes of the Walcha Council Beautification Advisory Committee Meeting held on Tuesday 21 June 2022 in the Council Chambers, Hamilton Street, Walcha.

WINT/2022/04284

Crocodile Bridge

14 **RESOLVED** on the Motion of Councillors Ferrier and Reilly that the garden beds at the Crocodile Bridge be extended along both sides of the bridge blocking pedestrian access to the bridge and that the footpath be partially removed to accommodate the garden beds **FURTHER THAT** further works, ie: removal of remainder of the footpath and installation of signage may be considered should there be funding remaining.

2.1 Placement of Hardwood Bench – McHattan Park

15 **RESOLVED** on the Motion of Councillors Reilly and Berry that after consultation with the Country Womens Association the new hardwood bench seat for McHattan Park be installed within the existing BBQ shelter.



Captain Cook Park – Skatepark Upgrade Works

Clr Kermode declared a pecuniary interest in this matter and left the Chambers.

16 **RESOLVED** on the Motion of Councillors Reilly and Schaefer that several problematic Willow Trees with invasive roots, dropped leaves and branches be removed from Captain Cook Park as part of the Walcha Skatepark Upgrade works.

Clr Kermode returned to the Chambers and was advised of the resolution.

11. DELEGATE REPORTS

Nil.

12. QUESTIONS ON NOTICE

Director Infrastructure – Vegetation Regrowth on Roadside Verges:

To prepare a report for Council on funding opportunities and process.

13. CLOSED COUNCIL

13A Referral to Closed Council – Waiving of Interment Fees

WO/2022/02065

17 **RESOLVED** on the Motion of Councillors Ferrier and Pointing that, in accordance with the provisions of Section 10A of the Local Government Act, 1993, the matter of Waiving of Interment Fees be **REFERRED** to be discussed in Closed Council and close the meeting to the public for the reason that the report relates to personnel matters concerning particular individuals (other than Councillors).

18 **RESOLVED** on the Motion of Councillors Ferrier and Kermode 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 report relates to personnel matters concerning particular individuals (other than Councillors).

19 The Meeting resumed in **OPEN** Council on the Motion of Councillors Ferrier and Schaefer.

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 Waiving Interment Fees

WINT/2022/04828

CC02/20222023 **RESOLVED** on the Motion of Councillors Kermode and Hicks that Council waive the interment fee of \$1,765 as recommended in the report.

THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 3:40PM.