



ORDINARY MEETING OF COUNCIL

held on

Friday, 31 October 2014

at

3:35pm

at

Walcha Council Chambers

PRESENT: Cllr JM Archdale (Chairman) Mayor together with Councillors KW Ferrier, WJ Heazlett, L Levingston, CM Lyon RS Thomson, MJ Woods and SJ Schmutter from 4:04pm.

IN ATTENDANCE: Mr JG O'Hara (General Manager), Mr GA Moran (Director – Environmental Services) and Mr Matthew Fanning (Director – Engineering Services).

1. APOLOGIES:

53 **RESOLVED** on the Motion of Councillors Heazlett and Levingston that the apology received from Councillor Schmutter, being late due to work commitments, be **ACCEPTED**.

MINUTES



2. CONFIRMATION OF THE EXTRA ORDINARY MEETING MINUTES HELD ON MONDAY, 29 SEPTEMBER 2014:

54 **RESOLVED** on the Motion of Councillors Ferrier and Levingston that the Minutes of the Extra Ordinary Meeting held on Monday, 29 September 2014, copies of which have been distributed to all members, be taken as read and confirmed a **TRUE** record.

CONFIRMATION OF THE ORDINARY MEETING MINUTES HELD ON MONDAY, 29 SEPTEMBER 2014:

55 **RESOLVED** on the Motion of Councillors Ferrier and Levingston that the Minutes of the Ordinary Meeting held on Monday, 29 September 2014, copies of which have been distributed to all members, be taken as read and confirmed a **TRUE** record.

3. BUSINESS ARISING

Extra Ordinary Meeting Minutes – Monday, 29 September 2014:

Election of representative on the Community Care Committee and the Audit Committee

56 **RESOLVED** on the Motion of Councillors Ferrier and Thomson that if more than one councillor expressed an interest then Council hold a secret ballot.

Nominations were called for the Community Care Committee and two were received from Councillor Ferrier and Councillor Woods. The General Manager conducted a secret ballot and declared that Councillor Ferrier was elected to that position.

Nominations were called for the Audit Committee and Councillor Heazlett and Councillor Lyon expressed an interest. Both were elected to the Audit Committee.

4. DECLARATIONS OF INTEREST

6.1 Proposed Gazettal of Part Day Public Holiday for the Walcha Races to be held on Friday, 6 February 2015 from 12 noon to 6:00pm.

WO/2014/01799

Councillor Ferrier declared an interest in Item 6.1 due to being the Secretary of the Walcha Jockey Club.



5. MAYORAL MINUTE

Nil.

6. SENIOR OFFICERS REPORT

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

6.1 Proposed Gazettal of Part Day Public Holiday for the Walcha Races to be held on Friday, 6 February 2015 from 12 noon to 6:00pm

WO/2014/01799

Councillor Ferrier left the Meeting and took no part in the debate.

58 **RESOLVED** on the Motion of Councillors Lyon and Heazlett that Council apply for a Part Day Public Holiday from 12 noon to 6:00pm on Friday, 6 February 2015 **FURTHER THAT** in the event that this application is unsuccessful then Council apply for a Local Event Day.

Councillor Ferrier returned to the Chambers and the Chairman conveyed Council's resolution to him.

6.2 Request for Sponsorship Walcha Together

WO/2014/02062

It was **MOVED** Councillor Lyon **SECONDED** Councillor Ferrier that Council decline the request.

Councillor Woods **FORESHADOWED** a **MOTION** that Council offer to underwrite the event to the value of \$4,000.

59 **RESOLVED** on the Motion of Councillors Thomson and Heazlett that that Council suspend the Meeting as Councillor Ferrier had to take a phone call.

60 **RESOLVED** on the Motion of Councillors Heazlett and Levingston that Council resume the Meeting.

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

Councillor Woods and Heazlett recorded their vote **AGAINST** the Motion.



