



ORDINARY MEETING OF COUNCIL

held on

Monday, 26 May 2014

at

1:00pm

at

Walcha Council Chambers

PRESENT: Clr JM Archdale (Chairman) Mayor together with Councillors KW Ferrier, WJ Heazlett, L Levingston, CM Lyon, RS Thomson and MJ Woods.

IN ATTENDANCE: Mr JG O'Hara, General Manager, Mr SC McCoy, Director – Engineering Services and Mr GA Moran, Director – Environmental Services.

1. APOLOGIES:

203 **RESOLVED** on the Motion of Councillors Heazlett and Lyon that the apology received from Councillor Schmutter being late due to work commitments be **ACCEPTED** and Councillor Schmutter subsequently arrived at 1:20pm.

MINUTES



2. CONFIRMATION OF THE ORDINARY MEETING MINUTES HELD ON MONDAY, 28 APRIL 2014:

204 **RESOLVED** on the Motion of Councillors Levingston and Heazlett that the Minutes of the Ordinary Meeting held on Monday, 28 April 2014, copies of which have been distributed to all members, be taken as read and confirmed a **TRUE** record.

CONFIRMATION OF THE SPECIAL MEETING MINUTES HELD ON MONDAY, 19 MAY 2014:

205 **RESOLVED** on the Motion of Councillors Lyon and Ferrier that the Minutes of the Special Meeting held on Monday, 19 May 2014, 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 6.4 Crown Lands Legislation – White Paper WO/2014/00913

Clr Ferrier declared a pecuniary interest in this matter as he is the Secretary of the Walcha Jockey Club who manage/lease a crown reserve.

Item 10.2 Minutes of the Walcha Mountain Festival Committee Meeting held on Thursday, 22 May 2014 WO/2014/00960

Clr Woods declared a non-serious non-pecuniary interest in this matter as her father is a member of the Committee.

5. MAYORAL MINUTE

The Office of Local Government is conducting a Promoting Better Practice Review Program at Walcha Council from 26 – 28 May. I welcome the review team to Walcha as the process gives Walcha Council the opportunity to examine its performance, ascertain its strengths and weaknesses and identify the focus required for continuous improvement.

On 6 May the General Manager and I attended two meetings in Sydney. Our first meeting was to be with the Hon Duncan Gay MLC, Minister for Roads and Maritime Services. Mr Gay sent an apology as his commitments to his newly appointed position as Leader of the Government in the Legislative



Council NSW. Mr Gay had invited us to meet with him following our discussions at the Cabinet meeting held in Armidale in August last year. The meeting continued with Mr Gay's Parliamentary Secretary regarding funding for Thunderbolts Way. The allocation to Walcha, Gloucester and Uralla Councils of \$3.84m from Round 4 of the RDA Fund and Walcha Council's past and current financial commitment to Thunderbolts Way were recognized and our submission for further assistance received favourably.

The second meeting was with Mr Nick Roberts CEO of Forestry Corporation NSW regarding the loss of jobs from the Walcha branch. Mr Roberts was sympathetic of the change in status of Walcha from a Regional Office of up to 50 employees to a skeleton staff of 8 employees which was now being reduced to four or five. Some of the Walcha positions have been relocated to Wauchope and we asked for consideration of these positions to forming two FTE positions from the 10 casual positions engaged over the summer period as there is a commitment to land management of the forests in our council area. Concerns regarding the control of weeds, feral animals and fire management were discussed. Mr Roberts extensively explained the financial position of Forestry Corporation NSW and the difficulties it faces due to the value of the Australian dollar, export market prices, international demand and competition. The dye is cast for the current restructure however, we have asked that Walcha, due to our location, infrastructure, forest size and tree ages be considered for future staff placements.

I thank the Northern Tablelands Local Member, Adam Marshall for his support and contribution and for facilitating these meetings.

Walcha has been prominent and has received valuable exposure in various publications recently. Country Living magazine has highlighted no less than five different aspects of Walcha events, business and personalities. Also many publications have focused on local artist Steve King's successful exhibition at Tamworth Regional Art Gallery. Tamworth paper, The Leader has a two page spread featuring Walcha in the Saturday, 24 May edition. This attention is invaluable to local businesses and something of which we should all be proud.

Clr JM Archdale
Mayor of Walcha

206 **RESOLVED** on the Motion of Councillor Archdale that the Mayoral Minute be **ADOPTED** by Council



6. SENIOR OFFICERS REPORT

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

6.1 Review of 2011/2012 – 2014/2015 REPAIR Program

WO/2014/00930

208 **RESOLVED** on the Motion of Councillors Ferrier and Heazlett that Council provide an additional \$80,000 from the Road Improvement Reserve for the reconstruction of Thunderbolts Way 0.1 – 0.5km south of Walcha.

