



## ORDINARY MEETING OF COUNCIL

held on

Wednesday, 1 June 2016

at

2.58pm

at

Walcha Council Chambers

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

**IN ATTENDANCE:** Mr JG O'Hara, General Manager, Mr R Ranjit, Director – Engineering Services, and Mrs LJ Latham, Environmental Services Manager.

### **1. APOLOGIES:**

164 **RESOLVED** on the Motion of Councillors Ferrier and Heazlett that the apology received from Clr Schmutter, being late due to work commitments, be **ACCEPTED** and Clr Woods is on a Leave of Absence.

MINUTES



**2. CONFIRMATION OF THE ORDINARY MEETING MINUTES HELD ON WEDNESDAY, 27 APRIL 2016:**

165 **RESOLVED** on the Motion of Councillors Heazlett and Ferrier that the Minutes of the Ordinary Meeting held on Wednesday, 27 April 2016, 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 12.1 Expression of Interest in Property in Walcha**

**WINT/2016/01131**

Clr Archdale declared a pecuniary interest in this matter due to her husband being a part owner of a real estate business in Walcha.

**5. MAYORAL MINUTE**

166 **RESOLVED** on the Motion of Councillor Archdale that the Mayoral Minute, below, be **ADOPTED** by Council.

Councillors this meeting brings to an end four years of the comprehensive process of Local Government reform for Walcha Council and it is with the greatest pleasure and relief that I confirm Walcha Council will remain unchanged. Walcha Council will continue delivering services and representing the Walcha community for many years to come.

We are fortunate, but this Council, this community and our elected representatives, Kevin Anderson MP and the Hon Barnaby Joyce MP have worked tirelessly to warrant this 'fortune'. As I have stated previously the process of reform has been a good thing for Walcha Council. We have stood up and faced the challenges head on by making internal structural changes, proactively seeking and implementing best practice strategies, addressing with vigour the Asset Management Plan and engaging with our community throughout the entire four years. It is now imperative that the General Manager and I meet with the Minister for Local Government as quickly as possible to cement Walcha Council's way forward. We have made commitments through this process of reducing Councillor numbers and abolishing Wards and we will clarify our position with him at a meeting which is currently being arranged by our local member.

Although we are thrilled with our outcome on the 12 May, Councils across NSW were reduced from 152 to 115 and 378 democratically elected councillors sacked, effective immediately. Twelve other merger proposals involving 31 Councils remain in limbo pending the outcome of legal action. The forced amalgamations have left a bitter pill across the state as Administrators were immediately appointed and Mayors displaced. I believe it



will be a long time before the detrimental effects of this action to the affected communities will calm and I feel deeply sorry for the Councils involved that had not voluntarily agreed to a merger. I strongly believe that small rural towns will be decimated by amalgamation as it has been proven in the states to the north and south of us and that if councils are removed from small towns the loss of employment has a domino effect on everything from businesses to schools to medical services and much more. I am humbled by the support, trust and loyalty shown to Council by our community and I know that I speak for the General Manager, every Walcha Council employee and each and every Councillor when I say thank you to the Walcha Community, we could not have done this on our own.

This Council must seize the opportunity and continue the hard work achieved so far to ensure the continued success growth of the Council.

## **6. SENIOR OFFICERS REPORT**

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

### **Change of Order of Business:**

168 **RESOLVED** on the Motion of Councillors Lyon and Levingston that the Order of Business be altered to consider the Late Report – Village Improvement Grants as the first Senior Officer Report

### **Late Report 1      Village Improvement Grants      WO/2016/00866**

169 **RESOLVED** on the Motion of Councillors Lyon and Ferrier that Council amend the 2016/2017 Budget to include a Village Improvement Fund up to \$15,000 allocation to Woolbrook, \$15,000 allocation to Nowendoc, \$15,000 allocation to Yarrowitch, \$5,000 to Niangala and \$5,000 to Walcha Road.

### **6.1 Adoption of Operational Plan 2016/2017 including Budget 2016/2017, Fees & Charges 2016/2017 AND Rates & Charges for 2016/2017      WO/2016/00788**

170 **RESOLVED** on the Motion of Councillors Ferrier and Levingston that, in accordance with the provisions of Section 406 of the Local Government Act 1993, Council **ADOPT** the Draft Operational Plan for 2016/2017 **FURTHER THAT** the Rates and Charges for 2016/2017 for the General, Water and Sewerage Funds, as detailed in the Report be made by Council **STILL FURTHER THAT** the General Manager be authorised to arrange for the preparation and the service of the 2016/2017 Rate Notices.



**6.2 Quarterly Review of Operational Plan & Budget as at March 2016**

**WO/2016/00834**

171 **RESOLVED** on the Motion of Councillors Lyon and Thomson that Council **ADOPT** the March 2016 Quarterly Budget Review Statements **FURTHER THAT** Council approve the variations in Income and Expenditure votes as detailed.

**6.3 Disability Inclusion Action Plan**

**WO/2016/00822**

The Report was **NOTED** by Council.

