



## ORDINARY MEETING OF COUNCIL

held on

Wednesday, 25 September 2013

at

3:06pm

at

Walcha Council Chambers

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

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

### **1. APOLOGIES:**

47 **RESOLVED** on the Motion of Councillors Heazlett and Schmutter that the apology received from Councillor Woods, being away on leave, be **ACCEPTED**.

MINUTES



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**2. CONFIRMATION OF THE ORDINARY MEETING MINUTES HELD ON WEDNESDAY, 28 AUGUST 2013:**

48 **RESOLVED** on the Motion of Councillors Ferrier and Heazlett that the Minutes of the Ordinary Meeting held on Wednesday, 28 August 2013, copies of which have been distributed to all members, be taken as a read and confirmed a **TRUE** record.

**3. BUSINESS ARISING**

Nil.

**4. DECLARATIONS OF INTEREST**

**Item 6.1 Proposed Gazzettal of Part Day Public Holiday for the Walcha Races to be held on Friday, 7 February 2014 from 12 noon to 6:00pm.**

**Clr Ferrier** declared a pecuniary interest on Item 6.1 due to being the Walcha Jockey Club's Secretary, an official position on the Club.

**Clr Lyon** and the **Director – Engineering Services** declared pecuniary interests in Item 6.1 due to both of them managing/owning businesses in Walcha.

**Item 2.3 – Verbal report from Mayor – Staff Committee and the General Manager's Annual Staff Appraisal.**

The **General Manager** declared a pecuniary interest in the Item 2.3 of the Committee of the Whole, being the subject of the Committee Meeting.

**5. MAYORAL MINUTE**

Nil.

**6. SENIOR OFFICERS REPORT**

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

**6.1 Proposed Gazzettal of Part Day Public Holiday for the Walcha Races to be held on Friday, 7 February 2013 from 12 noon to 6:00pm.**



Clr Ferrier, Clr Lyon and Director – Engineering Services, Stephen McCoy left the Council Chambers and took no part of the debate.

**Motion:**

It was **MOVED** Councillor Schmutter **Seconded** Councillor Levingston that Council continue and apply for a Part Day Public Holiday for the running of the Walcha Cup on Friday, 7 February 2013 between the hours of 12 noon and 6:00pm.

Councillor Thomson **MOVED** an **AMENDMENT** that Council alter its application to a Local Event Day.

The **AMENDMENT FAILED** to get a Seconder and **LAPSED**.

50 The Original Motion was put to the vote and **CARRIED**.

Clr Ferrier, Clr Lyon and Director – Engineering Services returned to the Chambers and were notified of the resolution.

**6.2 NSW Local Government Infrastructure Audit Report**

**WO/2013/01559**

51 **RESOLVED** on the Motion of Councillors Heazlett and Lyon that Council take immediate steps as a matter of urgency to address the four issues identified in the NSW Local Government Infrastructure Audit Report **FURTHER THAT** the General Manager be authorised to employ a temporary engineering resource for a period of twelve months to assist with the process.

**6.3 Local Government Grants Commission Estimated Financial Assistance Grants Entitlement 2013-2014**

**WO/2013/01504**

52 **RESOLVED** on the Motion of Councillors Ferrier and Heazlett that Council transfer \$125,430 to an Infrastructure Renewal Reserve.

**6.4 Walcha Catholic Cemetery**

**WO/2013/01540**

53 **RESOLVED** on the Motion of Councillors Thomson and Schmutter that Council conduct an information session to be facilitated by Council and presented by the New England Livestock Health and Pest Authority with a goal of undertaking a joint baiting program with land owners affected by the impact of rabbits.



**6.5 After Hours Access to Walcha Landfill – Voluntary Work**  
**WO/2013/01472**

54 **RESOLVED** on the Motion of Councillors Heazlett and Ferrier that Council:

1. Provide a process whereby after-hours access to the Walcha Landfill will be possible by borrowing a key from the Council Chambers.
2. Keep the process under review.

**6.6 Walcha Trout Stocking Program** **WO/2013/01551**

The report was **NOTED** by Council.

**6.7 Refer Financial Statements to Audit 2012 – 2013**  
**WO/2013/01471**

55 **RESOLVED** on the Motion of Councillors Schmutter and Lyon that the 2012-2013 Financial Reports be referred for 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.