6.3 Refer Financial Statements to Audit 2013 – 2014 WO/2014/01747

62 **RESOLVED** on the Motion of Councillors Heazlett and Lyon that the 2013/2014 Financial Reports be referred to Audit **FURTHER THAT** a Statement in accordance with Section 413(2) (c) of the Local Government Act 1993, be completed and signed by the appropriate signatories.

6.4 Model Code of Conduct Complaints Statistic Report WO/2014/02051

63 **RESOLVED** on the Motion of Councillors Lyon and Heazlett that Council, under Part 12 of the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW – March 2013*, ADOPT the submitted Report on Code of Conduct Statistics for the reporting period 1 September 2013 to 31 August 2014 as presented **FURTHER THAT** Council send the Report to the Office of Local Government.

6.5 Referral to Committee of the Whole – Staff Committee Minutes – Facilitator for General Manager’s Performance Review WO/2014/02064

64 **RESOLVED** on the Motion of Councillors Heazlett and Levingston that, in accordance with the provisions of Section 10 of the Local Government Act, 1993, the matter of “Staff Committee Minutes – Facilitator for the General Manager’s Performance Review” be referred to be discusses in Committee of the Whole for the reasons that it relates to information on personnel matters concerning particular individuals and it also 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.

Councillor Schmutter arrived at the Meeting at 4:04pm.

7. COMMITTEE OF THE WHOLE

65 **RESOLVED** on the Motion of Councillors Heazlett 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 reasons that it relates to information on personnel matters concerning particular individuals and it also 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.

66 The Meeting resumed in **OPEN** Council on the Motion of Councillors Schmutter and Heazlett.



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 addition of Councillor Schmutter and with the exception of the press and the public.

7.1 Staff Committee Meeting Minutes – Facilitator for General Manager’s Performance Review WO/2014/02063

The Committee **RECOMMENDED** on the Motion of Councillors Lyon and Woods that Council not engage a facilitator for the General Manager’s Performance Review and conduct the General Manager’s Performance Review in-house.

ADOPTION OF COMMITTEE OF THE WHOLE

67 **RESOLVED** on the Motion of Councillors Lyon and Ferrier that the Report and Recommendations of the Meeting of the Walcha Council Committee of the Whole held on Friday, 31 October 2014 be **ADOPTED** by Council.

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

LATE REPORTS:

1. Offer of Licence over Crown Lands WO/2014/02067

68 **RESOLVED** on the Motion of Councillors Heazlett and Ferrier that Council approve the affixing of the Common Seal to the following legal document:

- ❖ Licence – Crown Lands Act 1989, Section 34A – Licence Number RI 521421

FURTHER THAT the affixing of the Common Seal be attested to by the Mayor and the General Manager.

8. NOTICE OF MOTION

8.1 Change of Meeting Day and Time WO/2014/02043

It was **MOVED** Councillor Schmutter **SECONDED** Councillor Levingston that Council Meetings be changed to the last Wednesday of the month and commence at 4:00pm.



An **Amendment** was **MOVED** Councillor Thomson **SECONDED** Councillor Woods that Council Meetings be changed to the last Wednesday of the month and to commence at 2:00pm.

A **FORESHADOWED AMENDMENT** was **MOVED** Councillor Lyon that it Council Meetings be changed to the last Wednesday of the month and to commence at 10:00am and Council to break for lunch.

The **AMENDMENT** was put to the **VOTE** and **CARRIED**.

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

9. MANAGEMENT REVIEW REPORTS

WO/2014/02004

70 **RESOLVED** on the Motion of Councillors Levingston and Thomson that items included in the Management Review Report, numbered 1 to 10 inclusive, be **NOTED** by Council.

10. MATTERS OF URGENCY

10.1 Possible Purchase of a Commercial Concern – by Councillor Ferrier

71 **RESOLVED** on the Motion of Councillors Ferrier and Thomson that the Matter of possible purchase of a commercial concern be discussed as a matter of urgency **FURTHER THAT** the matter be referred to Committee of the Whole as the matter 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

72 **RESOLVED** on the Motion of Councillors Ferrier and Heazlett 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.

