



## ORDINARY MEETING OF COUNCIL

held on

Wednesday, 28 June 2022

at

3:20pm

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 – Interim General Manager, Mr CC Martin – Director Corporate & Community and Mrs EL Hobbs – Executive Assistant.

**1. LEAVE OF ABSENCE:**

Nil.

**MINUTES**



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**2. CONFIRMATION OF THE ORDINARY MEETING MINUTES HELD ON WEDNESDAY 31 MAY 2023:**

183 **RESOLVED** on the Motion of Councillors Ferrier and Berry that the Minutes of the Ordinary Meeting held on Wednesday 31 May 2023, copies of which have been distributed to all members, be taken as read and confirmed a **TRUE** record.

**3. BUSINESS ARISING**

Nil.

**4. DECLARATIONS OF INTEREST**

Nil.

**5. MAYORAL MINUTE**

184 **RESOLVED** on the Motion of Mayor Noakes that the Mayoral Minute as read and submitted be **ADOPTED** by Council.

It would be remiss of this Council to not acknowledge the contribution of Dr Ron McKinnon during his tenure in Walcha. An ever-professional doctor whose contribution to our community will never be forgotten by those who knew and worked with him. Servicing this community in a time when caring for people overrode paperwork and rules, his comforting smile and manner always put you at ease, even as a child. The tribute in last week's Aspley Advocate gives an insight into the man and the professional, and doesn't require me to expand on its' content. If you can honestly live your life with "integrity" as described in that tribute you have done all that is required. To David and Rachael and family we, as a community honour your father.

Clr Eric Noakes  
Mayor of Walcha

**6. SENIOR OFFICERS REPORT**

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

**6.1 Adoption of 2023-2024 Operational Plan & Levy 2023-2024 Rates**  
**WO/2023/01055**

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



1. In accordance with the provisions of Section 404, 405 and 406 of the *Local Government Act, 1993* **ADOPT** the Draft Delivery Program 2022-2025 and the 2023-2024 Operational Plan (Scenario 2 – IPART approved Special Rate Variation) which includes the 2023-2024 Budget, Revenue Policy and Fees & Charges as final; and
2. In accordance with Section 494 of the *Local Government Act, 1993*, **MAKE & LEVY** the Rates and Charges for 2023-2024 for the General, Water and Sewerage Funds and Waste Management Charges as detailed in the Report – Scenario 2 IPART approved Special Rate Variation; and
3. **AUTHORISE** the General Manager to arrange for the preparation and the service of the 2023-2024 Rate notices.

**6.2 Budget Allocation for Donations** **WO/2023/01056**

187 **RESOLVED** on the Motion of Councillors Kermode and Schaefer that Council **APPROVE** the amount of \$10,000 for donations in the 2023-2024 financial year **FURTHER THAT** applications for donation will be accepted between 17 July to 15 September 2023.

**6.3 Local Government Remuneration Tribunal Annual Review** **WO/2023/01028**

188 **RESOLVED** on the Motion of Councillors Reilly and Kermode that Council:

1. **RECEIVE** and **NOTE** the Report.
2. **DETERMINE** the annual fee payable to Councillors as \$13,030 and the Mayoral Allowance as \$ 28,430 for the 2023-2024 financial year.

**6.4 Councillor Superannuation Payments** **WO/2023/01036**

189 **RESOLVED** on the Motion of Councillors Reilly and Kermode that Council **PROVIDE** payment of Superannuation for Councillors commencing from 1 July 2023 in consideration of the amendment to the *Local Government Act, 1993*, that allows Council to make superannuation payments to Councillors.

**6.5 Contributions Plan 7.11 & 7.12 Submissions** **WO/2023/01066**

190 **RESOLVED** on the Motion of Councillors Pointing and Berry that Council:

- 1 **AMEND** the Section 7.11 (Heavy Haulage) Contribution Plan to include clarifying paragraph on the non-applicability of this plan to state significant development, and to include ‘water’ as an additional example extractive material;
2. **ADOPT** the amended Section 7.11 (Heavy Haulage) Contribution Plan; and



3. **ADOPT** the Section 7.12 Contribution Plan.

Being a **Planning Matter** a **Division** was called prior to voting on this matter and the result was as follows:

- For:** Councillors: Berry, Ferrier, Hicks, Kermode, Noakes, Pointing, Reilly and Schaefer.
- Against:** Nil
- Absent:** Nil
- Declared Interest:** Nil

**6.6 Internal Restricted Fund Movements** **WO/2023/01087**

- 191 **RESOLVED** on the Motion of Councillors Kermode and Ferrier that Council:
1. internally **RESTRICTS** the prepaid portion of the 2023-2024 Financial Assistance Grants.
  2. **UN-RESTRICTS** the prepaid portion of the 2023-2024 Financial Assistance Grants on 1 July 2023.
  3. **TRANSFER** an amount of \$850,000 from internal unrestricted funds to the Internal Plant Reserve to support the 2023-2024 plant replacement program.
  4. **APPROVE** an amount of \$5,000 from the Project Development Reserve to pay the Coalition of Renewable Energy Mayors membership for 2023-2024.

**6.7 Draft Waste Strategy** **WINT/2023/03016**

- 192 **RESOLVED** on the Motion of Councillors Hicks and Pointing that Council:
1. **ENDORSE** the Draft Waste Strategy and PLACE on public exhibition for 28 days;
  2. **ADOPT** the Waste Strategy as presented subject to no submissions received during the exhibition period.

