



BUSINESS PAPER  
EXTRA ORDINARY MEETING  
OF COUNCIL

To be held on

Wednesday, 30 September 2015  
2.00pm

at

Walcha Council Chambers

Members:

Mayor – Councillor Janelle Archdale  
Deputy Mayor – Councillor Scott Schmutter  
Councillor William Heazlett  
Councillor Lloyd Levingston  
Councillor Clint Lyon  
Councillor Kevin Ferrier  
Councillor Robert Thomson  
Councillor Maria Woods

Quorum – 5 Members to be Present  
WO/2015/01827

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Submitted to Council: 30 September 2015

..... General Manager ..... Mayor

AGENDA



Dear Mayor & Councillors

You are requested to attend the Extra Ordinary Meeting of the Walcha Council to be held in the Council Chambers, Hamilton Street, Walcha on **Wednesday, 30 September 2015** commencing at 2:00pm.

Yours sincerely

  
Jack O'Hara  
GENERAL MANAGER

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Submitted to Council: 30 September 2015

..... General Manager ..... Mayor



**Present:**

**Apologies:**

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Submitted to Council: 30 September 2015

..... General Manager ..... Mayor



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**Item:** 3.1 **Ref:** WO/2015/01764  
**Title:** Election of Mayor & Deputy Mayor  
**Author:** General Manager  
**Previous Items:** Not Applicable  
**Attachment:** No

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**Introduction:**

Section 290 (1)(b) of the Local Government Act 1993 provides that Council is to elect a Mayor, (if it is not the first election after an ordinary election or an election to fill a casual vacancy,) during the month of September. Schedule 7 of the Local Government (General) Regulation 2005, provides for the manner in which the Mayor and the Deputy Mayor are to be nominated and elected.

**a) Nomination**

The Regulation provides that a Councillor may be nominated without notice for the position of Mayor or Deputy Mayor.

The nomination is to be made in writing by two or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee indicates his or her consent to the nomination in writing.

The nomination is to be delivered or sent to the Returning Officer, who is to announce the names of the nominees at the Council Meeting at which the election is to be held.

Councillors will be provided with appropriate nomination forms by the General Manager who, in accordance with the provisions of the Regulation, acts as Returning Officer.

**b) Method of Election**

If only one Councillor is nominated for each of the positions of Mayor or Deputy Mayor, then that Councillor is elected to the position for which they nominated.

If more than one Councillor is nominated for the position of either Mayor or Deputy Mayor, an election is to be held and the Council must resolve whether that election is to proceed by preferential ballot, by ordinary ballot or by open voting. The election is to be held at the meeting at which Council determines the method of voting.

“Ballot” has its normal meaning of secret ballot and “open voting” means voting by show of hands or similar means.

**RECOMMENDED: 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**

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Submitted to Council: 30 September 2015

..... General Manager ..... Mayor



..... **FURTHER THAT the Returning Officer destroy all documentation following such elections.**

**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. The authority to approve CBD Small Grant Programme Applications for Assistance, in accordance with adopted guidelines.
7. 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).

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Submitted to Council: 30 September 2015

..... General Manager ..... Mayor



In the absence of the Mayor, Councillor ....., these powers are delegated to the Deputy Mayor, Councillor ....., EXCEPT for Clause 7..

**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 ....., the Delegations made to Councillor ..... shall be deemed to be made to the Deputy Mayor, Councillor .....

**RECOMMENDED:** 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 ..... and the Deputy Mayor, Councillor ..... respectively.

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Submitted to Council: 30 September 2015

..... General Manager ..... Mayor



# DELEGATES & COMMITTEE MEMBERS

2014 – 2015

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

**Organisations:** Uralla Shire Council, Guyra Shire Council, Armidale Dumaresq Council and Walcha Council

**Purpose:** Special Purpose County Council set up for the control of noxious plants.

Delegate – Clr M J Woods (4 year term – due September 2016)

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**Namoi Councils Joint Organisation**

**Membership:** Gunnedah Shire Council, Gwydir Shire Council, Liverpool Plains Shire Council, Moree Plains Shire Council, Narrabri Shire Council, Tamworth Regional Council, Walcha Council

**Functions:**

**Core Functions:**

- ◆ Regional Strategic Planning
- ◆ Inter-governmental collaboration
- ◆ Regional leadership and advocacy

**Optional Functions:**

- ◆ Regional service delivery
- ◆ Creating or enhancing regional strategic capacity

Delegate – Mayor – Clr JM Archdale

Alternate Delegate – Deputy Mayor – Clr SJ Schmutter

Representative – General Manager – Jack O’Hara

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**Mid North Weight of Loads Group**

**Organisations:** Armidale Dumaresq Council, Bellingen Shire Council, Coffs Harbour City Council, Dungog Shire Council, Gloucester Shire Council, Great Lakes Council, Greater Taree Council, Kempsey Shire Council, Liverpool Plains Council, Port Macquarie Hastings Council, Tamworth Regional Council, Upper Hunter Council, Uralla Shire Council, Walcha Council.

