



ORDINARY MEETING OF COUNCIL

held on

Wednesday, 30 June 2021

at

3:03pm

at

Walcha Council Chambers

The *Audio Recording Statement* and the *Acknowledgement of Country* was read by the Chairman, Mayor Noakes.

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

IN ATTENDANCE: Mr BW Omundson – General Manager, Mr CM Weber, Mrs LJ Latham – Director Environment & Development and Mr PR Murray – Director Infrastructure.

1. LEAVE OF ABSENCE:

259 **RESOLVED** on the Motion of Councillors Heazlett and Lyon that the Leave of Absence submitted by Clr Ferrier, due to medical appointment, and Clr Wellings, due to family matters be **ACCEPTED**.

MINUTES



2. CONFIRMATION OF THE ORDINARY MEETING MINUTES HELD ON WEDNESDAY, 26 MAY 2021:

260 **RESOLVED** on the Motion of Councillors Kealey and Kermode that the Minutes of the Ordinary Meeting held on Wednesday, 26 May 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

Nil.

6. SENIOR OFFICERS REPORT

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

6.1 Adoption of 2021-2022 Operational Plan WO/2021/02261

262 **RESOLVED** on the Motion of Councillors Lyon and Kermode that:

1. In accordance with the provisions of Section 405 and 406 of the *Local Government Act 1993*, Council **ADOPT** the 2021-2022 Draft Operational Plan which includes the 2021-2022 Revenue Policy and 2021-2022 Fees & Charges as Final; and
2. In accordance with Section 494 of the *Local Government Act, 1993*, Council **MAKE** and **LEVY** the Rates and Charges for 2021-2022 for the General, Water and Sewerage Funds, and Waste Management Charges as detailed in the Report; and
3. Council **AUTHORISE** the General Manager to arrange for the preparation and the service of the 2021-2022 Rate notices.

6.2 Referendum Question WO/2021/02364

Councillor Heazlett moved a Motion to amend point three to Option 3 in the report, the Motion **FAILED** to get a Secunder and **LAPSED**.



263 **RESOLVED** on the Motion of Councillors Kealey and Blomfield that in relation to the report “Pathway to Abolish Wards in the Walcha Local Government Area (LGA)” Council;

1. **RECEIVE** and **NOTE** the report;
2. **ENDORSE** the decision to hold a referendum in the September 2021 NSW Local Government elections to abolish wards in the Walcha LGA; and
3. **ENDORSE** the referendum question identified as Option Two (2) in the body of the report as the question to be presented to voters.

Question: Do you favour the removal of the current ward based system so that all voters select all eight (8) Councillors that represent the Walcha Council area?

6.3 Development Application 10.2021.15 – Change of Use from Dwelling to Health Consulting Rooms – G Freer WO/2021/02399

264 **RESOLVED** on the Motion of Councillors Kealey and Kermode that Council refuse Development Application 10.2021.15 for the change of use from a dwelling to health consulting rooms on Lot 9 Section 33 DP 759035 known as 63W Hill Street, Walcha, as:

1. Not enough information has been submitted to adequately assess the application. In particular:
 - a. Access into and throughout the building is compliant with the *Disability (Access to Premises - Buildings) Standards 2010*.
 - b. On-site parking design meets the relevant Australian Standards (AS 2890.1 and 2890.2 2004).
 - c. No detail has been provided in regards to access construction, and in particular the entry and exit point.
 - d. No detail has been provided in regards to the carpark construction and in particular constructed surface, line-marking and sign-posting and drainage to Council’s stormwater system.
 - e. Free and uninterrupted access to the site and car parking area at all times has not been demonstrated.
 - f. The safety of the exit and entry to the site has not been demonstrated.
 - g. Accessible bathroom does not show compliance with AS 1428.
2. The carpark is not compliant with the *Disability (Access to Premises - Buildings) Standards 2010*.

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

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

Against: Heazlett and Blomfield.

Absent: Ferrier and Wellings.

Declared Interest: Nil



6.4 Development Application 10.2021.17 – Shed with attached Carport – Middle Street Walcha WO/2021/02149

265 **RESOLVED** on the Motion of Councillors Lyon and Kermode that Council approve Development Application 10.2021.17 for the construction of a shed and attached carport on Lot 4 Section 20 DP 759035 known as 59S Middle 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: Lyon, Heazlett, Blomfield, Kermode, Kealey and Noakes

Against: Nil.

Absent: Ferrier and Wellings.

Declared Interest: Nil

6.5 Request for Financial Assistance – Two Wheel Tours WO/2021/02207 Motion

Moved Councillor Kealey **Seconded** Councillor Blomfield that Council **APPROVE** the request to support the establishment of a Walcha Two Wheel Tour event to the value of:

1. \$5,000 for an event in 2022 to be paid on confirmation the event is to be held; and
2. \$5,000 for an event in 2023 to be paid on confirmation the event is to be held.

Councillor Lyon **MOVED** a **Foreshadowed Motion** that Council does not approve the funding and that Council develop Event Funding Guidelines prior to approving funds in support of any further events

The **Original Motion** was put to the **Vote** and was **LOST**.