**6.8 Proposed Upgrade of the Aboriginal Section of the Walcha General Cemetery**  
**WO/2013/01538**

56 **RESOLVED** on the Motion of Councillors Schmutter and Lyon that the building plan “A place of Reflection” drawn by James Rogers and to be placed in the Aboriginal Section of the Walcha General Cemetery be approved **FURTHER THAT** additional seating be provided around the remainder of the cemetery with a similar design to the plan presented to Council.

Councillor Thomson recorded his vote **AGAINST** this resolution.

**6.9 Committee of the Whole Referral – Staff Committee General Manager’s Appraisal**  
**WO/2013/01556**

57 **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 Staff Committee General Manager’s Appraisal be referred to be discussed in Committee of the Whole for the reason that it relates to information on personnel matters concerning particular individuals.



**6.10 Committee of the Whole Referral – Possibility of Attracting a Tourist Event**  
**WO/2013/01550**

58 **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 the possibility of attracting a Tourist Event be referred to be discussed in Committee of the Whole for the reason that it confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**6.11 Committee of the Whole Referral – Gomeroi People – Native Title Determination Application NSD2308/11**

**WO/2013/01552**

59 **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 the Gomeroi People – Native Title Determination Application NSD2308/11 be referred to be discussed in Committee of the Whole for the reason that it relates to information concerning the nature and location of a place or an item of Aboriginal significance on community land.

**7. MATTERS OF URGENCY**

Nil.

**8. MANAGEMENT REVIEW REPORTS**      **WO/2013/01532**

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

**9. COMMITTEE REPORTS**

**9.1 Minutes of the Walcha Preschool Advisory Committee Meeting held on Monday, 12 August 2013.**

61 **RESOLVED** on the Motion of Councillors Heazlett and Lyon that Council adopt the Preschool Policies as presented.

**9.2 Minutes of the Walcha Town & District Beautification & Tidy Towns Committee Meeting held on 5 September 2013.**



3.1 Garden Competition

62 **RESOLVED** on the Motion of Councillors Schmutter and Lyon that Council:

1. Allow the Garden Competition Awards to be held at the luncheon.
2. Meet the cost of the meal of those awardees who attend the luncheon.
3. Nominate the Mayor to attend and be part of the presentation.

**10. DELEGATE REPORTS**

10.1 Minutes of the Ordinary Meeting of the New England Tablelands (Noxious Plants) County Council held on 26 June 2013.

10.2 Minutes of the Ordinary Meeting of the New England Tablelands (Noxious Plants) County Council held on 28 August 2013.

**11. COMMITTEE OF THE WHOLE**

63 **RESOLVED** on the Motion of Councillors Levingston and Lyon 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 on personnel matters concerning particular individuals AND that it confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business AND that it relates to information concerning the nature and location of a place or an item of Aboriginal significance on community land.

64 The Meeting resumed in **OPEN** Council on the Motion of Councillors Heazlett 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 exception of the press and the public.

**11.2 Possibility of Attracting Tourist Event WINT/2013/02602**

The Committee **RECOMMENDED** on the Motion of Schmutter and Lyons that Council endorse the actions of the Mayor and the General Manager so far in attempting to attract the event to Walcha **FURTHER**



**THAT** Council delegate the authority to the Mayor and the General Manager to negotiate with Company and the authority to offer up to \$10,000 sponsorship for event to be held in Walcha in 2014 **STILL FURTHER THAT** the sponsorship will only be agreed to on Council approving a fully costed business plan for the event and an appropriate legal agreement being entered into.

**11.2 Gomeroi People – Native Title Determination Application  
NSD2308/11 WINT/2013/02591**

The Report was **NOTED** by Council.

**11.3 Verbal Report from Mayor – Staff Committee General Manager’s  
Staff Appraisal**

The Committee **RECOMMENDED** on the Motion of Councillors Ferrier and Lyon that Council endorse that the General Manager’s performance has exceeded expectations.

**ADOPTION OF COMMITTEE OF THE WHOLE**

65 **RESOLVED** on the Motion of Councillors Heazlett and Levingston that the Report and Recommendations of the Meeting of the Walcha Council Committee of the Whole held on Wednesday, 25 September 2013 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 5:40PM.**