**6.8 Loan for Jet Patcher** **WO/2023/01054**

- 193 **RESOLVED** on the Motion of Councillors Schaefer and Ferrier that Council:
1. **AUTHORISE** the execution of a Chattel Mortgage/Equipment Finance for the purchase of a road patching truck (Jet Patcher); and
  2. **APPROVE** the affixing of the Common Seal to all documentation relating to the establishment of a loan to finance the purchase of a road patching truck (Jet Patcher) **FURTHER THAT** the affixing of the Common Seal be attested to by the Mayor and the General Manager.



**6.9 Independent Pricing & Regulatory Tribunal (IPART) NSW Rate Cap Review and Submission** **WO/2023/01088**

194 **RESOLVED** on the Motion of Councillors Kermode and Hicks that Council make a submission to the Independent Pricing & Regulatory Tribunal NSW regarding the rate cap review.

**6.10 Regional Meetings 2023** **WO/2023/01052**

195 **RESOLVED** on the Motion of Councillors Hicks and Pointing that Council **RECEIVE** and **NOTE** the Regional Meetings 2023 report as presented.

**7. NOTICES OF MOTION**

Nil.

**8. MATTERS OF URGENCY**

Nil.

**9. MANAGEMENT REVIEW REPORTS**

**9.1 Office of the General Manager** **WO/2023/01058**

196 **RESOLVED** on the Motion of Councillors Hicks and Kermode that items included in the Office of General Manager Management Review Report be **NOTED** by Council.

**9.2 Infrastructure & Development** **WO/2023/01041**

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

**9.3 Corporate & Community** **WO/2023/00962**

198 **RESOLVED** on the Motion of Councillors Hicks and Kermode that items included in the Corporate & Community Management Review Report be **NOTED** by Council.

**10. COMMITTEE REPORTS**

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



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## **10.1 Minutes of the Walcha Council Arts Advisory Committee Meeting held on Tuesday 6 June 2023 at Council Chambers. WINT/2023/02786**

### Current Membership & Nominations

200 **RESOLVED** on the Motion of Councillors Hicks and Schaefer that Council **APPOINT** Yvette Stanton and Michael Luchich to the Walcha Council Arts Advisory Committee.

## **10.2 Minutes of the Walcha Council Beautification Advisory Committee Meeting held on Wednesday 7 June 2023 at Council Chambers.**

**WO/2023/00982**

### 2.1 2023 Tidy Towns Awards Entry

201 **RESOLVED** on the Motion of Councillors Ferrier and Reilly that Council **APPROVE** the entry in the 2023 Tidy Towns Awards in four of the categories to be determined by Council Staff.

## **11. DELEGATE REPORTS**

202 **RESOLVED** on the Motion of Councillors Schaefer and Ferrier that Council **RECEIVE** and **NOTE** the Delegate Reports as presented

## **11.1 Minutes of the Country Mayors Association of NSW Inc General Meeting held on Friday 26 May 2023 at the Theatre, Parliament House, Sydney. WI/2023/06113**

## **12. QUESTIONS ON NOTICE**

Nil.

## **13. CLOSED COUNCIL**

**13A Referral to Closed Council – Request for Reimbursement of Water Charges WO/2023/01063**

**13B Referral to Closed Council – REGPRO102324 Ready Mixed Concrete Tender AND Replacement of Survey Equipment WO/2023/01062**

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

1. in accordance with the provisions of Section 10A (2)(a) of the *Local Government Act, 1993*, the matter of Reimbursement of Water Charges – 105N Meridian Street, Walcha **be REFERRED** to be discussed in Closed Council for the reason that the report relates to personnel matters concerning particular individuals (other than Councillors).



2. In accordance with the provisions of Section 10A (2)(c) of the *Local Government Act, 1993*, the matters of:
  - a) Award Tender REGPRO102324 Ready Mixed Concrete; and
  - b) Replacement of Survey Equipment**Be REFERRED** to be discussed in Closed Council 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.
3. For the reasons above, Council **RESOLVE INTO** Closed Council and the press and public be excluded.

204 The Meeting resumed in **OPEN** Council on the Motion of Councillors Hicks and Kermode at 4:24pm.

**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 Request for Reimbursement on Water Usage Charges – 105N Meridian Street, Walcha** **WO/2023/01061**

CC30/20222023 **RESOLVED** on the Motion of Councillors Kermode and Ferrier that Council **DELEGATE** the General Manager to **REIMBURSE** for the Water usage charges at 105N Meridian Street, Walcha due to a water meter fault.

**3.2 Replacement of Survey Equipment** **WINT/2023/03006**

CC31/20222023 **RESOLVED** on the Motion of Councillors Hicks and Ferrier that Council **APPROVE** the purchase of Hybrid GNSS Total Station System survey equipment for the quoted price of \$91,159.40 GST exclusive, from Position Partners – Topcon, which includes a trade in offer on Council's current survey equipment.

**3.3 REGPRO102324 Tender for Supply and Delivery of Ready Mixed Concrete** **WINT/2023/03015**

CC32/20222023 **RESOLVED** on the Motion of Councillors Berry and Schaefer that Council:

1. **ENDORSE** the evaluation outcome of the Supply and Delivery of Ready Mixed Concrete Tender identifying Ducats Earthmoving, Hoys Concrete and



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- Boral Resources as the preferred suppliers for the Panel Contract for the period 1 July 2023 to 30 June 2025; and*
- 2. That a provision be allowed for a 12 month extension based on satisfactory supplier performance, which may take this contract through to 30 June 2026.*

**THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 4:25PM**