73 The Meeting resumed in **OPEN** Council on the Motion of Councillors Schmutter and Levingston.

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 addition of Councillor Schmutter and with the exception of the press and the public.

1 Commercial Concern

The Committee **RECOMMENDED** on the Motion of Councillors Woods and Lyon that Council take no further action at this stage.

ADOPTION OF COMMITTEE OF THE WHOLE

74 **RESOLVED** on the Motion of Councillors Schmutter and Levingston that the Report and Recommendations of the Meeting of the Walcha Council Committee of the Whole held on Friday, 31 October 2014 be **ADOPTED** by Council.

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

11. COMMITTEE REPORTS

**11.1 Minutes of the Baths & Squash Courts Committee Meeting held in the Council Chambers, Hamilton Street Walcha on Tuesday, 30 November 2014.
WO/2014/01995**

75 **RESOLVED** on the Motion of Councillors Schmutter and Lyon that Council monitor attendance for the month of March 2015 to determine whether the pool for following years remains open during this month in an attempt to reduce operating costs.

76 **RESOLVED** on the Motion of Councillors Schmutter and Lyon that Council adopt the following “Arrangements for Pool Use” for the 2014/2015 pool season:

Pool Season

Season Opening and Closing

Open	second Saturday in November	15 November 2014
Close	last Sunday in March	29 March 2015

Pool Opening Hours

It is proposed that the pool opening hours for the 2014/15 season be as follows:

15 NOVEMBER 2014 to 19 DECEMBER 2014 and 27 JANUARY 2015 to 1 MARCH 2015	
Saturday and Sunday	11.00am to 6.00pm
Monday, Wednesday, Thursday & Friday	6.00am to 7.30am 12.30pm to 1.30pm 3.00pm to 6.00pm



Tuesday	6.00am to 7.30am 12.30pm to 1.30pm
---------	---------------------------------------

20 DECEMBER 2014 to 26 JANUARY 2015 - SCHOOL HOLIDAYS	
Saturday and Sunday	11.00am to 7.00pm
Monday to Friday	6.00am to 7.30am 11.00am to 7.00pm
Christmas Day	CLOSED

2 MARCH 2015 to 29 MARCH 2015	
Saturday and Sunday	11.00am to 6.00pm
Monday, Wednesday, Thursday & Friday	6.00am to 7.30am 3.00pm to 6.00pm
Tuesday	6.00am to 7.30am

Admission Fees Exemptions

All persons entering the pool shall pay the appropriate admission charge with the following exceptions:

- ❖ Preschool children
- ❖ School children in years K – 6 who are participating in an intensive learn-to-swim program organised by a school.
- ❖ Non-swimming parents or legal guardians supervising children involved in school events, swimming classes or Swimming Club.
- ❖ Non-swimming grand parents watching children involved in school events, swimming classes or Swimming Club.
- ❖ Teachers and instructors involved in school events, swimming classes or Swimming Club.

Season Tickets

Payment for Season Tickets shall be made at the Council Chambers during normal working hours. Season Ticket holders will be required to quote the receipt number as evidence of payment. An updated list of names and receipt numbers will be provided to the pool supervisor for verification. A family shall be defined as including the parents, children who are at school or less than 16 years of age and grandparents when ascertaining who is eligible to be included on a Family Season Ticket. Daily Admission Tickets will entitle the holder to enter and leave the pool as often as they wish on the day of purchase.

Daily Admission charges will be collected each day from the pool by Council’s staff.

Daily Admission and Season Tickets DO NOT cover night swimming.

Pool Entry for Un-accompanied Children

Children who are unable to swim shall not be allowed to enter the pool unless accompanied by their parent, legal guardian or responsible person.

Pool Use Outside Normal Opening Hours

The use of the pool outside normal hours shall be allowed under the following conditions:

- ❖ A booking shall be made in accordance with Council’s Policy for Booking of Sporting Facilities.
- ❖ The individual group shall be directly supervised by a Council employed pool supervisor. Council’s supervisor will not be available to carry out any other tasks while supervising.
- ❖ Council will provide at no charge, a pool supervisor for the following groups:



- Whole school or multi-school carnivals.
- Walcha Swimming Club meetings and carnivals.

