



ORDINARY MEETING OF COUNCIL

held on

Wednesday, 31 January 2024

at

3.15pm

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 (via Zoom), SJ Kermode, AC Pointing and A Reilly.

IN ATTENDANCE: Mr PE Hood – General Manager, Mr AS Butler – Director Infrastructure & Development, Mrs KMD Kermode – Acting 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 13 DECEMBER 2023:

114 **RESOLVED** on the Motion of Councillors Kermode and Berry that the Minutes of the Ordinary Meeting held on Wednesday 13 December 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 & REQUESTS FOR AUDIO VISUAL LINK ATTENDANCE

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

115 **RESOLVED** on the Motion of Councillors Ferrier and Reilly that Council **APPROVE** the request by Clr Nena Hicks to attend Council's Ordinary Meeting being held today, 31 January 2024, via audio visual link due to her being medically unfit to travel.

4.2 Declaration of Interest – Clr Kermode – Item 6.4 Review of Policies

Clr Kermode has declared a Pecuniary – Conflict of Interest in Item 6.4 Review of Policies, which includes an update to the Procurement Policy, as Clr Kermode is an occasional contractor for Council. Clr Kermode will leave the Chambers and take no part in the debate.

5. MAYORAL MINUTE

Nil.

6. SENIOR OFFICERS REPORT

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

6.1 Apsley Riverview Community Consultation

WO/2024/00074

117 **RESOLVED** on the Motion of Councillors Kermode and Ferrier that Council **AUTHORISE** the General Manager to:

1. **ENTER** into negotiations with Presbyterian Aged Care for Walcha Council to become the operator of Riverview Aged Care; and
2. **ENGAGE** appropriate legal advice using existing budgeted funds.



6.2 Commonwealth Home Support Program – Presbyterian Aged Care Relinquishment of Funding WO/2023/02452

118 **RESOLVED** on the Motion of Councillors Reilly and Ferrier that Council **APPROVE** the acceptance of additional Commonwealth Home Support Program Funding if offered by Presbyterian Aged Care or the Department of Health.

6.3 John Oxley Sewer Extension – Budget Allocation Increase

WO/2024/00139

119 **RESOLVED** on the Motion of Councillors Kermode and Ferrier that Council, with respect to the John Oxley Sewer Extension – Design and Construct Tender W23/140:

1. **APPROVE** the additional project cost of \$98,580 ex GST for supply and installation of eleven sewer manholes.
2. **APPROVE** the Stronger Country Communities Fund (Round 5) variation request of \$100,000 to increase total project budget to \$860,541 ex GST.
3. **NOTE** the final anticipated contract cost of \$843,034.55 ex GST, leaving \$17,506.45 for internal project management and contingency should the variation request be approved.

6.4 Review of Policies

WO/2024/00064

Councillor Kermode declared an interest in the review of both the Procurement Policy and the Contract Management Policy due to being an occasional contractor of Council. Cllr Kermode left the Chambers at 3:35pm and took no part in the debate.

120 **RESOLVED** on the Motion of Councillors Reilly and Ferrier that Council:

1. **UPDATE & ADOPT** the Procurement Policy as presented;
2. **PUBLICLY** exhibit the Draft Contract Management Policy for a period of 28 days;
3. **ADOPT** the Draft Contract Management Policy as presented should no submissions be received as a result of the public exhibition.

Cllr Kermode returned to the Chambers at 3:40pm and was informed of the resolution.



6.5 Walcha Golf Club – Request for Sponsorship for Women’s World Sandgreen Championships – April 2024 **WO/2024/00125**

121 **RESOLVED** on the Motion of Councillors Berry and Reilly that Council **APPROVE** the Partner Agreement between Walcha Council and Golf NSW Limited to provide in-kind support to Walcha Golf Club of \$5,000 to assist them host the Women’s World Sandgreen Championships in April 2024.