**6.4 Request for Sponsorship of a local Sportsperson representing Australia – Jack Feltham**

**WO/2016/00794**

The Submissions received by two ratepayers raising their concerns about the sponsorship were **NOTED** by Council.

172 **RESOLVED** on the Motion of Councillors Levingston and Ferrier that Council provide \$2,000 financial sponsorship to Jack Feltham to assist with his costs to represent Australia as an Australian Team Rider at the Mountain Bike Championships in Nove Mesto, Czech Republic in June 2016.

**Afternoon Tea**

Council adjourned for afternoon tea at 3:32pm and the Meeting resumed at 3:52pm.

**6.5 Declaration of Fossicking Districts**

**WO/2016/00779**

173 **RESOLVED** on the Motion of Councillors Lyon and Ferrier that Council write to the Department of Industry Resources & Energy advising that Council are happy for our Local Government Area to be declared a Fossicking District.

**6.6 National Youth Week 2016**

**WO/2016/00821**

The Report was **NOTED** by Council.

174 **RESOLVED** on the Motion of Councillors Lyon and Ferrier that the General Manager be authorised to reform the 355 Committee, Walcha Youth Advisory Committee.

**6.7 Update Transport & Communication Bus Stops Policy**

**WO/2016/00783**

175 **RESOLVED** on the Motion of Councillors Lyon and Levingston that Council **ADOPT** the amended Transport & Communications Bus Stops Policy as presented.



**Transport & Communications Policies**  
**Bus Stops**



**Objective**

*To ensure the provision of an efficient, safe and effective road system for the community.*

**Policy**

*Bus stops on Council roads shall only be provided where*

- a) The cost of the bus stop is minimal or*
- b) The bus stop is adjacent to and can be easily and economically included as part of some other specific capital works approved in the Plan of Management or*
- c) Council has made provision in its Delivery Program for the construction of a bus stop.*

*When bus stops improvements are being considered for inclusion in the Plan of Management, priority shall be determined based on the number of residential properties served by the bus stop and the level of risk to the safety of those using the bus stop.*

**Responsibilities**

***Council's responsibilities:***

*It is the responsibility of Council to assess all school bus stops and bus routes and, where appropriate, approve those routes and stops for use after consultation with the Local Traffic Committee.*

*Applications for approval may come from a bus operator or directly from the funding authority.*

*Council should prepare a Traffic Management Plan for the use of each unique bus stop, proposed and existing. The plan should be provided to the bus operator for distribution to users, parents and guardians.*

***Bus Operators Responsibilities***

*Bus operators must ensure that they obtain approval for all routes and stops from Council prior to lodging an application for funding with Transport for NSW.*

*Bus operators must only operate on approved bus routes and approved bus stops using a bus of approved size. The operation of a bus on a non-approved route or a non-approved stop may be a breach of the contract conditions the operator has established with Transport for NSW.*

*Where the approved route is not an all-weather road, the onus is on the bus operator to determine whether the road surface is safe for use on any particular day or at any particular time.*

*Bus operators are responsible for ensuring that users and their parents/guardians are aware of the Traffic Management Plan for the bus stop they utilise and that they adhere to the requirements of the Plan when using the bus stop.*

***Parental Responsibilities***

*It is the parent's or guardian's responsibility to ensure that their child gets to and from the bus stop safely.*

*At a rural school bus stop, parents are responsible for their child prior to boarding and directly after embarking the bus. While on the bus, the child is the responsibility of the bus operator.*

*Parents should familiarise themselves with the Traffic Management Plan for their child's bus stop to ensure that they understand where the child should and shouldn't walk, where to wait and where to board and disembark from the bus and where the designated car parking area is located (if necessary).*

***Transport for NSW Responsibilities***

*Transport for NSW is responsible for the funding of the school bus system. This Ministry contracts individual bus operators to provide services in both rural and urban locations for the purpose of school transported.*



*Transport for NSW only contracts bus operators on receiving proof of an approved route and stops from the road authority, i.e. Council.*

*Once the evidence has been noted, Transport for NSW will determine the funding for the proposed service or service modification.*

*If Transport for NSW is funding the proposed service, then the route and all the bus stops on the route that have been approved by Council, must be included in the service contract with the bus operator.*

**PROCEDURE:**

- 1). *Application/s received from bus operator*
- 2). *Reference to Guideline in order to undertake assessment*
- 3). *Assessment undertaken –as per considerations in this document*
- 4). *Information submitted to the Local Traffic Committee for Consideration*
- 5). *Traffic Committee recommendation submitted to Council for Consideration*
- 6). *Bus Operator informed of approval and construction details*
- 7). *Approval is entered into Dataworks through PIMP and construction priority is assigned based on risk and needs*
- 8). *Funding to be sought as required*
- 9). *Begin works process*

**ASSESSMENT PROCESS:**

***Assessment and Approval Process for Rural School Bus Routes***

*The assessment and approval of a new rural school bus route or the modification of an existing route is the responsibility of the local road authority and, in most cases, this will be Council.*

*Once Council has assessed and approved a route, Transport for NSW then makes a decision as to whether the route or stop will be approved for funding.*

*All requests for a new rural school bus route, or a modification of an existing route, should be lodged with Council, either via the bus operator or the funding authority.*

*Once Council has received the request, the matter is to be referred to the Local Traffic Committee for discussion and recommendation to Council. In determining the suitability of a route, Council and the Local Traffic Committee should consider the route's proposed use, the ability of the bus to manoeuvre and, where required, turn around.*

**Reason**

*To ensure that bus stops are provided at locations of most need and within funding allocations approved by Council.*



**Councillor Schmutter arrived at the Meeting at 4:05pm.**

**6.8 Timber Bridges Update**

**WO/2016/00750**

The Report was **NOTED** by Council.