All other out-of-hours users will be required to pay an additional charge of \$50.00 per hour to cover the cost of Council's pool supervisor.

A \$50.00 cancellation fee may apply if an individual or group fails to give Council at least one hour's notice of their intention not to use the pool as arranged.

Pool Use by Groups during Normal Opening Hours

Groups using the pool during normal opening hours will be required to book the pool in accordance with Council's Policy for Booking of Council Sporting Facilities.

Staffing

The pool will be staffed using permanent Council staff and casuals.

Support for the School Based Swimming Programs

Council's has a policy for supporting school-based swimming programs.

RECREATION & CULTURAL POLICY

Walcha Council shall provide assistance to schools in Walcha Shire who carry out intensive learn-to-swim programs at Walcha pool. The extent of this assistance will be limited to

- ❖ *Providing at no cost, the pool complete with supervisor. The number of hours provided to each school shall be calculated by multiplying the total number of students participating in an approved learn-to swim program by 0.2 and rounding up to the next whole hour.*
- ❖ *Providing free pool entry for all students participating in an intensive learn-to swim program*

Council shall only provide the above assistance between 9:00am and 3:00pm on week days starting on the first day of December and ending on the last day of February but excluding school and public holidays.

On any day when a booking is made at least one school must make use of the time between 12:30 noon and 1:30pm.

11.2 Minutes of the Walcha Preschool Committee Meeting held at the Walcha Preschool on Monday, 20 October 2014. WO/2014/02061

77 **RESOLVED** on the Motion of Councillors Schmutter and Heazlett that the following fees be **ADOPTED** for the 2015 Preschool year:

- ❖ Full Fee Session \$22:00
- ❖ Health Care Card holders \$11:00
- ❖ Aboriginal & Torres Strait Islander \$ 7:00

78 **RESOLVED** on the Motion of Councillors Schmutter and Heazlett that the Preschool Excursion Policy be **ADOPTED** as presented.

2. Excursion Policy – NOA1 & NOA2

Legislative Requirements

Walcha Preschool and all educators must ensure all operations are compliant to the following Acts/Regulations as required by the State of New South Wales. Failure to meet the below requirements is a criminal offence and may result in fines of up to \$22,000.

This is page 9 of 14 of Ordinary Council Meeting Minutes held 31 October 2014

.....General ManagerMayor



Who is affected by this policy?

Children
Educators

Introduction

Excursions are a valuable experience for children, families and staff of education and care settings. Excursions provide the opportunity to expand and enhance children's experiences, explore different environments and engage in meaningful ways with their communities. Excursions require appropriate planning and risk management to ensure the best experience and enjoyment for all. Walcha Preschool is committed to providing experience and enjoyment for all. By providing excursions that are well considered and planned, provide meaningful experiences and ensures the health, safety and wellbeing of children at all times.

Goals – What are we going to do?

Educators will:

- ❖ Make excursions a part of the program of education and care;
- ❖ Plan for excursions with careful consideration of the safety of children and adults;
- ❖ Carry out excursions only where full documentation and permissions have been completed and obtained;
- ❖ Undertake full risk assessments, consideration of value of educational excursions, and plan for first aid requirements.

Strategies – How will it be done?

Planning and Preparations

All excursions will be planned in advance to:

- ❖ Maximise both children's developmental experiences and their safety;
- ❖ Reflect the age, capacity and interests of the children;
- ❖ Ensure they are properly supervised and conducted in a safe manner; and
- ❖ Are conducted with fully informed written parental permission.
- ❖ Adult to child ratio for excursions is 1:5

All excursions will be thoroughly researched to ensure:

- ❖ Supervision is adequate so children cannot be separated from the group;
- ❖ Access to hazardous equipment and environments are minimised;
- ❖ There is adequate access to food, drink and other facilities (toilets, hand washing etc);
- ❖ Consideration is given to the mobility and supervision requirements of children with additional needs;
- ❖ That adequate sun protection is available.

