



ORDINARY MEETING OF COUNCIL

held on

Wednesday, 30 August 2023

at

3:36pm

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 and A Reilly.

IN ATTENDANCE: Mr PE Hood – General Manager, Mr AS Butler – 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 26 JULY 2023:

24 **RESOLVED** on the Motion of Councillors Reilly and Ferrier that the Minutes of the Ordinary Meeting held on Wednesday 26 July 2023, copies of which have been distributed to all members, be taken as read and confirmed a **TRUE** record.

CONFIRMATION OF THE EXTRA ORDINARY MEETING MINUTES HELD ON WEDNESDAY 16 AUGUST 2023:

25 **RESOLVED** on the Motion of Councillors Reilly and Ferrier that the Minutes of the Extra Ordinary Meeting held on Wednesday 16 August 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

5.1 Mayoral Minute – Apsley Riverview Aged Care Facility

WO/2023/01618

26 **RESOLVED** on the Motion of Mayor Noakes that Council:

1. **ESTABLISH** a Working Group to assist in finding a suitable provider of aged care services for the Apsley Riverview Aged Care Facility with the name to be 'Apsley Riverview Working Group';
2. **APPROVE** the membership to consist of:
 - The Mayor
 - The General Manager
 - Director Corporate & Community
 - Executive Manager Community & Tourism
 - One Councillor
 - Dr Adrian Allen
 - Julie Blake
 - Graham Barnes



3. **ENDORSE** the purpose of the Apsley Riverview Working Group to be to investigate, contact and review suitability of identified aged care providers.

6. SENIOR OFFICERS REPORT

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

6.1 Refer Financial Statements to Audit

WO/2023/01470

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

1. **REFER** the 2022-2023 Financial Reports for Audit; and
2. **ENDORSE** the Statements in accordance with Section 413(2) of the *Local Government Act, 1993* to be completed and signed by the appropriate signatories.

6.2 Allocation of Community Grants & Donations to Applicants

WO/2023/01624

This Report was **WITHDRAWN** and DEFERRED to next month. Keeping the application period open longer until 15 September 2023

6.3 Amendments to the Walcha Council Code of Meeting Practice

WO/2023/01603

29 **RESOLVED** on the Motion of Councillors Ferrier and Hicks that Council **ADOPT** the amendments to Walcha Council Code of Meeting Practice 2020, being:

1. to allow Councillors & Staff to attend Council Meetings by audio visual link; and
2. to require business papers to include a reminder to Councillors of their oath or affirmation of office, and their conflict of interest disclosure obligations, as per the *Local Government (General) Regulation 2021*.

6.4 Dispensing with By-Election

WO/2023/01579

30 **RESOLVED** on the Motion of Councillors Ferrier and Bery that Council write to the Hon Ron Hoenig MP, Minister for Local Government, advising that a casual vacancy has occurred and request that the vacancy not be filled before the September 2024 Local Government Elections.



6.5 Appoint Council Representative to Walcha Community Management Committee WO/2023/01602

31 **RESOLVED** on the Motion of Councillors Kermode and Hicks that Council **ENDORSE** and **APPOINT** Councillor Pointing as Council's representative to the Walcha Community Centre Management Committee as per the Rules and Management of the Committee, Clause 4(d).

6.6 Local Government NSW Annual Conference 2023 & Motions by Council WO/2023/01437

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

1. **APPROVE** the attendance of the Mayor, Clr Noakes, and the General Manager and two Councillors, being Councillor Pointing & Ferrier, as representatives at the 2023 Annual Conference of Local Government NSW **FURTHER THAT** the payment of all expenses associated with the attendance at the Conference be approved by Council.
2. **ENDORSE** the two Motions to be submitted to the Local Government NSW for voting at the Local Government NSW Conference 2023.