6.6 Alternate Representative for Audit Risk & Improvement Committee **WO/2024/00138**

122 **RESOLVED** on the Motion of Councillors Hicks and Kermode that Council **APPOINT** Councillor Pointing as the Alternate Council Representative on the Audit Risk & Improvement Committee for the ensuing term of Council.

7. NOTICES OF MOTION

7.1 Notice of Motion # 30 – Temporary Worker Accommodation in Walcha **WO/2024/00124**

123 **RESOLVED** on the Motion of Councillors Noakes and Kermode that Council seek consultant services to develop an issues paper and response strategy in relation to Temporary Workforce Accommodation in the Walcha Local Government Area.

8. MATTERS OF URGENCY

Nil.

9. MANAGEMENT REVIEW REPORTS

9.1 Office of the General Manager **WO/2024/00128**

124 **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/2024/00095**

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



9.3 Corporate & Community

WO/2024/00105

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

10. COMMITTEE REPORTS

127 **RESOLVED** on the Motion of Councillors Berry and Pointing 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 8 January 2024 at Council Chambers, Hamilton Street, Walcha.

WO/2024/00008

Action: Letter to Steve McCoy and Karen Brown thanking them both for their amazing work in regards to the Australia Day event. Truly appreciated.

10.2 Minutes of the Walcha Council Audit, Risk & Improvement Committee Meeting held on Monday 15 January 2024 at Council Chambers, Hamilton Street, Walcha.

WO/2024/00027

11. DELEGATE REPORTS

Nil.

12. QUESTIONS ON NOTICE

12.1 Clr Berry Re: Business Plan for Proposed Developers of Renewable Energy Projects -CoREM

In the Action List it states that CoREM have formed a Board and a Charter is being developed as well as a Statement of Expectations which will assist in developing the Council's Strategic Business Plan. Has this been developed?

Mayor: I will have to take that on Notice and will follow it up.

13. CLOSED COUNCIL

13A Referral to Closed Council – Award Tender REGPRO362324 Supply of Hardware

WO/2024/00126

13B Referral to Closed Council – Three Requests for Waiving and Reimbursement of Waste Disposal Fees

WO/2024/00131

128 **RESOLVED** on the Motion of Councillors Hicks and Berry that:

1. in accordance with the provisions of Section 10A (2)(c) of the *Local Government Act, 1993*, the matter of Award Tender REGPRO362324 Supply



of Hardware be **REFERRED** to be discussed in Closed Council 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. In accordance with the provisions of Section 10A (2)(a) of the *Local Government Act, 1993*, the matter of Three Requests for Waiving and Reimbursement of Waste Disposal Fees 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.

Council moved into Closed Council at 4:39pm

129 The Meeting resumed in **OPEN** Council on the Motion of Councillors Kermode and Pointing at 4:46pm.

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 Evaluation of Tender REGPRO362324 – Supply & Delivery of Hardware WINT/2024/00063

CC29/20232024 **RESOLVED** on the Motion of Councillors Kermode and Ferrier that Council:

1. **AWARD** REGPRO362324 Supply & Delivery of Hardware to J Blackwood & Son Pty Ltd trading as Blackwoods for the period 01 January 2024 to 31 December 2026; and
2. **ALLOW** a provision for a 12 month extension based on satisfactory supplier performance which may take this contract through to 31 December 2027.

3.2 Requests to Waive or Reimburse Waste Depot Fees WINT/2024/00274

CC30/20232024 **RESOLVED** on the Motion of Councillors Kermode and Ferrier that Council:



1. **WAIVE** the Waste Disposal Fee for one trailer load of mixed waste for the Walcha & District Historical Society;
2. **WAIVE** Green Waste Fees incurred by the Lions Club for maintenance of the Lions Park; and
3. **DO NOT** reimburse the resident as per the Third Request, but investigate the ongoing impacts that the plants are having on road safety.

THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 4:47PM.