



ORDINARY MEETING OF COUNCIL

held on

Wednesday, 27 November 2019

at

2:20pm

at

Walcha Council Chambers

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

IN ATTENDANCE: Mrs AD Modderno – General Manager, Mr DJM Reeves – Director – Engineering Services, Mrs LJ Latham – Environmental Services Manager, Mrs RA Strobel – Chief Financial Officer and Mrs EL Hobbs – Executive Assistant.

1. APOLOGIES:

Nil.

MINUTES



2. CONFIRMATION OF THE ORDINARY MEETING MINUTES HELD ON WEDNESDAY, 30 OCTOBER 2019:

74 **RESOLVED** on the Motion of Councillors Kealey and Ferrier that the Minutes of the Ordinary Meeting held on Wednesday, 30 October 2019, copies of which have been distributed to all members, be taken as read and confirmed a **TRUE** record with the amendment below:

Item 2 – Confirmation of Previous Minutes

3. BUSINESS ARISING

Clr Kealey – requested an update on Item: 7.2 and an update on 7.3 – 4.1.7 - Tier 3 & 4.

7.2 - Tender for Specialist Consulting Services

The General Manager advised that we are in the process of progressing with a review of our procurement options for this project. In parallel to this, Council have accelerated the delivery of the emergency water supply plan. Council confirms that we have received endorsement to expand the scope of this plan to include utilising bore water options.

7.3 – Replacement of a 14 FT Grader – Tier 3 & 4.

The Director – Engineering Services advised that the advice received by Council was for Council to re-tender to give all parties an opportunity to tender for the Tier 4 Grader. This process is planned to commence next week and Council will strive to complete this prior to the December 2019 Council Meeting.

4. DECLARATIONS OF INTEREST

Nil.

5. MAYORAL MINUTE

Nil.

6. SENIOR OFFICERS REPORT

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

**6.1 Quarterly Review of Operational Plan & Budget as at 30 September 2019
WO/2019/02903**

76 **RESOLVED** on the Motion of Councillors Lyon and Kealey that Council adopt the September 2019 Quarterly Budget Review Statements **FURTHER THAT** Council approve the variations in Income and Expenditure votes as detailed **STILL FURTHER THAT** Council approve the transfer of additional FAG funding, \$118,052, to the General Fund for further determination.



6.2 Amendment to Environmental Services Fees & Charges 2019 – 2020

WO/2019/02535

77 **RESOLVED** on the Motion of Councillors Lyon and Kermode that the Draft Amended 2019-2020 Fees and Charges as attached in Table 1 be ADOPTED by Council and placed on public exhibition for a period of 28 days. **FURTHER THAT** delegation be given to the General Manager to adopt the Final Amended 2019-2020 Fees and Charges should no submission be received as a result of the public exhibition.

6.3 Arrangements for Christmas for Staff & Council 2019 WO/2019/02851

Motion:

It was **MOVED** Clr Kermode **Seconded** Clr Ferrier that Council allow the Combined Staff Christmas Party to be held during working hours on Thursday, 19 December 2019 at 1:00pm **FURTHER THAT** a donation of \$3,100 be made towards the cost of the Function.

Amendment:

An **Amendment** was **MOVED** Clr Lyon **Seconded** Clr Ferrier that Council allow the Combined Staff Christmas Party to be held during working hours on Thursday, 19 December 2019 at 1:00pm **FURTHER THAT** a donation of \$3,500 be made towards the cost of the Function.

The Original Motion was **WITHDRAWN** by Clr Kermode and Clr Ferrier.

78 The Amendment became the **Motion** and was put to the **VOTE** and **CARRIED**.

6.4 Draft Audio Recording of Meetings Policy WO/2019/02898

79 **RESOLVED** on the Motion of Councillors Kealey and Wellings that Council

1. Exhibit the Draft Audio Recordings of Meetings Policy for a period of 28 days; and
2. **ADOPT** the Draft Audio Recordings of Meetings Policy as presented subject to no submissions received during the exhibition period.

