



ORDINARY MEETING OF COUNCIL

held on

Wednesday, 30 March 2022

at

3.25pm

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, NF Hicks, SJ Kermode, A Reilly and GDM Schaefer.

IN ATTENDANCE: Mrs LJ Latham – Director Environment & Development (Acting General Manager), 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:

140 **RESOLVED** on the Motion of Councillors Kermode and Hicks that the Leave of Absence **RECEIVED** from Clr Pointing due to personal reasons be **ACCEPTED**.

Clr Ferrier has offered an apology.

MINUTES



2. CONFIRMATION OF THE ORDINARY MEETING MINUTES HELD ON WEDNESDAY 16 FEBRUARY 2022:

141 **RESOLVED** on the Motion of Councillors Reilly and Schaefer that the Minutes of the Ordinary Meeting held on Wednesday 16 February 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

Nil.

5. MAYORAL MINUTE

Nil.

6. SENIOR OFFICERS REPORT

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

6.1 Draft Closed Circuit Television (CCTV) Policy and Code of Practice

WO/2022/00822

143 **RESOLVED** on the Motion of Councillors Reilly and Hicks that Council:

1. **PLACE** the Draft Closed Circuit Television (CCTV) Policy and Code of Practice on public exhibition for a period of 28 days;
2. **ADOPT** the Draft Closed Circuit Television (CCTV) Policy and DRAFT CCTV Code of Practice as presented subject to no submissions being received during the exhibition period.

6.2 Amendment to Walcha Local Environmental Plan – Employment Zones

WO/2022/00800

144 **RESOLVED** on the Motion of Councillors Berry and Schaefer that Council:

1. Endorse the Department of Planning, Industry & Environment Employment Zone Reforms by amending the Walcha Local Environmental Plan 2012 by:
 - (a) Changing the zone names of
 - (i) B2 Local to E1 Local Centre
 - (ii) IN1 General Industrial to E4 General Industrial
 - (iii) B4 Mixed Use to MU2 Mixed Use
 - (b) Business identification sign, home business, home industry and recreation area as defined in the Standard Instrument is to be Permitted Without Consent in the E1 Local Centre Land Use Table



- (c) Business identification signs as defined in the Standard Instrument is to be Permitted With Consent in the MU1 Mixed Use and E4 General Industrial Land Use Table
 - (d) Pond and tank based aquaculture as defined in the Standard Instrument is as Permitted With Consent in the E1 Local Centre, E4 General Industrial and MU1 Mixed Use zones Land Use Tables
 - (e) Local distribution premises as defined in the Standard Instrument as Permitted With Consent in all zones Land Use Tables
2. Assist the Department of Planning, Industry and Environment with their community consultation.
 3. Give delegation to the General Manager to make any required post exhibition changes that are consistent with intent of the translation, to address any technical amendments.

6.3 DRAFT Community Strategic Plan 2032 – For Public Consultation

WO/2022/00892

145 **RESOLVED** on the Motion of Councillors Hicks and Reilly that Council seek community consultation on the Draft Community Strategic Plan during April 2022.

6.4 Amendment to Walcha Local Environment Plan – Agritourism Land Uses

WO/2022/00881

- 146 **RESOLVED** on the Motion of Councillors Kermode and Hicks that Council:
1. Advise the Department of Planning and Environment Council wishes to amend the Walcha Local Environmental Plan 2012 by:
 - (a) Incorporating the land uses of:
 - (i) Agritourism
 - (ii) Farm Experience
 - (iii) Farm Gate Premises
 - (b) Agritourism as defined in the Standard Instrument is to be Permitted with Consent in the RU1 Primary Production, RU4 Primary Production Small Lots and C4 Environmental Living, Land Use Table and prohibited in all other zones.
 - (c) Farm Experience as defined in the Standard Instrument is to be Permitted with Consent in the RU1 Primary Production, RU4 Primary Production Small Lots and C4 Environmental Living Land Use Table and prohibited in all other zones.
 - (d) Farm Gate Premises as defined in the Standard Instrument is to be Permitted with Consent in the RU1 Primary Production, RU4 Primary Production Small Lots, RU5 Village, R5 Large Lot Residential and C4 Environmental Living Land Use Table and prohibited in all other zones.
 - (e) Include clauses Farm Stay Accommodation 5.23 and Farm Gate Premises 5.24 as per the *Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021*.



2. Assist the Department of Planning and Environment with their community consultation.
3. Give delegation to the General Manager to make any required changes that are consistent with intent of the translation, to address any technical amendments.

6.5 2021 Motorcycle Rally Final Report WO/2022/00814

147 **RESOLVED** on the Motion of Councillors Hicks and Berry that Council **DEFER** consideration of this item 6.5 the 2021 Motorcycle Rally Final Report, until April 2022 Ordinary Meeting with the report to include:

1. an appropriate contingency budget; and
2. a clear actuals spreadsheet / table from the 2021 Motorcycle Rally Event.

6.6 Advisory Committees Terms of Reference WO/2022/00894

148 **RESOLVED** on the Motion of Councillors Hicks and Schaefer that Council **ADOPTS** the generic Terms of Reference template to be applied to the respective individual Advisory Committees.

6.7 Regional Meetings – Update on Community Concerns WO/2022/00764

149 **RESOLVED** on the Motion of Councillors Reilly and Kermode that Council **RECEIVE** and **NOTE** the Regional Meetings Update on Community Concerns Report as presented.

7. NOTICES OF MOTION

Nil.

8. MATTERS OF URGENCY

Nil.