When planning for an excursion educators will:

- ❖ Assess the requirements for the excursion;
- ❖ Conduct a risk assessment;
- ❖ Book transport to venues;
- ❖ Make alternative arrangements for adverse weather conditions;
- ❖ Inform families of the details of the excursion including destination. Objectives and outcomes, and what the child should bring;
- ❖ Provide families with an excursion permission form to complete to authorise their child to participate on the excursion;
- ❖ Request additional adult participation on the excursion where required;
- ❖ Arrange for a suitably equipped first aid kit (including EpiPen) and mobile phone to be taken on excursion.



Educators must make alternate arrangements for any children who are not attending the excursion, and ensure that any dialogue or pre-planning for the excursion does not alienate such children from social networks.

Additional factors need to be considered in the planning of excursions for children with additional needs. Where possible, our service will uphold the right for all children to access all excursions and engage in meaningful ways while on excursions.

Risk Assessment

The Nominated Supervisor will:

Ensure a risk assessment is conducted prior to any excursion to identify and assess the risk the excursion may pose to the safety, health and wellbeing of any child whilst on the excursion, and will specify how the service will manage any risks identified.

The risk assessment conducted will consider:

- ❖ Destination and duration of the excursion;*
- ❖ Potential water hazards or any hazard associated with water based activities;*
- ❖ Transport to and from destination;*
- ❖ Number of educators, responsible persons, and children involved;*
- ❖ Proposed activities, and*
- ❖ Items to be taken on the excursion eg: mobile phone, emergency contact numbers etc.*

If the excursion is a regular occurrence a risk assessment will only be carried out once, provided the circumstances around the excursion have not changed in any way since the initial risk assessment was conducted.

The Nominated Supervisor will also:

- ❖ Appoint a Certified Supervisor to be in charge of the excursion.*

Authorisations for Excursions

For all excursions parents or legal guardians will be given an excursion permission form with full details of the excursion including:

- ❖ Date, description, duration and destination of proposed excursion;*
- ❖ Method of transport to be used;*
- ❖ Reason for the excursion, and proposed activities to be conducted on the excursion;*
- ❖ The anticipated adult:child ratio – outlining numbers of educators and staff and other adults attending;*
- ❖ A statement that a risk assessment has been prepared and is available at the service for parents to view.*

If the excursion is a regular outing, authorisation is required once in a 12 month period. All parents or legal guardians will be asked to sign permission forms for regular excursions on enrolment and at the beginning of each subsequent year.

No child will be taken on an excursion unless written permission from parents or legal guardian has been received.

Families and Volunteers

Families will be encouraged to participate in excursions to assist in maintaining suitable child/staff ratios. If the parent needs to bring their child's sibling, the siblings must be included in the ratio.

If additional adults are required volunteers will be invited. Volunteers will be mature, responsible people who are aware of the hazards and responsibilities of taking a group of children out of the service.

Family members/volunteers are not to be left in sole charge of children and must be supervised by an educator at all times.



All volunteers/family members 'details will be entered into the appropriate staff record for the day. Family members and volunteers will be required to undergo a working with children check.

Traffic and Transport

Safety of children will be considered in the choice of route and mode of transport. The preschool will follow all applicable NSW road rules as well as the Kids and Traffic best practice recommendations for transporting young children safely in buses. Every reasonable precaution will be taken to protect children from harm and any hazard likely to cause injury.

Educators will ensure children obey road rules and cross roads at a crossing or lights where available. Educators will remain vigilant to ensure no child runs ahead or lags behind the group. One Educator will walk at the front of the group and one at the back of the group.

Supervision

Supervision on excursions will ensure the safety and wellbeing of all children for the duration of the excursion, taking into account ratios and all risks and hazards likely to be encountered.