6.5 Change of Meeting Time WO/2019/02855

80 **RESOLVED** on the Motion of Councillors Lyon and Wellings that the commencing time of the Ordinary Meeting of Council be changed from 2:00pm to 3:45pm **FURTHER THAT** this is to commence on 18 December 2019.

6.6 Walcha Pool Operation – Level 5 Water Restrictions WO/2019/02915

81 **RESOLVED** on the Motion of Councillors Kealey and Wellings that Council **AUTHORISE** the General Manager to continue to operate the Walcha Pool during Level Five Water Restrictions for the 2019-2020 Pool Season.



6.7 Draft Namoi Unlimited Policy Managing Contaminated or Potentially Contaminated Land 2019 **WO/2019/02893**

82 **RESOLVED** on the Motion of Councillors Wellings and Heazlett that Council:

1. Endorse the public exhibition of the Draft Managing Contaminated or Potentially Contaminated Land 2019 Policy for a period of 28 days;
2. Following the public exhibition period, if feedback is received, request a further report on the feedback and any amendments to the Draft Policy for consideration and adoption by Council; and
3. Following the public exhibition period, if no feedback is received, **ADOPT** the Draft Policy as presented.

6.8 Development Application 10.2019.60 – 188W Apsley Street, Walcha **WO/2019/02919**

Motion

It was **MOVED** Clr Kealey **Seconded** Clr Kermode that Council approve Development Application 10.2019.60 for a garage on 188W Apsley Street, Walcha, as per the development conditions listed within the Development Assessment Report:

PRESCRIBED CONDITIONS

(under the Environmental Planning and Assessment Regulation 2000)

Compliance with Building Code of Australia & insurance requirements under the Home Building Act 1989

Please Note: A reference to the Building Code of Australia is a reference to that Code as in force on the date the application is made for the relevant:

- a) development consent, in the case of a temporary structure that is an entertainment venue, or
- b) construction certificate, in every other case.

1. The work must be carried out in accordance with the requirements of the *Building Code of Australia*.
2. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance must be entered into and be in force before any building work authorised to be carried out by the certificate commences.

Erection of signs

Please Note: This does not apply in relation to:

- a) Building work, subdivision work or demolition work that is carried out inside an existing building, which does not affect the external walls of the building development consent, in the case of a temporary structure that is an entertainment venue, or
- b) Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws.
- c) A complying development certificate issued before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.

3. A sign must be erected in a prominent position on any site on which building work, subdivision work



or demolition work is being carried out:

- a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - c) stating that unauthorised entry to the site is prohibited.
4. Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

Please Note: *Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).*

Notification of Home Building Act 1989 requirements

Please Note: *This does not apply in relation to Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws.*

5. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
- a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
 - b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

Please Note: *If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under the above becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.*

Shoring and adequacy of adjoining property

Please Note: *This does not apply if the person having the benefit of the complying development certificate owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.*

6. If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the certificate must at the person's own expense:
- a) protect and support the adjoining premises from possible damage from the excavation, and
 - b) where necessary, underpin the adjoining premises to prevent any such damage.

GENERAL CONDITIONS

7. The development must take place in accordance with the approved plans (bearing the Walcha Council approval stamp) and documents submitted with the application.
8. The garage is not to be constructed within 1 metres of the sewer easement.
9. The garage is not to be used for any other purposes except for residential storage. It is not to be used as a dwelling.



CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING

- 10. A Construction Certificate must be obtained, in accordance with cl.146 of the Environmental Planning and Assessment Regulation 2000, before work commences.
- 11. Council is to be given written notice of the intention to commence works and the appointment of a Principal Certifying Authority (if the PCA is not Council) at least two days before the proposed date of commencement, in accordance with cl 103 and 104 of the *Environmental Planning and Assessment Regulation 2000*. Such notice is given using the form enclosed with this consent.

