



EXTRA ORDINARY MEETING OF COUNCIL

held on

Wednesday, 28 September 2016

at

2.10pm

at

Walcha Council Chambers

Oaths by Councillors:

Prior to the Opening of the Meeting the General Manager witnessed the Oaths taken by Councillors and they are attached to these Minutes.

PRESENT: Councillors PR Blomfield, KW Ferrier, WJ Heazlett, JM Kealey, SJ Kermode, CM Lyon, EH Noakes and RL Wellings.

IN ATTENDANCE: Mr JG O'Hara, General Manager, Mr R Ranjit, Director – Engineering Services, and Mrs LJ Latham, Environmental Services Manager.

1. APOLOGIES:

Nil.

MINUTES



2. SENIOR OFFICERS REPORT

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

The General Manager is the Returning Officer and took the Chair.

2.1 Election of Mayor & Deputy Mayor

WO/2016/01575

30 **RESOLVED** on the Motion of Councillors Lyon and Heazlett that in the event that there is more than one Councillor nominated for each of the positions of Mayor or Deputy Mayor, then the method of election to determine the position(s) be by Ordinary Ballot with the counting to be done in the Mayors Office **FURTHER THAT** the Director – Engineering Services be appointed the Scrutineer **STILL FURTHER THAT** the Returning Officer destroy all documentation following such elections.

a) Election of Mayor

The Returning Officer then called for nominations for the position of Mayor. On receiving two nominations, one from Councillor Ferrier and one from Councillor Noakes, conducted an Ordinary Ballot and subsequently, the Returning Officer declared Councillor Noakes elected Mayor for the ensuing period.

b) Election of Deputy Mayor

The Returning Officer then called for nominations for the position of Deputy Mayor. On receiving one nomination that of Councillor Lyon, the Returning Officer, declared Councillor Lyon elected Deputy Mayor for the ensuing period unopposed.

DELEGATIONS OF AUTHORITY

Section 377 of the Local Government Act, 1993 provides the authority for Council to delegate its powers. It provides that Council may, by resolution, delegate to the General Manager or any other person or body (excluding another employee of Council) certain of its functions.

Subsequent to those changes, the following authorities are now delegated to the Mayor.

TO THE MAYOR:

To perform on behalf of Council the following powers, authorities, duties and functions within the terms of the Local Government Act and Regulations thereunder:-

1. To appoint any Councillor to represent either the Mayor or the Council at any function or Meeting or other event as the Mayor deems appropriate or necessary.



2. In conjunction with the General Manager to approve the admittance of new Councils in the Mid-North Weight of Loads Group.
3. The authority to adjudicate on or to grant approvals as appropriate under the terms of the adopted Code of Conduct for Local Government provided that in all cases, a right of appeal to the full Council shall exist.
4. The authority to consider and determine Council's response to representations seeking leniency or outlining extenuating circumstances from persons who have been served with a Penalty Notice. This determination shall extend only to those representations referred through the New South Wales Police Service Infringement Processing Bureau.
5. The authority to approve a mode of travel, other than by Council vehicle, for Councillors and Staff travelling on Council business, as circumstances may, from time to time, warrant.
6. In accordance with the provisions of Section 378(2) of the Local Government Act, 1993, authority to approve Council orders for the provision of goods and services up to the amount of two thousand dollars (\$2,000).

In the absence of the Mayor, Councillor Noakes, these powers are delegated to the Deputy Mayor, Councillor Lyon, **EXCEPT** for Clause 6.

TO THE DEPUTY MAYOR:

To perform on behalf of Council the following powers, authorities, duties and functions within the terms of the Local Government Act and Regulations thereunder:-

1. During periods of absence of the Mayor, Councillor Noakes, the Delegations made to Councillor Noakes shall be deemed to be made to the Deputy Mayor, Councillor Lyon, **EXCEPT** for Clause 6.

31 **RESOLVED** on the Motion of Councillors Heazlett and Kealey that, in accordance with the Local Government Act, 1993, the Delegations of Authority listed above be made to the Mayor, Councillor Noakes and the Deputy Mayor, Councillor Lyon, respectively.

Councillor Noakes, Mayor of Walcha, took the Chair.



2.2 Committees & Delegates Membership

WO/2016/01547

32 **RESOLVED** on the Motion of Councillors Lyon and Ferrier that if more than one person expressed an interest in the Committees then Council would hold a Secret Ballot to elect the Delegate to that Committee.

33 **RESOLVED** on the Motion of Councillors Heazlett and Ferrier that the list of Delegates, listed below, be **ADOPTED** for the ensuing two year period:

Delegate Organisations/Committees:

New England Tablelands Noxious Plants County Council – trading as New England Weeds Authority (NEWA)

Delegate – Clr Kermod

Namoi Councils Joint Organisation

Delegate – Mayor – Clr Noakes

Alternate – Deputy Mayor – Clr Lyon

Mid North Weight of Loads Group

Delegate – Clr Lyon

Alternate – Clr Heazlett

NSW Public Libraries Association – North Eastern Zone

Delegate – Clr Heazlett

Alternate – Clr Wellings

Central Northern Regional Libraries Committee

Delegate – Clr Heazlett

Alternate – Clr Wellings

Local Traffic Committee (LTC) and Council Advisory Committee

Nominated Representative by Local Member Kevin Anderson MP – Clr Ferrier

Local Emergency Management Committee (LEMC)