9. MANAGEMENT REVIEW REPORTS

9.1 Office of the General Manager WO/2022/00891

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

9.2 Infrastructure WINT/2022/001771

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

9.3 Environment & Development WO/2022/00834

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



9.4 Community & Tourism

WO/2022/00812

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

10. COMMITTEE REPORTS

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

10.1 Minutes of the Walcha Council Capital Advisory Committee Meeting held on Thursday 17 February 2022

WO/2022/00501

4.2.1 Capital Grant Funding Progress Report

155 **RESOLVED** on the Motion of Councillors Hicks and Kermode that any use of contingency on any projects going forward will need Director or General Manager approval prior to spending and a monthly report detailing the spending of any contingency to be provided monthly to Council.

4.2.3 Sgt Andrew Russell Bridge Naming

156 **RESOLVED** on the Motion of Councillors Schaefer and Kermode that Council retain Sergeant Andrew Russell Bridge as the name for the new / replacement bridge and relocate the existing memorials closer to the new bridge.

4.2.7 Progress of EPA Bushfire Generated Green Waste Clean Up Program

157 **RESOLVED** on the Motion of Councillors that the Walcha Waste Depot works be completed as the priority, with leftover funds divided equally among the remaining properties FURTHER THAT the Tender Assessment will be via Council Workshop.

4.2.9 Walcha Pool Upgrade Status

158 **RESOLVED** on the Motion of Councillors Kermode and Schaefer that the engaged aquatic consultants provide a list of Walcha Pool upgrade priorities for the funding we have via the Bushfire Local Economic Recovery Fund FURTHER THAT the list needs to go to a Council Workshop then a report produced confirming Scope of Work.

4.3.1 Footpath & Cycleway Funding Application (closes 25 February)

159 **RESOLVED** on the Motion of Councillors Kermode and Reilly that an application is submitted via the Shared Pathways Stage 2 – Walking and Cycling Program for \$3,605,810 and seek Transport NSW advice on the applicability of this funding for road widening instead of separate pathways.

4.3.2 Remote Roads Upgrade Pilot Program Funding Application (closes 20 February)



160 **RESOLVED** on the Motion of Councillors Berry and Kermode that Council put in a funding application via the Remote Roads Upgrade Pilot Program of \$657,360 for Lakes Road Resheeting (adding Cleveland Road and the first unsealed section of Brackendale Road to make up the deficit) NOTING this program requires a 20% co-contribution which will be sought from Council's Infrastructure Reserve and remaining Roads to Recovery allocation.

4.3.4 Smartboard Purchase Application

161 **RESOLVED** on the Motion of Councillors Kermode and Berry that Council purchase the 86 inch COMMBOX Conferencing device using \$14,861 COVID Recovery Funding.

4.3.4 Replace Slasher Application

162 **RESOLVED** on the Motion of Councillors Berry and Hicks that Council purchase the Fieldquip XHD72 1.8m Slasher from John Deere Tamworth using \$14,440 from the Plant Replacement Fund.

4.3.6 Derby Street Upgrade – Supplementary Funding

163 **RESOLVED** on the Motion of Councillors Kermode and Berry that Council apply for \$4.56M via the Heavy Vehicle Safety and Productivity Program to complete all works on Derby Street (including asphalt surface), with 20% (\$1.14M) coming from the Thunderbolts Way Corridor Strategy.

10.2 Minutes of the Walcha Council Capital Advisory Committee Meeting held on Thursday 17 March 2022 WO/2022/01473

4.1.6 HH20 Off-Creek Storage Monthly Update

164 **RESOLVED** on the Motion of Councillors Reilly and Berry that the Walcha Off Creek Storage site access road improvements be contracted out to local contractors rather than internal Council works.

4.2.1 LRCI Phase 3 Project List

165 **RESOLVED** on the Motion of Councillors Berry and Kermode that Council include Option 1 for Rectification of Old Brookmount Box Culvert in LRCI Phase 3 Project List subject to site visit by CAC Members and further investigation costs.

5.1.1 Bridge Update

166 **RESOLVED** on the Motion of Councillors Hicks and Schaefer that Council wait for funding variation outcome for Tia Diggings and Niangala bridges which may require a new tender.

11. DELEGATE REPORTS

167 **RESOLVED** on the Motion of Councillors Kermode and Hicks that Council RECEIVE and NOTE the Delegate Reports as presented.



11.1 DRAFT Minutes of the Namoi Unlimited Board Meeting held at Tamworth Regional Council on 07 March 2022. WI/2022/02966

12. QUESTIONS ON NOTICE

Q1 – Mayor Noakes – Will we need a formal resolution to state that Council are not organising the Mountain Festival?

Q2 – Clr GDM Schaefer – has had a few enquiries regarding Derby Street rehabilitation. From Walsh Street to Legge Street Council put “hot tar mix” on this section a few years ago and it has held well. Why isn’t the “hot tar mix” being considered for the section between Legge Street and Aberbaldie Road?

The response by Director Infrastructure, Phillip Hood, was that if there is enough funds then the “hot tar mix” will be used on Derby Street rehabilitation.

13. CLOSED COUNCIL

13A Referral to Closed Council – Tender for Levee Bank Lighting

WO/2022/00895

168 **RESOLVED** on the Motion of Councillors Kermode and Berry that, in accordance with the provisions of Section 10A of the Local Government Act, 1993, the matter/s of Evaluation of Tenders for Supply and Installation of Levee Bank Lighting 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.

169 **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 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.

170 The Meeting resumed in **OPEN** Council on the Motion of Councillors Kermode 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 Design, Supply and Installation of Solar Pathway Lighting on Levee Banks
– WAL-2022-01 WINT/2022/01789*

CC20/20212022 **RESOLVED** on the Motion of Councillors Hicks and Reilly that Council AWARD Tender No.: WAL-2022-01 Design, Supply & Installation of Solar Pathway Lighting to Highlux for the lump sum of \$255,100 GST exclusive.

THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 4:45PM.