



ORDINARY MEETING OF COUNCIL

held on

Wednesday, 28 February 2024

at 3:00pm 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; Mrs RS Strobel – Finance Manager and Mrs EL Hobbs – Executive Assistant.

1. LEAVE OF ABSENCE:

135 **RESOLVED** on the Motion of Councillors Pointing and Kermode that the Leave of Absences received from Clr Ferrier and Clr Reilly, both due to medical reasons, be **APPROVED**.

MINUTES



2. CONFIRMATION OF THE ORDINARY MEETING MINUTES HELD ON WEDNESDAY 31 JANUARY 2024:

CONFIRMATION OF THE EXTRA ORDINARY MEETING MINUTES HELD ON THURSDAY 15 FEBRUARY 2024:

136 **RESOLVED** on the Motion of Councillors Kermode and Pointing that the Minutes of the Ordinary Meeting held on Wednesday 31 January 2024 AND the Minutes of the Extra Ordinary Meeting held on Thursday 15 February 2024, 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 & REQUESTS FOR AUDIO VISUAL LINK ATTENDANCE:

4.1 Request by Clr Hicks to Attend Meeting by Audio Visual Link

137 **RESOLVED** on the Motion of Councillors Kermode and Berry that Council **APPROVE** the request from Clr Hicks to attend Council's Ordinary Meeting being today, Wednesday 28 February 2024, via audio visual link due to her being medically unfit to travel.

SUSPEND STANDING ORDERS

Clr Kermode spoke a few words on the health of former General Manager Rob Callaghan and expressed our thoughts and love to the family and Rob himself.

RESUME STANDING ORDERS

The Council Meeting resumed Standing Orders.

5. MAYORAL MINUTE

5.1 Dissolution of Namoi Joint Organisation

138 **RESOLVED** on the Motion of Councillors Noakes and Kermode that in relation to the Mayoral Minute "Dissolution of the Namoi Joint Organisation", Council support the Board in writing to the Minister for Local Government seeking to **DISSOLVE** the Namoi Joint Organisation on 30 June 2024.



6. SENIOR OFFICERS REPORT

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

6.1 Quarterly Review of Budget as at 31 December 2023 WO/2024/00169

140 **RESOLVED** on the Motion of Councillors Kermode and Pointing that Council:

1. **ADOPT** the December 2023 Quarterly Budget Review Statements; and
2. **APPROVE** the variations in Income and Expenditure votes as detailed in the report.

Manager of Finance, Rose Strobel left the meeting at 3:13pm.

6.2 Agreement between Walcha Council and Energy Corporation of NSW (EnergyCo) WO/2024/00288

141 **RESOLVED** on the Motion of Councillors Kermode and Berry that Council:

1. **NOTE** the terms of the Agreement now in place between Walcha Council and the Energy Corporation of NSW (EnergyCo); and
2. **ENDORSE** the immediate scoping of a Cumulative Impact Study to be delivered using funds provided by EnergyCo via this Agreement.

6.3 Derby Street Rehabilitation Final Design WO/2024/00323

142 **RESOLVED** on the Motion of Councillors Kermode and Berry that Council **ENDORSE** the final design for the Derby Street rehabilitation and beautification excluding the town centre signage and proceed to posting construction tender.

6.4 Pathways Construction – in Town and Darjeeling Road Final Design WO/2024/00333

143 **RESOLVED** on the Motion of Councillors Hicks and Pointing that Council **ENDORSE** the final design for the Pathway Construction in Town and Darjeeling Road and proceed to posting construction tenders.

6.5 Walcha Motorcycle Rally 2023 Final Report WO/2024/00329

144 **RESOLVED** on the Motion of Councillors Berry and Kermode that Council **NOTE** the Report.



6.6 Request to Review Minimum Age for Community Gym Membership WO/2024/00312

145 **RESOLVED** on the Motion of Councillors Berry and Hicks that the Request to review the Minimum Age for Community Gym Membership be **REFERRED** to the Walcha Council Audit Risk & Improvement Committee and their recommendation to come back to Council for **DETERMINATION** on a future date.