6.2 Proposal for Security Cameras

WO/2014/00938

209 **RESOLVED** on the Motion of Councillors Heazlett and Lyon that Council investigate installing a security system that can be managed and monitored in house.

6.3 Water Restrictions Policy

WO/2014/00923

210 **RESOLVED** on the Motion of Councillors Woods and Schmutter that Council adopt the following proposed water restrictions and targets, this information be immediately conveyed to the community.

Water Restrictions

Category	P Permanent	1 Low	2 Moderate	3 High	4 Very High	5 Emergency
Residential Gardens & Lawn Watering	Minimise watering during heat of the day.	Sprinklers restricted to 2hrs per day.	No Sprinklers. Drippers & hoses restricted to 2hrs per day.	No sprinklers, drippers or hoses. Buckets restricted to 2hrs per day.	No watering at any time.	No watering at any time.
Washing Down (including vehicles)	Wash down hard / paved surfaces with high pressure hose only.	Wash down hard / paved surfaces with high pressure hose only.	Hoses restricted to 2hrs per day.	No hoses. Buckets restricted to 2hrs per day.	No washing down at any time.	No washing down at any time.
Swimming Pools & Spas	Use pool cover to reduce evaporation.	Permit required for filling pools over 2,000L.	Permit required for filling pools over 2,000L. Top up via hoses only 2hrs per day.	No filling of pools over 2,000L. Top up via buckets only 2hrs per day.	No filling or topping up pools.	No filling or topping up pools.



Category	P Permanent	1 Low	2 Moderate	3 High	4 Very High	5 Emergency
Residential Consumption Target (% reduction)		5%	15%	25%	35%	50%

Water Restriction Reduction Targets

Level	P Permanent	1 Low	2 Moderate	3 High	4 Very High	5 Emergency
Residential Consumption Target (% reduction)	0%	5%	15%	25%	35%	50%
Residential Daily Usage Target (L/person)	280 - 320	250-290	220 - 260	190 - 230	160 - 200	120 -160
Non-Residential Consumption Target %	0%	5%	10%	15%	20%	25%

6.4 Crown Lands Legislation – White Paper WO/2014/00913

Councillor Ferrier declared a pecuniary interest and left the Meeting.

It was **MOVED** Councillor Woods that Council prepare a submission on the Crown Lands Legislation White Paper detailing Council concerns specifically on the following Crown Land Management Review Recommendations to the government:

3. Devolve land of local interest to local councils to meet local needs.
5. Local Land Services work with the relevant stakeholders to develop assessment criteria to review all TSRs and determine their future ownership and management.
21. Responsibility for all roads used to provide access to the general public to rest with other roads authorities under the *Roads Act 1993*.
33. Allow councils to manage reserves under the local government legislation.

The Motion **FAILED** to get a **SECONDER** and therefore **LAPSED**.

211 **RESOLVED** on the Motion of Councillors Heazlett and Lyon that Council prepare a submission on the Crown Lands Legislation White Paper by holding an extra ordinary meeting of Council to formulate Council’s submission.

Councillor Ferrier returned to the Council Chambers and the Chair informed him of Council’s decision.



6.5 Preparation of Draft Development Control Plan 2014

WO/2014/00895

212 **RESOLVED** on the Motion of Councillors Lyon and Thomson that Council agree any future draft Development Control Plan to categorise the Tree Preservations into two chapters only they being Tree Preservation – Town of Walcha and Tree Preservation – Rural.

It was **MOVED** Councillor Heazlett that Council prepare a Draft Development Control Plan with the following chapters:

1. Community Consultation
2. Tree Preservation – Town of Walcha
3. Tree Preservation – Rural
4. Subdivision
5. Residential Development
6. Rural Development
7. Development in Commercial and Industrial Areas
8. Signage and Advertising
9. Commercial Use of Public Footpaths
10. Street numbering
11. Development of Heritage conservation
12. Development of flood affected land
13. Development of bush fire prone land
14. Temporary dwellings.

The Motion **FAILED** to get a **Seconder** and therefore **LAPSED**.