The venue will be assessed as safe for all children and adults on the excursion and will be easily supervised and accessible.

Water Hazards

No excursions will be conducted to a swimming pool or other water related activity. Where there are significant water hazards (such as rivers, lakes or beaches), risk management strategies will be identified and implemented.

Conducting the Excursions

All educators, volunteers and children attending will be informed of excursion timetable/itinerary, special requirements, safety procedures, grouping of children and responsibilities.

A list of children on the excursion will be left at the service and a copy carried by the delegated Certified Supervisor.

Before leaving on the excursion, a notice will be prominently displayed which includes:

- ❖ Itinerary and timetable; and*
- ❖ Mobile phone contact number.*

Items to be taken on excursions include:

- ❖ A suitable stocked first-aid kit including EpiPen;*
- ❖ A mobile phone;*
- ❖ Children's emergency contact numbers;*
- ❖ Children's medication, if required; and*
- ❖ Other items as required eg sunscreen, drinking cups, jackets etc.*

If a child is lost on an excursion, the police will be notified immediately. We will leave a staff member behind to liaise with police and to help look, while the other Educators and adult helpers escort the children back.

Evaluation

All excursions are conducted in a safe manner and evaluated. Any improvements identified in the risk assessment prior to conducting the excursion or the evaluation of the excursion is addressed and actioned to ensure children's safety.

Review

The policy will be reviewed annually. The review will be conducted by:

- ❖ Management*



- ❖ *Employees*
- ❖ *Families*
- ❖ *Interested Parties*

<i>Date Adopted</i>	
<i>Nominated Supervisor</i>	
<i>Management Representative:</i>	<i>Committee</i>

79 **RESOLVED** on the Motion of Councillors Schmutter and Heazlett that the Walcha Preschool Philosophy be **ADOPTED**.

3. Walcha Preschool Philosophy

Here at Walcha Preschool our Educators believe that:

- ❖ *The Dunguti people are the traditional owners of the land.*
- ❖ *Children have the right to feel safe and secure.*
- ❖ *At preschool, children play to learn.*
- ❖ *Families are the children’s primary teachers.*
- ❖ *Educators, families and the community should work together to educate and stimulate children.*
- ❖ *All children and families will be treated the same regardless of additional needs, gender, culture, family background or religious beliefs.*
- ❖ *The environment provided will allow children to develop, learn and explore at their own pace.*
- ❖ *Families are crucial to a child’s wellbeing, their feedback and involvement is valuable to Walcha Preschool.*
- ❖ *Children will be encouraged as they play and praised for their efforts, successes and positive behaviour.*
- ❖ *Communication between all stakeholders is paramount for high quality care and education of the children at Walcha Preschool.*
- ❖ *The programme planned for the children will be guided by the Early Years Learning Framework including the principles, practices and outcomes to encompass Belonging, Becoming and Being.*
- ❖ *Walcha Preschool embeds sustainable practices into the everyday routine and believe these strategies educate children through creating learning opportunities.*
- ❖ *All children will be observed equally.*
- ❖ *All children are individual, unique and have amazing ideas to share.*
- ❖ *Music encourages holistic learning and is an integral part of our programme.*
- ❖ *Physical activity and healthy eating are important for children as these good habits will serve children well into a happy adulthood.*
- ❖ *Intentional teaching is an important part of the program and of each child’s learning.*
- ❖ *Our families’ beliefs are valued and incorporated into practice; these beliefs include Love, Fun, Bonding, Kindness, Teamwork, Honesty, Loyalty, Richness and Passion.*



11. DELEGATE REPORTS

12.1 Minutes of the Walcha Community Centre Management Committee Meeting held on 18 August 2014.

12.2 Minutes of the Walcha Community Centre Management Committee Meeting held on 8 October 2014. WINT/2014/01991

80 **RESOLVED** on the Motion of Councillors Schmutter and Lyon that Council confirm it wishes to stand by the current leasing arrangements to allow for continued community access to the Walcha Multi Purpose Centre.

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