



ORDINARY MEETING OF COUNCIL

held on

Wednesday, 22 February 2023

at

3.05pm

at

Walcha Council Chambers

**The Audio Statement and Acknowledgement of Country
were read by the Chairman.**

PRESENT: Clr EH Noakes (Chairman) Mayor together with Councillors MA Berry, KW Ferrier, NF Hicks, SJ Kermode, AC Pointing, A Reilly and GDM Schaefer.

IN ATTENDANCE: Mr PE Hood – Acting General Manager, Mr AS Butler – Acting Director Infrastructure & Development, Mr CC Martin – Director Corporate & Community and Mrs EL Hobbs – Executive Assistant.

1. LEAVE OF ABSENCE:

Nil.

MINUTES



2. CONFIRMATION OF THE ORDINARY MEETING MINUTES HELD ON WEDNESDAY, 14 DECMEBER 2022:

117 **RESOLVED** on the Motion of Councillors Reilly and Pointing that the Minutes of the Ordinary Meeting held Wednesday, 14 December 2022, 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 THURSDAY 19 JANUARY 2023:

118 **RESOLVED** on the Motion of Councillors Reilly and Pointing that the Minutes of the Ordinary Meeting held on Thursday 19 January 2023, copies of which have been distributed to all members, be taken as read and confirmed a **TRUE** record.

3. BUSINESS ARISING

[Clr Reilly – Extra Ordinary Meeting 19 January 2023 regarding Item:](#)

4.1 Submission on Environment Impact Statement for Winterbourne Wind Project Application Number: SSD-10471 and specifically Number 3 of the resolution which states:

3. *WRITE to the Independent Planning Commission seeking to present to the Commission in person and locally here in Walcha, Council's views and comments on the Winterbourne Wind Project Environmental Impact Statement.*

[I would like to know where this is up to please?](#)

Response by Acting General Manager: I haven't drafted the letter yet – it is an action on me to follow that step. In regards to presenting to the Commission in person and locally here in Walcha, the Mayor and myself were in Sydney yesterday at a Coalition of Renewable Energy Mayors (CoREM) Meeting which Planning Department Managers were at. They indicated they would like to address Council direct in Walcha in the near future. This will complete part of point 3 of the resolution above.

4. DECLARATIONS OF INTEREST

Nil.

5. MAYORAL MINUTE

Nil.



6. SENIOR OFFICERS REPORT

119 **RESOLVED** on the Motion of Councillors Kermode and Pointing that the Senior Officers' Reports be **RECEIVED** for further consideration.

6.1 Quarterly Budget Review Statements as at December 2022 **WO/2023/00244**

120 **RESOLVED** on the Motion of Councillors Kermode and Hicks that Council:

1. **ADOPT** the December 2022 Quarterly Budget Review Statements; and
2. **APPROVE** the variations in Income and Expenditure votes as detailed in the report.

6.2 Naming the Walcha Rose Garden **WO/2023/00243**

121 **RESOLVED** on the Motion of Councillors Ferrier and Schaefer that Council:

1. **ADVERTISE** for public input into the naming of the Walcha Rose Garden;
2. **SHORTLIST** all suggestions received and return to the public for determination.

6.3 Debt Recovery Policy Update **WO/2023/00241**

122 **RESOLVED** on the Motion of Councillors Kermode and Pointing that Council **ENDORSE** the Updated Debt Recovery Policy with an amendment in item 2.3 Preschool Fees changing the word from 'cancelled' to 'reviewed'.

6.4 Engage the NSW Electoral Commissioner to Conduct the Local Government Elections in 2024 **WO/2023/00124**

123 **RESOLVED** on the Motion of Councillors Kermode and Ferrier that Walcha Council ("the Council") resolves:

1. Pursuant to Section 296(2) and (3) of the Local Government Act 1993 ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
2. Pursuant to Section 296(2) and (3) of the Act, as applied and modified by Section 18, that a Council Poll arrangement be entered into by contract for the Electoral Commissioner to administer all Council Polls of the Council.
3. Pursuant to Section 296(2) and (3) of the Act, as applied and modified by Section 18, that a Constitutional Referendum arrangement be



entered into by contract for the Electoral Commissioner to administer all Constitutional Referenda of the Council.

6.5 Long Term Financial Plan and Delivery Program / Operational Plan Updates WINT/2023/01046

124 **RESOLVED** on the Motion of Councillors Kermode and Ferrier that Council **ADOPT** the changes to the Long Term Financial Plan 2023-2032 and Delivery Program 2022-2025 / 2022-2023 Operational Plan noting the amended documents reflecting documentation already distributed and displayed as part of the community consultation process for the Special Rate Variation application.