Delegate – Clr Blomfield

Zone Bush Fire Management Committee

Delegate – Clr Blomfield

Alternate – Clr Kermod

Tablelands Community Transport (TCT) Management Committee

Delegate – Clr Ferrier



Arts North West

Delegate – Clr Kealey
Alternate – Clr Heazlett

Management Committee Pioneer Cottage

Delegate – Clr Heazlett

Walcha Local (Liquor) Consultative Committee

Delegate – Clr Ferrier
Alternate – Clr Lyon

Community Centre Committee (Multi-Purpose Centre)

Delegate – Clr Kealey
Alternate – Clr Wellings

Walcha Community Consultative Committee

Delegate – Clr Kealey
Alternate – Clr Heazlett

Walcha Local Health Committee

Delegate – Clr Noakes

Country Mayors Association

Delegate – Clr Noakes

355 Committees

Walcha Town & District Beautification & Tidy Towns Committee

Representatives: – Clr Lyon and Clr Blomfield

Walcha Council Arts Advisory Committee

Chair – Clr Kealey
Alternate – Clr Heazlett

Walcha Council Community Care Advisory Committee

Chair – Clr Ferrier

Walcha Council Preschool Advisory Committee

Chair – Clr Wellings

Walcha Council Tourism Advisory Committee

Chair – Clr Kealey
Alternate – Clr Heazlett



Walcha Council Audit & Risk Committee
Voting Members – Clr Lyon and Clr Kermode

Walcha Council Festival Committee
Chair – Clr Ferrier

Walcha Council Youth Advisory Committee
Chair – Clr Wellings

Council Internal Committees

Plant Committee
Representative – Clr Noakes, Clr Lyon and Clr Kermode

Staff Committee
Representatives: Clr Noakes and Clr Lyon, Heazlett and Blomfield

Staff Consultative Committee
Management Representatives – Mayor Noakes & Deputy Mayor Lyon

Roads Management Committee
Representatives – All Councillors.

Walcha Council Waste Management Committee
Representatives – All Councillors

**THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED
THE MEETING CLOSED AT 2:45PM.**



COUNCILLOR OATH OR AFFIRMATION OF OFFICE



Oath:

I Peter Richard BLOMFIELD swear that I will undertake the duties of the office of councillor in the best interests of the people of Walcha Council local government area and the Walcha Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgement.

Signed by Councillor:

Handwritten signature of Peter R Blomfield in cursive script.

Peter R Blomfield

In the presence of:

Handwritten signature of Jack O'Hara in cursive script.

Jack O'Hara
General Manager



COUNCILLOR OATH OR AFFIRMATION OF OFFICE



Oath:

I Kevin Wilfred FERRIER swear that I will undertake the duties of the office of councillor in the best interests of the people of Walcha Council local government area and the Walcha Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgement.

Signed by Councillor:

In the presence of:

Kevin Ferrier

Kevin W Ferrier

Jack O'Hara

Jack O'Hara
General Manager



COUNCILLOR OATH OR AFFIRMATION OF OFFICE



Oath:

I William John HEAZLETT swear that I will undertake the duties of the office of councillor in the best interests of the people of Walcha Council local government area and the Walcha Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgement.

Signed by Councillor:


William J Heazlett

In the presence of:


Jack O'Hara
General Manager



COUNCILLOR OATH OR AFFIRMATION OF OFFICE




Oath:

I Jennifer Mary KEALEY swear that I will undertake the duties of the office of councillor in the best interests of the people of Walcha Council local government area and the Walcha Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgement.

Signed by Councillor:

In the presence of:


Jennifer M Kealey


Jack O'Hara
General Manager

TRIM Ref: WINT/2016/02039

28 September 2016

.....General ManagerMayor



COUNCILLOR OATH OR AFFIRMATION OF OFFICE



Oath:

I Scott John KERMODE swear that I will undertake the duties of the office of councillor in the best interests of the people of Walcha Council local government area and the Walcha Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgement.

Signed by Councillor:

In the presence of:

Handwritten signature of Scott J Kermode in black ink.

Scott J Kermode

Handwritten signature of Jack O'Hara in black ink.

Jack O'Hara
General Manager



COUNCILLOR OATH OR AFFIRMATION OF OFFICE



Oath:

I Clinton Michael LYON swear that I will undertake the duties of the office of councillor in the best interests of the people of Walcha Council local government area and the Walcha Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgement.

Signed by Councillor:

In the presence of:

Handwritten signature of Clinton M Lyon in black ink.

Clinton M Lyon

Handwritten signature of Jack O'Hara in black ink.

Jack O'Hara
General Manager



COUNCILLOR OATH OR AFFIRMATION OF OFFICE



Oath:

I Eric Henry NOAKES swear that I will undertake the duties of the office of councillor in the best interests of the people of Walcha Council local government area and the Walcha Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgement.

Signed by Councillor:

Handwritten signature of Eric H Noakes in black ink, written over a horizontal line.

Eric H Noakes

In the presence of:

Handwritten signature of Jack O'Hara in black ink, written over a horizontal line.

Jack O'Hara
General Manager



COUNCILLOR OATH OR AFFIRMATION OF OFFICE



Oath:

I Rachael Lee WELLINGS swear that I will undertake the duties of the office of councillor in the best interests of the people of Walcha Council local government area and the Walcha Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgement.

Signed by Councillor:

In the presence of:

Handwritten signature of Rachael L Wellings in black ink.

Rachael L Wellings

Handwritten signature of Jack O'Hara in black ink.

Jack O'Hara
General Manager