



ORDINARY MEETING OF COUNCIL

held on

Wednesday, 26 June 2024

at 3.02pm 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 (Audio Visual), 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:

202 **RESOLVED** on the Motion of Councillors Pointing and Berry that the Leave of Absence from Clr Hicks, due to personal obligations, be **APPROVED**.

MINUTES



2. CONFIRMATION OF THE ORDINARY MEETING MINUTES HELD ON WEDNESDAY 29 MAY 2024:

203 **RESOLVED** on the Motion of Councillors Berry and Reilly that the Minutes of the Ordinary Meeting held on Wednesday 29 May 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 ATTENDANCE VIA AUDIO VISUAL LINK:

204 **RESOLVED** on the Motion of Councillors Kermode and Pointing that Council **APPROVE** Clr Ferrier to attend the June 2024 Council Meeting via video audio link for health reasons and he is unable to travel to Walcha.

5. MAYORAL MINUTE

Nil.

6. SENIOR OFFICERS REPORT

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

6.1 Adoption of 2024-2025 Operational Plan includes Budget, Fees & Charges & Revenue Policy **WO/2024/00936**

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

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



6.2 Voluntary Planning Agreement – Winterbourne Wind Pty Ltd & Walcha Council WO/2024/01079

Amendment:

It was **MOVED** Cllr Berry that Council **DEFER** the endorsement of the Winterbourne Wind Pty Ltd Voluntary Planning Agreement until the Environmental Impact Statement is delivered and the Project has been **APPROVED** by the State.

This **Amendment FAILED** to get a **SECONDER** and therefore **LAPSED**.

207 **RESOLVED** on the Motion of Councillors Reilly and Pointing that Council:

1. **ENDORSE** the Winterbourne Wind Pty Ltd Voluntary Planning Agreement and delegate to the General Manager to finalise and execute on behalf of Council.
2. **NOTE** that Uralla Shire Council are co-signatories to the Winterbourne Wind Pty Ltd Voluntary Planning Agreement and that the provisions of the Agreement will not become operative until all relevant parties have signed.

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

For: Ferrier, Noakes, Pointing and Reilly.

Against: Berry & Kermode.

Absent: Hicks

Declarations of Interest: Nil.

6.3 Internal Restricted Funds Movement WO/2024/01130

208 **RESOLVED** on the Motion of Councillors Pointing and Ferrier that Council:

1. Internally restricts the prepaid portion of the 2024-2025 Financial Assistance Grants;
2. un-restricts the prepaid portion of the 2024-2025 Financial Assistance Grants on 1 July 2024;
3. transfer an amount of 2023-2024 calculated annual plant depreciation to the Internal Plant Reserve to support the 2024-2025 Plant Replacement Program including an additional \$280,000 from Internal Unrestricted Funds.
4. Transfer an amount up to \$950,000 into the Infrastructure Replacement Reserve from Internal Unrestricted Funds.



6.4 Local Roads & Community Infrastructure LRCI Funding Allocation WO/2024/01085

- 209 **RESOLVED** on the Motion of Councillors Reilly and Kermode that Council:
1. **ENDORSE** the following allocations for the Local Roads & Community Infrastructure (LRCI) funding Phase 4:
 - a) Walcha Skate Park Precinct - \$250,000;
 - b) Roads & Kerb & Gutter works - \$326,796;
 - b) Hospital Wall Mural Art Project - \$15,000; and
 - c) Churchill Street Rehabilitation - \$341,361
 2. **SUBMIT** the endorsed works schedule to the LRCI funding body for approval.
 3. **UPDATE** the 2024-2025 Budget with the corresponding allocation;
 4. **PROVIDE** an updated Skate Park Project Plan with updated project budget, scope of work and schedule for approval.

6.5 New England Weeds Authority WO/2024/01080

- 210 **RESOLVED** on the Motion of Councillors Berry and Pointing that Council:
1. **NOTE** the current status of New England Weeds Authority based on advice from the appointed Administrator;
 2. **ALLOCATE** an additional \$170,000 in the 2024-2025 Budget that may be requested to assist clearing the outstanding financial liabilities of New England Weeds Authority.

6.6 Budget Allocation for Replacement of Water Treatment Plant Bulk Liquid Alum Tanks WINT/2024/02918

- 211 **RESOLVED** on the Motion of Councillors Kermode and Pointing that Council **ALLOCATE** \$49,690 excl GST for replacement of the Bulk Liquid Alum Tank at the Water Treatment Plant from the Water Fund Reserve **FURTHER THAT** update the 2024-2025 Budget.

6.7 Lions Park Donation for Bench Seat Installation WINT/2024/02917

- 212 **RESOLVED** on the Motion of Councillors Reilly and Berry that Council **APPROVE** the request for donation of in-kind works, approximately \$1800, for the installation of donated bench seat at Lion's Park.



6.8 Regional Meetings 2024

WO/2024/01091

213 **RESOLVED** on the Motion of Councillors Berry and Kermode that Council **RECEIVE** and **NOTE** the Regional Meetings 2024 report as presented.

6.9 Local Government Remuneration Tribunal Annual Review

WO/2024/01086

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

1. **RECEIVE** and **NOTE** the Report.
2. **DETERMINE** the annual fee payable to Councillors as \$13,520 and the Mayoral Allowance of Walcha Council as \$29,500 for the 2024-2025 financial year.