Should Walcha Council be appointed the Principal Certifying Authority, the applicant must give at least 2 days' notice to enable inspections to be undertaken.
- 12. Before construction commences on the site and throughout the construction phase of the development, erosion control measures are to be installed to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:
 - divert contaminated run-off away from disturbed areas,
 - erect silt fencing along the downhill side of the property boundary,

Please Note: *Failure to take effective action may render the developer liable to prosecution under the NSW Protection of the Environment Operations Act 1997.*

- 13. A hoarding or fence must be erected between the work site and any public place if the work is likely to cause traffic (pedestrian or vehicular) in a public place to be obstructed or otherwise inconvenience. The erected hoarding is to be sufficient to prevent any substance from or in connection with the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. The hoarding, fence or awning is to be removed once the work has been completed.
- 14. The stormwater drainage method is to be submitted to and approved by Council prior to the issue of a construction certificate.

CONDITIONS TO BE COMPLETED DURING CONSTRUCTION

- 15. Any building work must be carried out between 7.00am and 5.00pm Monday to Friday and 8.00am to 1.00pm Saturdays, excluding Sundays and public holidays. No audible construction is to take place outside these hours, to maintain the amenity of the locality.
- 16. A garbage receptacle must be provided at the work site before works begin and must be maintained until works are completed. The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.
- 17. Waste materials (including excavation, demolition and construction waste materials) must be managed on the site (and must not be burned on site) and then disposed of at a waste management facility, to protect the amenity of the area and avoid the potential of air pollution.
- 18. Effective dust control measures are to be maintained during construction to maintain public safety / amenity. Construction activities are to be undertaken so as not to inconvenience the adjoining land owners and are to be restricted solely to the subject site.
- 19. Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.
- 20. No material or equipment associated with the development is to be placed on public land without the written consent of the Council, and any activity located in close proximity to public areas is to be fenced to prevent damage to persons or property.
- 21. Any earthworks (including any structural support or other related structure for the purposes of the development):



- a) must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot, and
- b) must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property, and
- c) that is fill brought to the site—must contain only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the *Protection of the Environment Operations Act 1997*, and
- d) that is excavated soil to be removed from the site—must be disposed of in accordance with any requirements under the *Protection of the Environment Operations (Waste) Regulation 2005*.

Any excavation must be carried out in accordance with *Excavation Work: Code of Practice* (ISBN 978-0-642-785442), published in July 2012 by Safe Work Australia.

CONDITIONS TO BE COMPLETED PRIOR TO OCCUPATION/USE COMMENCING

- 22. An Occupation Certificate must be obtained before the approved use commences, in accordance with the Environmental Planning and Assessment Act 1979 and to ensure the health and safety of the building's occupants.

Please Note: Failure to obtain an Occupation Certificate is an offence under the legislation. Penalty advice for buildings (penalties do not apply to uses detailed in sections 109M and 109N; i.e. Crown projects, Class 1a and 10 buildings or as detailed for places of public entertainment).

- 23. At the completion of the works, the work site must be left clear of waste and debris.

CONDITIONS RELATING TO ONGOING OPERATIONS

- 24. A further application is to be made for any change, enlargement or intensification of the premises or land use, including the display / erection of any new structure such as signage, partition walls or building fit-out (unless the proposed work is exempt from the need for consent under *State Environmental Planning Policy (Codes SEPP) 2008*).

COUNCIL ADVICE ONLY

- 25. Covenant/s: The applicant / owner has the responsibility of being aware of any covenant which may affect the proposal.
- 26. Dial Before You Dig: Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.
- 27. Telecommunications Act 1997 (Commonwealth); Telstra (and its authorized contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.



