



ORDINARY MEETING OF COUNCIL

held on

Wednesday, 25 November 2020

at

3:03pm

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, Mrs LJ Latham – Director Environment & Development, Mr PR Murray – Director Infrastructure and Mrs EL Hobbs – Executive Assistant.

1. LEAVE OF ABSENCE:

113 **RESOLVED** on the Motion of Councillors Lyon and Ferrier that Leave of Absence from Clr Heazlett, due to family commitments, be **ACCEPTED** by Council.

It is noted that Clr Heazlett is planning to join the Meeting.

MINUTES



2. CONFIRMATION OF THE ORDINARY MEETING MINUTES HELD ON WEDNESDAY, 28 OCTOBER 2020:

114 **RESOLVED** on the Motion of Councillors Kermode and Kealey that the Minutes of the Ordinary Meeting held on Wednesday, 28 October 2020, copies of which have been distributed to all members, be taken as read and confirmed a **TRUE** record.

CONFIRMATION OF THE EXTRAORDINARY MEETING MINUTES HELD ON WEDNESDAY, 11 NOVEMBER 2020:

115 **RESOLVED** on the Motion of Councillors Kermode and Kealey that the Minutes of the ExtraOrdinary Meeting held on Wednesday, 11 November 2020, copies of which have been distributed to all members, be taken as read and confirmed a **TRUE** record.

3. BUSINESS ARISING

Ordinary Meeting Minutes – 28 October:

Item 6.2 – Development Application 10.2016.17.2 – Modify a Development Consent – Supermarket and Liquor Outlet 36W-40W Fitzroy Street, Walcha

Clr Lyon declared a pecuniary interest in this matter as he is a neighbouring building owner and left the Chambers at 3:05pm

Clr Peter Blomfield proceed to ask a question requesting if the low line masonry walls along Fitzroy and South Streets, would be rendered or painted.

Director Environment & Development advised that that question will be taken on notice due to the fact she doesn't have the plans with her at the moment.

Clr Lyon returned to the Chambers at 3:06pm

4. DECLARATIONS OF INTEREST

Nil.

5. MAYORAL MINUTE

Nil.

6. SENIOR OFFICERS REPORT

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

**6.1 Quarterly Review of Operational Plan & Budget as at September 2020
WO/2020/04166**

117 **RESOLVED** on the Motion of Councillors Kermode and Blomfield that Council:

1. **ADOPT** the September 2020 Quarterly Budget Review Statements; and



2. **APPROVE** the variations in Income and Expenditure votes as detailed in this report.

6.2 Adopted Updated Walcha Council Code of Conduct AND Procedures for the Administration of the Code of Conduct 2020 WO/2020/04114

118 **RESOLVED** on the Motion of Councillors Kealey and Wellings that Council **ADOPT** the new Model Code of Conduct for Local Councils in NSW 2020 and the new Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW 2020 as presented.

6.3 Amendment to Walcha Council Code of Meeting Practice WO/2020/4130

119 **RESOLVED** on the Motion of Councillors Wellings and Kealey that Council **ADOPT** the amendments to Walcha Council Code of Meeting Practice 2018 including to retain the audio recordings of Council Meetings for a period of 12 months on Council's website, as per the Local Government (General) Regulations 2005.

6.4 Grant Program Update WO/2020/04063

120 **RESOLVED** on the Motion of Councillors Kealey and Blomfield that Council:

1. Approve the proposed Walcha Pool Improvement Program as defined in Table 2 of this report.
2. Revise the current application for Local Road & Community Infrastructure funding to specify the following projects as outlined below with costs contained in Table 4 of this report:
 - a. Walcha Pool Fence Replacement (phase 1 of works already completed);
 - b. McHattan Park works to improve access and facilities;
 - c. Improve Pedestrian Access at Walcha Hospital;
 - d. Construct Levee Bank Pedestrian Underpass;
 - e. Improve Pedestrian Safety on Blue Hogan Bridge;
 - f. Gravel Road Resheeting – Extend existing program from \$480,000 to \$635,000 to improve wet weather access;
 - g. Local Urban Road Resealing - Extend existing program from \$100,000 to \$300,000 to extend economic life of roads and address asset maintenance backlog;
 - h. Improve Walcha Preschool Access Road – Reform table drains and resurface existing access road; and
 - i. Level Footpath Area at Lions Park – Install culvert extensions and fill and turf footpath
3. Approve reallocation of \$10,000 of the Bushfire Recovery Funding currently allocated to Development Application fee subsidisation to a new project to remove bushfire debris on the road reserve at Kangaroo Flat Road.



6.5 Arrangements for Christmas for Council Staff 2020 WO/2020/04052

121 **RESOLVED** on the Motion of Councillors Wellings and Kealey that Council allow the Combined Staff Christmas Party to be held during working hours on Thursday, 17 December 2020 at 1:00pm **FURTHER THAT** a donation of \$3,000 be made towards the cost of the Function.

6.6 Crocodile Bridge Safety WO/2020/03816

122 **RESOLVED** on the Motion of Councillors Wellings and Ferrier that Council remove the current temporary barriers and the concrete path connections, and restore the excavation with turf and extend the existing garden beds on either side of the creek be to preclude pedestrian access to the Crocodile Bridge.

**6.7 Application to Become a “Get Ready” Council – Resilience NSW
WO/2020/04125**

123 **RESOLVED** on the Motion of Councillors Wellings and Kealey that Council **ENDORSE** the application to Resilience NSW to become a “Get Ready” Council to support community disaster preparedness.

Clr Heazlett joined the Meeting at 3:40pm.

