



## EXTRAORDINARY MEETING OF COUNCIL

held on

Wednesday, 22 December 2021

at

3:02pm

at

Walcha Council Chambers

**The Audio Statement and Acknowledgement of Country was read by the General Manager.**

**PRESENT:** Cllr EH Noakes (Chair) Mayor together with Councillors MA Berry, AC Pointing, NF Hicks, SJ Kermode, A Reilly & GDM Schaefer.

**IN ATTENDANCE:** Mr Barry Omundson – General Manager, Mrs LJ Latham – Director Environment & Development, Mr CC Martin – Manager Corporate & Finance and Mrs EL Hobbs – Executive Assistant.

MINUTES



**1. COUNCILLORS OATH**

Seven Councillors, Scott Kermode, Mark Berry, Gregory Schaefer, Nena Hicks, Aurora Reilly and Anne-Marie Pointing, recited the Councillor Oath of Office.

**2. LEAVE OF ABSENCE:**

96 **RESOLVED** on the Motion of Councillors Kermode and Schaefer that the Leave of Absence received from Mr Kevin Ferrier due to medical appointments in Sydney be **ACCEPTED**.

**3. DECLARATIONS OF INTEREST**

Nil.

**4. SENIOR OFFICERS REPORT**

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

**4.1 Election of Mayor & Deputy Mayor**

**Method of Election:**

98 **RESOLVED** on the Motion of Councillors Hicks and Kermode 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 **FURTHER THAT** the Returning Officer destroy all documentation following such elections.

As there is only one nominee for the role of Mayor I declare that Eric Noakes is elected as Mayor unopposed for the ensuing two years.

Clr Scott Kermode has the higher number of votes and I declare that Clr Scott Kermode is elected Deputy Mayor for the ensuing two years.

99 **RESOLVED** on the Motion of Councillors Schaefer and Hicks that Councillor Eric Noakes is elected Mayor of Walcha and Councillor Scott Kermode is elected Deputy Mayor for the ensuing term until September 2023.

**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 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 Eric Noakes, these powers are delegated to the Deputy Mayor, Councillor Scott Kermode, 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 Eric Noakes, the Delegations made to Councillor Eric Noakes shall be deemed to be made to the Deputy Mayor, Councillor Scott Kermode, EXCEPT for Clause 6.

100 **RESOLVED** on the Motion of Councillors Schaefer and Berry that, in accordance with the provisions of Section 377 of the Local Government Act, 1993, the Delegations of Authority listed above be made to the Mayor, Councillor Noakes and the Deputy Mayor, Councillor Kermode respectively.

**The Returning Officer, General Manager Barry Omundson, vacated the Chair and the Mayor, Cllr Eric Noakes, took the Chair for the remainder of the Meeting.**

**4.2 Countbacks to fill Casual Vacancies – Post Election WO/2021/04986**

101 **RESOLVED** on the Motion of Councillors Hicks and Kermode that Pursuant to Section 291A(1)(b) of the *Local Government Act 1993* (the Act) Walcha Council **DECLARES** that casual vacancies occurring in the office of a Councillor within 18 months after the last Ordinary Election of Councillors for the Council on 04 December 2021 are to be filled by a countback of votes cast at that election for the office in accordance with Section 291A of the Act and directs the General Manager to notify



the NSW Electoral Commission of the Council's decision within 7 days of the decision.

**4.3 Change of Meeting Date for February 2022**

**WO/2021/05029**

102 **RESOLVED** on the Motion of Councillors Kermode and Schaefer that the February 2022 Ordinary Council Meeting be held on Wednesday 16 February 2022.

**THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 3:23PM.**