6.7 Pecuniary Interest Annual Returns for Designated Staff & Councillors – 01072022 to 30062023 WO/2023/01447

33 **RESOLVED** on the Motion of Councillors Hicks and Reilly that Council formally records that the Ordinary Returns of Pecuniary Interest required to be submitted by Councillors, the General Manager and Designated Staff, for the period 01 July 2022 to 30 June 2023 have been submitted as required and have been tabled in accordance with the provisions of Section 4.2.1 and 4.25 of the Walcha Council Model Code of Conduct 2022.

6.8 Regional Meetings 2023 – Update on Community Concerns WO/2023/01170

34 **RESOLVED** on the Motion of Councillors Hicks and Pointing that Council **RECEIVE** and **NOTE** the Regional Meetings 2023 Update on Community Concerns as presented.

LATE REPORT:

1. Request for Donation of Land WO/2023/01598

35 **RESOLVED** on the Motion of Councillors Berry and Ferrier that Council enter into discussions with the Armidale Women's Shelter and investigate the



possibility of donating suitable land for the establishment of emergency crisis accommodation in Walcha.

7. NOTICES OF MOTION

Nil.

8. MATTERS OF URGENCY

Nil.

9. MANAGEMENT REVIEW REPORTS

9.1 Office of the General Manager WO/2023/01606

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

9.2 Infrastructure & Development WO/2023/01620

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

9.3 Corporate & Community WO/2023/01514

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

The Mayor mentioned the passing of Zoe Herbert, who was the Nominated Supervisor at the Walcha Preschool from February 2013 to November 2021. Zoe was a respected member of the Preschool community and we now extend condolences to her family.

10. COMMITTEE REPORTS

Nil.

11. DELEGATE REPORTS

39 **RESOLVED** on the Motion of Councillors Hicks and Pointing 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 4 August 2023 at Theatrette, Parliament House, Sydney.

11.2 Minutes of the Coalition of Renewable Energy Mayors Meeting held on Thursday 3 August 2023 in Sydney.

12. QUESTIONS ON NOTICE

Nil.

13. CLOSED COUNCIL

13A Referral to Closed Council: WO/2023/01628

- 1. Award Tender W23/140 Beaver Place Sewer Extension – Design & Concept;**
- 2. Award Tender W23/132 Walcha Swimming Pool – Amenities Upgrade – Construction only; and**
- 3. Organisation Structure Review**

40 **RESOLVED** on the Motion of Councillors ?? and ?? that, in accordance with the provisions of:

1. Section 10A(2)(c) of the *Local Government Act, 1993*, the matter/s of:
 - a) Award Tender W23/140 Beaver Place Sewer Extension;
 - b) Award Tender W23/132 – Walcha Swimming Pool Refurbishment Amenities Upgrade – Construction only;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.
2. Section 10A (2)(a) of the *Local Government Act 1993* the matter of Organisation Structure Review be **REFERRED** to be discussed in Closed Council for the reason that the report relates to personnel matters concerning particular individuals (other than Councillors).
3. For the reasons above, Council **RESOLVE INTO** Closed Council and the press and the public be excluded.

41 The Meeting resumed in **OPEN** Council on the Motion of Councillors Ferrier and Hicks.



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 Organisation Structure Review

WINT/2023/03984

CC009/20232024 **RESOLVED** on the Motion of Councillors Berry and Reilly that Council **ENDORSE** the revised Organisation Structure as presented.

3.2 Award Tender W23/140 – Beaver Place Sewer Extension – Design & Construct

WINT/2023/03954

CC010/20232024 **RESOLVED** on the Motion of Councillors Hicks and Pointing that Council **AWARD** Tender No. W23/140 – Beaver Place Sewer Extension for the lump sum \$608,310 GST exclusive to Traxbalt.

3.3 Award Tender W23/132 – Walcha Swimming Pool – Amenities Upgrade – Construction only

WINT/2023/03986

CC011/20232024 **RESOLVED** on the Motion of Councillors Hicks and Kermode that Council **AWARD** Tender No. W23/132 – Walcha Swimming Pool Amenities Upgrade for the lump sum of \$331,745 GST exclusive to Murray Rose Building.

THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 4:55pm.