213 **RESOLVED** on the Motion of Councillors Woods and Thomson that Council prepare a Draft Development Control Plan with the following chapters:

1. Community Consultation
2. Tree Preservation – Town of Walcha
3. Tree Preservation – Rural
4. Subdivision
5. Residential Development
6. Rural Development
7. Development in Commercial and Industrial Areas
8. Signage and Advertising
9. Commercial Use of Public Footpaths
10. Street numbering
11. Development of Heritage conservation
12. Development of flood affected land
13. Development of bush fire prone land
14. Regulation of sex services premises



- 15. Development on contaminated land
- 16. Temporary dwellings
- 17. Relocation of buildings
- 18. Kerbing and guttering.

6.6 Yield Study and Drought Management Plan WO/2014/00927

214 **RESOLVED** on the Motion of Councillors Schmutter and Woods that Council provide \$75,000 in 2014/2015 from Water Fund working funds to complete the preparation of a yield study, system augmentation and drought management plan for Walcha's town water supply.

**6.7 Deed of Variation – Department of Social Services – HACC
WO/2014/00925**

215 **RESOLVED** on the Motion of Councillors Schmutter and Heazlett that Council approve the affixing of the Common Seal to legal document Deed of Variation for Commonwealth HACC Program Service **FURTHER THAT** the affixing of the Common Seal be attested to by the Mayor and the General Manager.

**6.8 Referral to Committee of the Whole – Proposed Community Fitness Studio
WO/2014/00907**

216 **RESOLVED** on the Motion of Councillors Ferrier and Levingston that, in accordance with the provisions of Section 10 of the Local Government Act, 1993, the matter of "Proposed Community Fitness Studio" be referred to be discussed in Committee of the Whole for the reason that it relates to advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege AND information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

7. NOTICE OF MOTION

**7.1 Notice of Motion – Council Expenditure exceeding or under Budget Reporting
WO/2014/00898**

It was **MOVED** Councillor Lyon **Seconded** Councillor Thomson that the General Manager give a detailed report to Council when jobs under \$50,000 go over or under budget by 10% and jobs over \$50,000 go over or under budget by 5%.

On being put to the **VOTE** the Motion was **LOST**.



8. MATTERS OF URGENCY

Nil.

9. MANAGEMENT REVIEW REPORTS WO/2014/00887

217 **RESOLVED** on the Motion of Councillors Woods and Heazlett that items included in the Management Review Report, numbered 1 to 9 inclusive, be **NOTED** by Council.

10. COMMITTEE REPORTS

10.1 Minutes of the Walcha Council Plant Committee Meeting held at Council Chambers on Monday, 28 April 2014. WO/2014/00740

218 **RESOLVED** on the Motion of Councillors Schmutter and Lyon that Council **ADOPT** the 10 year Plant Replacement Program as amended.

10.2 Minutes of the Walcha Mountain Festival Committee Meeting held at Council Chambers on Thursday, 22 May 2014. WO/2014/00960

219 **RESOLVED** on the Motion of Councillors Lyon and Ferrier that the Walcha Mountain Festival Committee moves away from the Irish theme.

220 **RESOLVED** on the Motion of Councillors Lyon and Ferrier that the Festival be named "Walcha Mountain Festival" and changes to the structure and format be made.

221 **RESOLVED** on the Motion of Councillors Lyon and Ferrier that Council accept Barry Marshall's offer of "Langford" as a great place to hold the Mountain Bike Challenge and Festival, pending Barry Walton's approval.

11. DELEGATE REPORTS

11.1 Minutes of the New England Tablelands (Noxious Plants) County Council Ordinary Meeting held at the Armidale Office on Wednesday, 5 February 2014. WI/2014/02588

11.2 Minutes of the New England Fire Management Committee Meeting held at Armidale Fire Control Centre on Tuesday, 18 February 2014. WI/2014/02642



12. COMMITTEE OF THE WHOLE

222 **RESOLVED** on the Motion of Councillors Schmutter and Levingston 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 Committee of the Whole for the reason that it relates to advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege AND information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

223 The Meeting resumed in **OPEN** Council on the Motion of Councillors Levingston and Lyon.

The Mayor reported whilst in Committee of the Whole the following matters were discussed.

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.

12.1 Proposal for a Community Fitness Studio at the Walcha Squash Courts **WINT/2014/00767**

The Committee **RECOMMENDED** on the Motion of Woods and Schmutter that Council agree to the proposal subject to the conditions mentioned in the Report.

ADOPTION OF COMMITTEE OF THE WHOLE

224 **RESOLVED** on the Motion of Councillors Levingston and Lyon that the Report and Recommendations of the Meeting of the Walcha Council Committee of the Whole held on Monday, 26 May 2014 be **ADOPTED** by Council.

The Chairman publicly declared the recommendations passed by the Committee whilst in Committee of the Whole.

THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 3:05PM.