Amendment

An **Amendment** was **MOVED** Clr Lyon that Council carry out neighbour notification of the development for a period of 14 days, and subject to no objections being received by Council, Council approve Development Application 10.2019.60 for a garage on 188W Apsley Street, Walcha, as per the development conditions listed within the Development Assessment Report:

PRESCRIBED CONDITIONS

(under the Environmental Planning and Assessment Regulation 2000)

Compliance with Building Code of Australia & insurance requirements under the Home Building Act 1989

Please Note: A reference to the Building Code of Australia is a reference to that Code as in force on the date the application is made for the relevant:

- c) development consent, in the case of a temporary structure that is an entertainment venue, or
- d) construction certificate, in every other case.

1. The work must be carried out in accordance with the requirements of the *Building Code of Australia*.
2. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance must be entered into and be in force before any building work authorised to be carried out by the certificate commences.

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- d) Building work, subdivision work or demolition work that is carried out inside an existing building, which does not affect the external walls of the building development consent, in the case of a temporary structure that is an entertainment venue, or
- e) Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws.
- f) A complying development certificate issued before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.

3. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - c) stating that unauthorised entry to the site is prohibited.
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- a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
- b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

Please Note: *If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under the above becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.*

Shoring and adequacy of adjoining property

Please Note: *This does not apply if the person having the benefit of the complying development certificate owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.*

6. If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the certificate must at the person's own expense:
 - c) protect and support the adjoining premises from possible damage from the excavation, and
 - d) where necessary, underpin the adjoining premises to prevent any such damage.

GENERAL CONDITIONS

7. The development must take place in accordance with the approved plans (bearing the Walcha Council approval stamp) and documents submitted with the application.
8. The garage is not to be constructed within 1 metres of the sewer easement.
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 - divert contaminated run-off away from disturbed areas,
 - erect silt fencing along the downhill side of the property boundary,

Please Note: *Failure to take effective action may render the developer liable to prosecution under the NSW Protection of*



the Environment Operations Act 1997.

13. A hoarding or fence must be erected between the work site and any public place if the work is likely to cause traffic (pedestrian or vehicular) in a public place to be obstructed or otherwise inconvenience. The erected hoarding is to be sufficient to prevent any substance from or in connection with the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. The hoarding, fence or awning is to be removed once the work has been completed.
14. The stormwater drainage method is to be submitted to and approved by Council prior to the issue of a construction certificate.

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16. A garbage receptacle must be provided at the work site before works begin and must be maintained until works are completed. The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.
17. Waste materials (including excavation, demolition and construction waste materials) must be managed on the site (and must not be burned on site) and then disposed of at a waste management facility, to protect the amenity of the area and avoid the potential of air pollution.
18. Effective dust control measures are to be maintained during construction to maintain public safety / amenity. Construction activities are to be undertaken so as not to inconvenience the adjoining land owners and are to be restricted solely to the subject site.
19. Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.
20. No material or equipment associated with the development is to be placed on public land without the written consent of the Council, and any activity located in close proximity to public areas is to be fenced to prevent damage to persons or property.
21. Any earthworks (including any structural support or other related structure for the purposes of the development):
 - e) must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot, and
 - f) must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property, and
 - g) that is fill brought to the site—must contain only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the *Protection of the Environment Operations Act 1997*, and
 - h) that is excavated soil to be removed from the site—must be disposed of in accordance with any requirements under the *Protection of the Environment Operations (Waste) Regulation 2005*.

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Please Note: Failure to obtain an Occupation Certificate is an offence under the legislation. Penalty advice for buildings (penalties do not apply to uses detailed in sections 109M and 109N; i.e. Crown projects, Class 1a and 10 buildings or as



detailed for places of public entertainment).

23. At the completion of the works, the work site must be left clear of waste and debris.

CONDITIONS RELATING TO ONGOING OPERATIONS

24. A further application is to be made for any change, enlargement or intensification of the premises or land use, including the display / erection of any new structure such as signage, partition walls or building fit-out (unless the proposed work is exempt from the need for consent under *State Environmental Planning Policy (Codes SEPP) 2008*).