**Purpose:** The Group was established in 1986 for the purpose of minimising pavement damage caused by overloaded trucks.

Delegate – Clr CM Lyon

Alt Delegate – Clr L Levingston

Representative – Director – Engineering Services

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**Country Libraries Association of NSW – North Eastern Zone**

**Organisations:** The Group represents libraries from Tweed Heads to Forster across to Gunnedah and up to Tenterfield



**Purpose:**

Delegate – Clr WJ Heazlett  
Library Officer Delegate – DM Garrad – Librarian

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**Central Northern Libraries Committee**

**Organisations:** Tamworth Regional Council, Uralla Shire Council Walcha Council, Liverpool Plains Council, Narrabri Shire Council

**Purpose:** To monitor and negotiate the provision of library services through the Central Northern Libraries

Delegate – Clr WJ Heazlett

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**Local Traffic Committee and Council Advisory Committee**

**Organisations:** Roads and Traffic Authority, Police, Walcha Council.

**Purpose:** To advise Council on local traffic matters.

Representative – Director – Engineering Services

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**Local Emergency Management Committee (LEMC)**

**Organisations:** Police, State Emergency Service, Rural Fire Service, Ambulance, NSW Fire Brigade and Hunter New England Area Health Service, local Councils.

The Local Emergency Management committee covers the local government areas of Guyra, Walcha, Armidale Dumaresq and Uralla.

**New England Local Emergency Management Committee**

Delegate – Clr RS Thomson

Local Emergency Management Officer – Director – Engineering Services

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**NSW Rural Fire Service Zone Liaison Committee**

**Organisations:** Rural Fire Service, Walcha Council, Uralla Shire Council, Guyra Shire Council, Armidale Dumaresq Council, Volunteer Fire Brigades.

**Purpose:** To develop and monitor a Service Level Agreement between the NSW Rural Fire Services and the Councils of the New England Zone.

Delegates – Clr CM Lyon

Alternate Delegate – Clr RS Thomson

Other Members: Jack O'Hara – General Manager

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**Zone Bush Fire Management Committee**

**Organisations:** Unless the Bush Fire Co-ordinating Committee determines otherwise, the following persons are to be invited to become members of a Bush Fire Management Committee:

- (a) A person nominated by each local authority whose area comprises land in the Bush Fire Management Committee's area, being (in the case of a local authority that is a council) the Mayor or a councillor of the Council;
- (b) A person nominated by each of the following organisations as being in charge of its affairs in the Bush Fire Management Committee's area:
  - (i) The Roads & Maritime Services;
  - ii) The Land & Property Management Authority;
  - iii) The NSW Fire Brigades;
  - iv) The NSW Police;
  - v) Each distribution network service provider listed in Schedule 3 to the *Electricity Supply Act 1995* having a distribution district comprising land in the Bush Fire Management Committee's area;
  - vi) Each Livestock Health & Pest Authority established for any rural lands protection district comprising land in the Bush Fire Management Committee's area;
  - vii) Rail Corporation NSW
  - viii) Rail Infrastructure Corporation.
- (c) A person or persons nominated by the Director-General of the Department of Environment & Climate Change and Water NSW as being in charge of the affairs of the Department in the Bush Fire Management Committee's area;
- (d) A person or persons nominated by the Deputy-General, Primary Industries of the Industry & Investment NSW as being in charge of the affairs of the Department in the Bush Fire Management Committee's area;
- (e) A person nominated by each local authority for the Bush Fire Management Committee's area as having responsibilities for the performance of the local authority's functions respecting the environment;
- (f) A person nominated by the Nature Conservation Council of NSW;
- (g) Not more than 2 persons chosen by rural fire brigades operating in the area;
- (h) A rural land holder nominated by the NSW Farmers Association or, if the Association does not nominate a rural land holder within a reasonable time (as determined by the Bush Fire Co-ordinating Committee), by the local authority for the area;
- (i) A person nominated by each Local Aboriginal Land Council for any Local Aboriginal Land Council area comprising land located in the Bush Fire Management Committee's area;
- (j) An other person or persons approved by the Bush Fire Co-ordinating Committee.

**Purpose:** Each Bush Fire Management Committee must, in accordance with the State Legislation, prepare and submit to the State Bush Fire Co-ordinating Committee a draft of each of the following kinds of bush fire management plans for the rural fire district or other part of the State for which it is constituted:

- (a) A plan of operations; and
- (b) Bush fire risk management Plan.