6.6 2022 Motorcycle Rally Final Report – Additional detail WO/2023/00019

125 **RESOLVED** on the Motion of Councillors Hicks and Pointing that Council:

1. **NOTE** the updated Income and Expenditure and related notes;
2. **UPDATE** the *Walcha Motorcycle Rally 2022 Final Report* submitted to December 2022 Council Meeting to include the additional detail and notes as provided.

7. NOTICES OF MOTION

Nil.

8. MATTERS OF URGENCY

Nil.

9. MANAGEMENT REVIEW REPORTS

9.1 Infrastructure & Development WO/2023/00255

126 **RESOLVED** on the Motion of Councillors Reilly and Pointing that items included in the Infrastructure & Development Management Review Report be **NOTED** by Council.

9.2 Corporate & Community WO/2023/00183

127 **RESOLVED** on the Motion of Councillors Reilly and Schaefer that items included in the Corporate & Community Management Review Report be **NOTED** by Council.



10. COMMITTEE REPORTS

128 **RESOLVED** on the Motion of Councillors Pointing and Hicks that Council **RECEIVE** and **NOTE** the Committee Reports as presented.

10.1 Minutes of the Beautification Advisory Committee Meeting held at Council Chambers on Thursday 08 December 2022. WO/2022/03563

10.2 Minutes of the Tourism Advisory Committee Meeting held at Walcha Library on Tuesday 07 February 2023. WO/2023/00216

10.3 Minutes of the Arts Advisory Committee Meeting held at Council Chambers on Tuesday 07 February 2023. WO/2023/00189

10.4 Minutes of the Capital Advisory Committee Meeting held at Council Chambers on Thursday 09 February 2023. WINT/2023/00787

10.5 Minutes of the Beautification Advisory Committee Meeting held at Council Chambers on Wednesday 15 February 2023. WO/2023/00242

11. DELEGATE REPORTS

Nil.

12. QUESTIONS ON NOTICE

Nil.

13. CLOSED COUNCIL

REFERRALS TO CLOSED COUNCIL:

129 **RESOLVED** on the Motion of Councillors Kermode and Schaefer that under Section 13.1 of the Walcha Council Code of Meeting Practice Council **ADOPT** the following items in bulk:

13A Tender Kerb & Guttering

WO/2023/00248

That, in accordance with the provisions of Section 10A (2)(c) of the *Local Government Act, 1993*, the matter of Award Tender Kerb & Guttering be referred to be discussed in Closed Council and close the meeting to the public for the reason 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.

13B New England Weeds Authority

WO/2023/00249

That, in accordance with the provisions of Section 10A (2)(d) of the *Local Government Act, 1993*, the matter of New England Weeds Authority be referred to be discussed in Closed Council and close the meeting to the public 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.

13C Hardship Appeal

WO/2023/00250

That, in accordance with the provisions of Section 10A (2)(a) of the *Local Government Act, 1993*, the matter of Hardship Appeal be referred to be discussed in Closed Council and close the meeting to the public for the reason that the report relates to personnel matters concerning particular individuals (other than Councillors).

The Ordinary Meeting adjourned and Council opened **CLOSED** Council Meeting at 04:10pm.

130 The Meeting **RESUMED** in **OPEN** Council on the Motion of Councillors Kermode and Pointing at 05:23pm.

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 recommendations passed by the Committee whilst in Closed Council.

3.1 New England Weeds Authority

WINT/2023/01053

CC12/20222023 **RESOLVED** on the Motion of Councillors Kermode and Ferrier that Council **DEFER** the New England Weeds Authority Report, to no later than April 2023 Council Meeting, pending further information.

3.2 Hardship Appeal

WINT/2023/01083

CC13/20222023 **RESOLVED** on the Motion of Councillors Hicks and Berry that Council, taking into consideration of the ratepayers circumstances:



1. **NOTE** the formal periodic payment arrangement through Centrepay deduction;
2. **WAIVE** interest accrual for twelve months including writing off interest already charged;
3. **SUSPEND** Debt Recovery Action whilst the agreed payment arrangement is in place;
4. **REVIEW** the debt every three months.

3.3 Kerb & Guttering

WINT/2023/01148

CC14/20222023 **RESOLVED** on the Motion of Councillors Kermode and Ferrier that Council **AWARD** Tender No. W22/179 – Kerb & Gutter Replacement Works – 2022-2023 Financial Year to Engineering and Civil Contractors Pty Ltd for the lump sum of \$398,384.08 GST exclusive.

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