266 **RESOLVED** on the Motion of Councillors Lyon and Kermode that Council does not approve the funding and that Council develop Event Funding Guidelines prior to approving funds in support of any further events.

6.6 Youth Advisory Committee Gaming Hub Proposal WO/2021/02269

267 **RESOLVED** on the Motion of Councillors Lyon and Heazlett that Council:

1. **RECEIVE** and **NOTE** the report;
2. **NOT** approve the gaming hub proposal; and
3. **PRIORITISE** the review of the existing Youth Activity Program.

6.7 Review and Update of Investment Policy WO/2021/02296

268 **RESOLVED** on the Motion of Councillors Lyon and Kealey That in relation to the report “Review of Investment Policy” Council:

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.....General ManagerMayor



1. **RECEIVE** and **NOTE** the report;
2. **AMEND** Item 11.3 – Overall Portfolio Maturity Table, line 2 first column to read “Portfolio % >1 year <5 years.”
3. **PLACE** the Investment Policy on public exhibition for 28 days;
4. subject to no objection based community feedback **ADOPT** the policy as presented; and
5. If objections are received, **REQUEST** a further report outlining the objections and how they will be managed.

7. NOTICES OF MOTION

Nil.

8. MATTERS OF URGENCY

Nil.

9. MANAGEMENT REVIEW REPORTS

269 **RESOLVED** on the Motion of Councillors Lyon and Kealey that the Management Review Reports be **RECEIVED** for further consideration.

9.1 Office of the General Manager

WO/2021/02297

270 **RESOLVED** on the Motion of Councillors Lyon and Kealey that items included in the Office of the General Manager Management Review Report be **NOTED** by Council.

9.2 Infrastructure

WO/2021/02109

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

9.3 Environment & Development

WO/2021/02032

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

9.4 Community & Tourism

WO/2021/02246

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



10. COMMITTEE REPORTS

274 **RESOLVED** on the Motion of Councillors Kermode and Blomfield that Council **RECEIVE** and **NOTE** the following Committee Reports.

10.1 Minutes of the Tourism Advisory Committee Meeting held at Walcha Council Chambers on Thursday, 20 May 2021 WO/2021/01992

10.2 Minutes of the Walcha Motorcycle Rally Committee Meeting held at Walcha Council Chambers on Tuesday 25 May 2021. WO/2021/02109

10.3 Minutes of the Walcha Mountain Festival Committee Meeting held at the Walcha Library on Thursday 03 June 2021. WO/2021/02083

10.4 Minutes of the Walcha Council Gym Advisory Committee Meeting held at the Walcha Council Chambers on Monday 21 June 2021. WO/2021/02338

Item 5.3 Group Fitness & Equipment Storage

275 **RESOLVED** on the Motion of Councillors Lyon and Kermode that Council permit the ongoing orderly storage of gym equipment used in group fitness sessions in the Group Fitness Room **FURTHER THAT** correspondence be sent advising the Submission maker of Council's decision.

10.5 Minutes of the Walcha Preschool Advisory Committee Meeting held at the Walcha Preschool on Monday 21 June 2021. WO/2021/02369

11. DELEGATE REPORTS

276 **RESOLVED** on the Motion of Councillors Blomfield and Kermode that Council **RECEIVE** and **NOTE** the following Delegate Report/Minutes.

11.1 Minutes of the Walcha & District Historical Society Inc Meeting held at the Pioneer Museum on Saturday 22 May 2021. WI/2021/009655

12. QUESTIONS ON NOTICE

12.1 Clr Kealey – Community Recovery Officer Grant Position – ‘unclaimable’ items.

12.2 Clr Noakes – Walcha Council Community Gym Advisory Committee – Request formal follow up on previous resolution from March 2021 Meeting:

2. *Community Gym Advisory Committee review and consider how persons under 16 can access and use the equipment in a safe manner.*



13. CLOSED COUNCIL

13A Referral to Closed Council Meeting – Evaluation of Tenders for the Supply of Road Safety Barriers WO/2021/02405

277 **RESOLVED** on the Motion of Councillors Kermode and Lyon that, in accordance with the provisions of Section 10A (2)(c) of the Local Government Act 1993, the matter of Evaluation of Tender for the Supply of Road Safety Barriers be referred to be discussed in Closed Council and close the meeting to the public for the reason that the report 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.

278 **RESOLVED** on the Motion of Councillors Kermode and Lyon 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 Closed Council 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.

279 The Meeting resumed in **OPEN** Council on the Motion of Councillors Kermode and Kealey.

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 Council whilst in Closed Council.

13.1 Tender for the Supply and Installation of Road Safety Barriers WINT/2021/05306

CC56 20212022 **RESOLVED** on the Motion of Councillors Kermode and Kealey that Council **ENDORSE** the evaluation outcome of the tender for Road Safety Barriers of adopting Guardrail Systems, RDK Pty Ltd and Wester Safety Barriers as the preferred suppliers for the Panel Contract for the period 01 July 2021 to 30 June 2025.

Mayor Noakes thanked Interim General Manager, Chris Weber, for his time working here at Walcha Council.

THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 4:00PM.