6.8 Beautification Committee Project Recommendations WO/2020/04068

- 124 **RESOLVED** on the Motion of Councillors Kermode and Lyon that Council:
1. **ENDORSE** the recommendations of the 355 Committee Project Scope forms endorsed by the Walcha Town & District Beautification & Tidy Towns Committee meeting of 07 October 2020 and approves construction of Mill Hole – Stage 2 and the Rose Garden projects;
 2. **ACKNOWLEDGES** the continuing efforts of the Walcha Town & District Beautification & Tidy Towns Committee and their contribution to positive Community Strategic Plan outcomes.

**6.9 Annual Review of the Agency Information Guide 2020-2021
WO/2020/03516**

125 **RESOLVED** on the Motion of Councillors Wellings and Ferrier that Council review and **ADOPT** the Draft 2020-2021 Agency Information Guide under the Government Information (Public Access) Act 2009 Division 2 Section 21.

7. NOTICE OF MOTION

Nil.

8. MATTERS OF URGENCY

Nil.



9. MANAGEMENT REVIEW REPORTS

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

9.1 Office of the General Manager **WO/2020/03987**

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

9.2 Infrastructure **WO/2020/03964**

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

9.3 Environment & Development **WO/2020/03867**

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

9.4 Community & Tourism **WO/2020/04056**

130 **RESOLVED** on the Motion of Councillors Lyon and Wellings that :

1. items included in the Community & Tourism Management Report be **NOTED** by Council.
2. Council **ENDORSE** the concept design for Betts Transport truck side Tourism Project noted in Section 4 of this Report.

131 **RESOLVED** on the Motion of Councillors Kealey and Lyon that Council endorse the concept design for Rob Dale's truck sides as presented in Councillor Workshop.

10. COMMITTEE REPORTS

132 **RESOLVED** on the Motion of Councillors Lyon and Wellings that the Report was **NOTED** by Council.

11. DELEGATE REPORTS

133 **RESOLVED** on the Motion of Councillors Kealey and Wellings that the Report was **NOTED** by Council.

12. QUESTIONS ON NOTICE

134 **RESOLVED** on the Motion of Councillors Kealey and Heazlett that the Report was **NOTED** by Council.



13. CLOSED COUNCIL

13A Referral to Closed Council:

WO/2020/04144

- 1. Air Condition for Walcha Preschool**
- 2. Agreement to Operate Walcha Aerodrome**
- 3. Tender for the Provision of Readymix Concrete**
- 4. Tender for the Construction of Three (3) Bridges – WAL-RFT-2020-2**

135 **RESOLVED** on the Motion of Councillors Heazlett and Wellings that, in accordance with the provisions of Section 10 of the Local Government Act, 1993, the matters of:

1. Air Conditioning for Walcha Preschool
2. Agreement to Operate Walcha Aerodrome
3. Tender for Provision of Readymix Concrete
4. Tender for Construction of Three (3) Bridges – WAL-RFT-2020-2

BE referred to be discussed in Closed Council and close the meeting to the public for the reason that the reports relate to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

13B Referral to Closed Council – Compulsory Land Acquisition

WO/2020/04156

136 **RESOLVED** on the Motion of Councillors Kealey and Blomfield that, in accordance with the provisions of Section 10A(2)(c) of the Local Government Act, 1993, the matter of Compulsory Land Acquisition be referred to be discussed in Closed Council for the reason that the report relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

137 **RESOLVED** on the Motion of Councillors Kealey and Ferrier 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 AND relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

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

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 **RESOLUTIONS** passed by the Council whilst in Closed Council Meeting.

13.1 Air Condition for Walcha Preschool **WO/2020/04085**
CC: 21/202021 **RESOLVED** on the Motion of Councillors Wellings and Kealey that Council:

1. Accept the Armidale Air Conditioning as the preferred supplier for installation of Air Conditioning into Zone 1 and Zone 2 of the Walcha Preschool; and
2. Approve project overspend greater than \$10,000 to be funded from the Local Roads & Community Infrastructure Funding.

13.2 Agreement to Operate Walcha Aerodrome **WINT/2020/06316**
CC:22/202021 **RESOLVED** on the Motion of Councillors Kealey and Wellings that Council:

1. Acknowledges that Walcha Aero Club Inc is the only suitable local supplier of aerodrome management services and that the creation of the Agreement to Operate Walcha Aerodrome is exempt from the usual requirements of Council's Procurement Administration Policy; and
2. Authorises the General Manager to execute the Agreement to Operate Walcha Aerodrome with Walcha Aero Club Inc.

13.3 Tender for the Provision of Readymix Concrete **WINT/2020/06493**
CC:23/202021 **RESOLVED** on the Motion of Councillors Kealey and Wellings that Council **ADOPTS** the tenders representing best value to a panel contract for the supply of Readymix Concrete for the period 01 December 2020 to 30 June 2023, with the following tenderers, with preference for the Local Supplier:

- a) Hoys Concrete;
- b) Boral Resources (Country) Pty Ltd; and
- c) BJB Concrete Pty Ltd t/as Redimix.

13.4 Tender for Construction of Three Bridges **WINT/2020/06838**
CC24/202021 **RESOLVED** on the Motion of Councillors Lyon and Kermode that Council **ACCEPT** the tender for the Design and Construction of Three Bridges from TOBCO for \$1,500,795.

13.5 Correction to Previous Compulsory Land Acquisition Resolution **WO/2020/04049**
CC:25/202021 **RESOLVED** on the Motion of Councillor Noakes and Lyon that Council terminate the legal process to compulsory acquire the land at 44N Derby Street, being Lot 42 DP 557564.

THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 5:25PM.