7. NOTICES OF MOTION

Nil.

8. MATTERS OF URGENCY

Nil.

9. MANAGEMENT REVIEW REPORTS

9.1 Office of the General Manager WO/2024/00317

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

9.2 Infrastructure & Development WO/2024/00321

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

9.3 Corporate & Community WO/2024/00273

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

10. COMMITTEE REPORTS

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

10.1 Minutes of the Walcha Council Australia Day Advisory Committee Meeting held on Monday 5 February 2024 at Council Chambers, Hamilton Street, Walcha WO/2024/00331



Amendment: Apologies were from Lloyd Levingston not Linda Ballard who was present at that meeting.

10.2 Minutes of the Walcha Council Arts Advisory Committee Meeting held on Tuesday 6 February 2024 at Council Chambers, Hamilton Street Walcha. WO/2024/00277

150 **RESOLVED** on the Motion of Councillors Point and Berry that Council send a letter of thanks to Paula Jenkins for her contribution to the Walcha Council Arts Advisory Committee and her ongoing input and role with the Walcha Arts Social Media pages.

151 **RESOLVED** on the Motion of Councillors Hicks and Pointing that Council consider leaving the town entry signs as they currently are **FURTHER THAT** install an appropriately sized "Dunghutti Country" sign on these existing town entry signs.

152 **RESOLVED** on the Motion of Councillors Kermode and Pointing that Council allocate \$50,000 for the Shirley Davison Bridge totem pole sculpture and \$15,000 for the Hospital Wall Mural works in the Local Roads Community Infrastructure (LRCI) Phase 4 Project list.

10.3 Minutes of the Walcha Council Youth Advisory Committee Meeting held on Tuesday 13 February 2024 at the Walcha Central School WO/2024/00311

10.4 Minutes of the Walcha Council Beautification Advisory Committee Meeting held on Wednesday 21 February 2024 at Council Chambers, Hamilton Street, Walcha WO/2024/00334

11. DELEGATE REPORTS

153 **RESOLVED** on the Motion of Councillors Pointing and Kermode that Council **RECEIVE** and **NOTE** the Delegate Reports as presented

11.1 Minutes of the Walcha Community Consultative Committee Meeting held on Tuesday 12 December 2023 at Council Chambers, Hamilton Street, Walcha. WI/2024/00942



12. QUESTIONS ON NOTICE

Nil.

13. CLOSED COUNCIL

13A Referral to Closed Council:

WO/2024/00338

1. Award Supplier – Purchase New Excavator

2. Legal Services – Riverview Aged Care

154 **RESOLVED** on the Motion of Councillors Berry and Pointing that, in accordance with the provisions of Section 10A 2 (c) of the *Local Government Act, 1993*;

1. the matters of Award Supplier – Purchase new Excavator AND Legal Services – Riverview Aged Care 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.
2. Council **RESOLVE INTO** Closed Council and the press and public be excluded.

The Meeting moved into Closed Council at 4:08pm

155 The Meeting resumed in **OPEN** Council on the Motion of Councillors Kermode and Berry at 4:53pm.

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 Award Supplier – Purchase New Excavator WINT/2024/00326

038/20232024 **RESOLVED** on the Motion of Councillors Berry and Kermode that Council **PROCURE** a Kobelco SK135SR-7 Fifteen Tonne Excavator provided by GATO Sales Pty Ltd at a price of \$300,000 excluding GST and including the additional tilting hitch as recommended in the report and in compliance with Section 55 of the *Local Government Act, 1993*.



3.2 Riverview Aged Care Legal Advice Budget Allocation

WINT/2024/00753

039/20232024 **RESOLVED** on the Motion of Councillors Hicks and Berry that Council:

- 1. **ENDORSE** the engagement of Maddocks to provide legal services with regard to the transfer of operations of Riverview Aged Care to Walcha Council; and
- 2. **ALLOCATE** \$60,000 from Internal Restrictions currently assigned to 'Project Development' to be available as required for this purpose.

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

.....General Manager *Eric H. Reades*.....Mayor