**6.9 Committee of the Whole Referral – Expression of Interest in Property in Walcha WO/2016/00796**

176 **RESOLVED** on the Motion of Councillors Schmutter and Levingston that, in accordance with the provisions of Section 10 of the Local Government Act 1993, the matter of “Expression of Interest in Property” be referred to be discussed in Committee of the Whole 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.

**COMMITTEE OF THE WHOLE**

177 **RESOLVED** on the Motion of Councillors Lyon and Ferrier 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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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

The Deputy 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.

Clr Archdale declared an interest in this matter and left the Meeting. Clr Schmutter, Deputy Mayor, assumed the Chair.

**2.1 Expressions of Interest in Property in Walcha WINT/2016/01131**

It was **MOVED** Councillor Ferrier **Seconded** Councillor Levingston that Council take no further action.

An **Amendment** was **MOVED** Councillor Lyon **Seconded** Councillor Thomson that the General Manager prepare a report for the next Council Meeting on potential return on investment if Council invested in these properties.

The **Amendment** was put to the **VOTE** and **CARRIED**.  
It then became the **Substantive Motion** and was put to the **VOTE** and **CARRIED**.



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**ADOPTION OF COMMITTEE OF THE WHOLE**

179 **RESOLVED** on the Motion of Councillors Lyon and Heazlett that the Report and Recommendations of the Meeting of the Walcha Council Committee of the Whole held on Wednesday, 1 June 2016 be **ADOPTED** by Council.

Councillor Ferrier recorded his **VOTE AGAINST** this **MOTION**.

The Mayor, Councillor Archdale, returned to the Chambers and was informed of the decision. The Mayor then resumed the Chair.

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

**7. NOTICE OF MOTION**

Nil.

**8. MATTERS OF URGENCY**

Clr Lyon raised a matter of urgency regarding the arrangements for the Regional Meetings.

180 **RESOLVED** on the Motion of Councillors Lyon and Heazlett that it be considered as a matter of urgency and was therefore declared by the Mayor.

**Regional Meetings**

181 **RESOLVED** on the Motion of Councillors Lyon and Levingston that Council hold their Regional Meetings as follows:

- ✚ Woolbrook – Thursday, 16 June 2016 at 6:00pm
- ✚ Europambela – Friday, 17 June 2016 at 12 noon
- ✚ Nowendoc – Friday, 17 June 2016 at 3:00pm
- ✚ Yarrowitch – Friday, 17 June 2016 at 5:30pm

**9. MANAGEMENT REVIEW REPORTS**

**WO/2016/00778**

182 **RESOLVED** on the Motion of Councillors Ferrier and Levingston that items included in the Management Review Report, numbered 1 to 15 inclusive, be **NOTED** by Council.





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**10. COMMITTEE REPORTS**

**10.1 Minutes of the Walcha Preschool Advisory Committee Meeting held at the Walcha Preschool on Monday, 9 May 2016. WO/2016/00787**

183 **RESOLVED** on the Motion of Councillors Schmutter and Lyon that Council **ADOPT** the Environmental Awareness Policy, Equipment Policy, Excursion Policy, Food and Nutrition Policy, Hazardous Plants Policy, HIV & AIDS Virus Policy, Hygiene Policy, Physical Activity & Small Screen Time Policy, Protective Behaviour Policy, Sun Protection Policy, Supervision of Children Policy, Access & Equity Policy, Water Safety Policy and Child Protection Policy as submitted.

184 **RESOLVED** on the Motion of Councillors Schmutter and Lyon that Council **REPEAL** the Treatment of Children with Special Needs, Personal Hygiene Policy, Managing and Preventing Recurrent Otitis Media Policy as they have been incorporated into existing policies.

**11. DELEGATE REPORTS**

**11.1 Minutes of the Ordinary Meeting of the New England Tablelands (Noxious Plants) County Council Meeting held in the Armidale Office on Tuesday, 2 February 2016. WI/2016/02321**

**11.2 Delegates Report from the NSW Public Libraries Association North West Zone Meeting held at Tamworth Library on Thursday, 5 May 2016. WO/2016/00799**

**11.3 Minutes of the Namoi Councils Joint Organisations Meeting held at Gwydir Shire Council "Living Class Room" on Thursday, 5 May 2016. WI/2016/02420**

**THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 5:10PM.**