COUNCIL ADVICE ONLY

25. Covenant/s: The applicant / owner has the responsibility of being aware of any covenant which may affect the proposal.
26. Dial Before You Dig: Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.
27. Telecommunications Act 1997 (Commonwealth); Telstra (and its authorized contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

The **Amendment FAILED** to get a **Secunder** and lapsed.

83 The Original **Motion** was put to the **VOTE** and **CARRIED**.

Afternoon Tea:

Council adjourned for afternoon tea at 3:15pm and resumed at 3:55pm.

6.9 Renew Our Libraries Campaign – Phase Two WO/2019/02888

84 **RESOLVED** on the Motion of Councillors Heazlett and Ferrier:

1. That Council make representation to the local State Member, Hon Kevin Anderson, Minister for Better Regulation and Innovation, in relation to the need for a sustainable state funding model for the ongoing provision of public library services.
2. That Council write to the Hon Don Harwin, Minister for the Arts and the Hon Walt Secord, Shadow Minister for the Arts, calling for bi-partisan support for Consumer Price Index (CPI) indexation of state funding for NSW



public libraries, as well as legislation of all elements of the 2019-20 to 2022-23 NSW state funding model.

3. That Council take a leading role in lobbying for sustainable state government funding for libraries.
4. That Council endorse the distribution of the NSW Public Libraries Association NSW library sustainable funding advocacy information in Council libraries, as well as involvement in any actions proposed by the Association.

8. NOTICES OF MOTION

Nil

9. MATTERS OF URGENCY

Nil.

10. MANAGEMENT REVIEW REPORTS

WO/2019/02856

85 **RESOLVED** on the Motion of Councillors Lyon and Ferrier that items included in the Management Review Report, numbered 10.1 to 10.16 inclusive, be **NOTED** by Council.

11. COMMITTEE REPORTS

11.1 Minutes of the Walcha Council Risk, Audit & Improvement Committee Meeting held on Tuesday, 1 October 2019 at the Walcha Council Chambers, Hamilton Street Walcha.

WO/2019/02514

12. DELEGATE REPORTS

12.1 Minutes of the New England Tablelands (Noxious Plants) County Council Meeting held at the Armidale Office, Rusden Street, Armidale on Tuesday, 20 August 2019.

WI/2019/14924

Councillor Wellings gave a verbal report on the Library Conference held mid November 2019.

7. CLOSED COUNCIL

7.1 Referral to Closed Council – Rental of Walcha Squash Court Complex for Walcha Community Gym and Squash.

WO/2019/02923

86 **RESOLVED** on the Motion of Councillors Lyon and Ferrier that, in accordance with the provisions of Section 10A (2)(c) of the Local Government Act, 1993, the matter of Rental of Walcha Squash Court Complex for Walcha Community Gym and Squash be referred to be discussed in Closed Council and close the meeting to the public for the reasons 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.



87 **RESOLVED** on the Motion of Councillors Kealey and Lyon 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.

88 The Meeting resumed in **OPEN** Council on the Motion of Councillors Lyon and Ferrier.

The Mayor reported whilst in Closed Council 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.

7.1 Rental of Walcha Squash Court Complex for Walcha Community Gym and Squash WO/2019/02899

A **RECOMMENDATION** was **MOVED** on the Motion of Councillor Lyon that Council:

1. Set the rent of the Squash Courts Complex at \$125 per month for the Walcha Squash Club Inc. and \$200 per month for the Walcha Community Fitness Club Inc. with an annual CPI increase built in;
2. Amend the current Fees and Charges to the new set rate;
3. Prepare an updated annual agreement with the Walcha Community Fitness Club Inc.; and
4. Review the rental fee of the Complex upon an Occupation Certificate being issued to the new Community Gym Building.

ADOPTION OF CLOSED COUNCIL

89 **RESOLVED** on the Motion of Councillors Lyon and Ferrier that the Report and Recommendations of the Meeting of the Walcha Council Closed Council held on Wednesday, 27 November 2019 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 5:15PM.