7. NOTICES OF MOTION

Nil.

8. MATTERS OF URGENCY

Nil.

9. MANAGEMENT REVIEW REPORTS

9.1 Office of the General Manager

WO/2024/01106

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

9.2 Infrastructure & Development

WO/2024/01107

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

9.3 Corporate & Community

WO/2024/00981

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

Clr Ferrier exited the Meeting around 5:00pm due to his iPad battery being exhausted.



10. COMMITTEE REPORTS

218 **RESOLVED** on the Motion of Councillors Berry and Kermode that Council **RECEIVE** and **NOTE** the Committee Reports as presented

10.1 Minutes of the Beautification Advisory Committee Meeting held on Wednesday 22 May 2024 at the Council Chambers, Hamilton Street, Walcha. WO/2024/01115

2.1 List of Potential Future Projects for the Beautification Advisory Committee

The Council noted that the recommendation would need more information presented. Funding is always being reviewed for these projects.

10.2 Minutes of the Audit Risk & Improvement Committee Meeting held on Monday 17 June 2024 at the Council Chambers, Hamilton Street, Walcha. WO/2024/01090

11. DELEGATE REPORTS

Nil.

12. QUESTIONS ON NOTICE

Nil.

13. CLOSED COUNCIL

13A Referral to Closed Council

WO/2024/01104

- 1. Write Off Bad Debts;**
- 2. Tender W23/71 – In Town Pathways**
- 3. Tender W23/72 – Darjeeling Road Pathways**
- 4. Community Care Kitchen Upgrade**
- 5. Tender W23/134 – Walcha Swimming Pool Refurbishment – Sealing (LATE REPORT)**

219 **RESOLVED** on the Motion of Councillors Pointing and Kermode that, in accordance with the provisions of:

1. Section 10A (2)(b) of the *Local Government Act, 1993*, the matter of Write Off Bad Debts be **REFERRED** to be discussed in Closed Council and close the meeting to the public for the reason that the report relates to the personal hardship of any resident or ratepayer;
2. Section 10A (2)(c) of the *Local Government Act, 1993*, the matters of:
 - a) Tender W23/71 – In Town Pathways;
 - b) Tender W23/72 – Darjeeling Road Pathways;



- c) Community Care Kitchen Upgrade; and
 - d) Tender WW23/134 – Walcha Swimming Pool Refurbishment - Sealing be **REFERRED** to be discussed in Closed Council and close the meeting to the public 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. Council **RESOLVE INTO** Closed Council and the press and the public be excluded at 5:06PM.

220 The Meeting resumed in **OPEN** Council on the Motion of Councillors Kermode and Pointing at 5:26pm.

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 Bad Debts – Written Off

WO/2024/01093

CC052/20232024 **RESOLVED** on the Motion of Councillors Berry and Pointing that Council **WRITE OFF** the balance of the accounts listed in the report.

3.2 Proposed Upgrade to Walcha Council Community Care Kitchen

WO/2024/01078

CC053/20232024 **RESOLVED** on the Motion of Councillors Berry and Kermode that Council **APPROVE** Walcha Council Community Care Kitchen Upgrade

3.3 Tender Evaluation W23/71 – Various In Town Pathways

WINT/2024/02870

CC054/20232024 **RESOLVED** on the Motion of Councillors Reilly and Kermode that Council:

1. **AWARD** Tender No. W23/71 – In Town Pathways – Construction only for the lump sum \$570,739 GST exclusive to Conex Pty Ltd upon successful allocation of additional Get Active contribution of \$36,000.
2. **APPROVE** a project financial contingency of 5.25% of the contract sum, \$30,000 to be approved under Council Officer Delegation and change request process.



3.4 Tender Evaluation W23/72 – Darjeeling Road Pathways

WINT/2024/02869

CC055/20232024 **RESOLVED** on the Motion of Councillors Berry and Kermode that Council:

1. **AWARD** Tender No. W23/72 – Darjeeling Road Pathways – Construction only for the lump sum \$1,496,992 GST exclusive to ETE Services Pty Ltd subject to successful variation request for additional grant funds;
2. **APPROVE** a project financial contingency of 10.5% of the contract sum, \$157,184 to be approved under Council Officer Delegation and change request process.

LATE REPORT

3.5 Tender W23/134 Evaluation – Walcha Swimming Pool Refurbishment – Sealing – Construction only

CC056/20232024 **RESOLVED** on the Motion of Councillors Berry and Kermode that Council:

1. **AWARD** Tender W23/134 – Walcha Swimming Pool Refurbishment Sealing Work – Milestone 1 ONLY – refurbishment 50 metre pool to Fitt Resources Pty Ltd for the lump sum \$465,570 excl GST.
2. **APPROVE** an additional scope of work to replace and reseal a valve for the quoted sum of \$14,980 excl GST;
3. **APPROVE** a project financial contingency of 15% of the contract sum \$72,082 to be approved under Council Officer Delegation and change request process.

3.6 The General Manager's Performance Appraisal 2023-2024

CC057/20232024 **RESOLVED** on the Motion of Councillors Noakes and Pointing that Council **NOTE** the GM Performance Appraisal for 2023-2024.

THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 5:32PM.