Delegate – Clr RS Thomson

Alternate Delegate – Clr CM Lyon

Representative – Lacey Latham –Environmental Services Manager

### **Tablelands Community Transport Management Committee**

**Membership:** Chairperson, Uralla Shire Council's delegate to the Committee; Delegates nominated by each of Armidale Dumaresq Council, Walcha Council and Guyra Shire Council. One representative of volunteers and one representative of customers from each of the four local government areas involved in the service area. Representative of special need groups, on an ad hoc basis, by invitation from the Manager of the service (those representatives having no voting rights)."

The Manager of the program is also a member of the Committee, with no voting rights.

**Purpose:** To advise Uralla Council on the management and operation of TCT in the provision of transport facilities for the frail aged, disabled and other transport disadvantaged people in the Shire and on a regional basis."

Delegate – Lacey Latham - Environmental Services Manager

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### **Arts North West**

**Membership:** Arts North West was established in 1996 as a Regional Arts Development Program and established as an independent Regional Arts Board in 1997. The program receives financial support from Arts NSW and twelve local governments in the New England North West region.

**Purpose:** To build community capacity in the Arts North West region through supporting creative activity.

Representative – Clr WJ Heazlett

Alternate – Clr SJ Schmutter

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### **Northern Inland Regional Waste Group (NIRW)**

**Organisations:** Armidale Dumaresq Council, Glen Innes Council, Gunndah Shire Council, Guyra Shire Council, Gwydir Shire Council, Inverell Shire Council, Liverpool Plains Shire Council, Moree Plains Shire Council, Narrabri Shire Council, Tamworth Regional Council, Tenterfield Shire Council, Uralla Shire Council and Walcha Council.

**Purpose:** Northern Inland Regional Waste (NIRW) is a voluntary local Government networking group to specifically address waste management issues on a regional level.

Representative – Manager Waste, Sewer & Water

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### **Plant Committee**

#### **Membership**

Representative – Clr CM Lyon  
Representative – Clr L Levingston  
Representative – Clr RS Thomson  
General Manager – Jack O’Hara  
Director – Engineering Services – TBA  
Plant Foreman – Stephen Bath

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### **Staff Committee**

#### **Membership:**

Representative – Mayor – Clr JM Archdale  
Representative – Deputy Mayor – Clr SJ Schmutter  
Representative – Clr WJ Heazlett  
Representative – Clr CM Lyon  
General Manager – Jack O’Hara  
Other Senior Officers as appropriate.

#### **Purpose:**

- ❖ To assess applications, carry out interviews and report to Council on appointments to the following Senior positions:
    - General Manager.
  - ❖ To assist the Mayor and Senior Staff in the resolution of industrial disputes as considered necessary.
  - ❖ To advise Council on conditions of employment including Staff Housing.
  - ❖ To advise Council, as necessary, on matters of Staff training.
  - ❖ To advise Council on other Staff matters as considered appropriate with the exception of those matters falling within the responsibility of the Staff Consultative Committee.
  - ❖ To carry out the General Manager’s performance appraisal and negotiate performance agreement.
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### **Staff Consultative Committee**

#### **Membership:**

2 Management Representatives: Mayor – Clr JM Archdale & Deputy Mayor – Clr SJ Schmutter.  
1 Local Government Manager – General Manager – Jack O’Hara  
1 Environmental Health Professional – Manager – Environmental Services – Lacey Latham  
2 USU Members: Kevin Creighton & Bernard Lynch  
1 Local Organiser of the USU – Chris Preston  
Secretary – non voting member

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### **Baths and Squash Courts Committee**

#### **Membership:**

Representative – Clr KW Ferrier  
Alternate – Clr CM Lyon  
Director – Engineering – TBA  
Environmental Services Manager – Lacey Latham

President Walcha Squash Club – Scott Kermode  
President Walcha Swimming Club – Angus Warden  
Pool Supervisor – Andrew Cross

**Purpose:**

- ❖ To advise Council on an annual basis of appropriate fee structures for both the Memorial Baths and the Squash Court complex.
  - ❖ To advise Council on Policy matters relating to both the Memorial Baths and the Squash Court complex such as opening times, building maintenance and improvements, methods of operation and the like.
  - ❖ To generally advise Council on all matters relating to the operation of the Walcha War Memorial Baths and the Squash Courts.
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**Walcha Town and District Beautification and Tidy Towns Committee**

**Membership:**

Representative – Clr CM Lyon  
Representative – Clr RS Thomson  
Director – Engineering Services – TBA  
Urban Works Supervisor – Steph Sweeney  
Citizen Representatives - Phyllis Hoy  
Citizen Representatives - Robyn Vincent  
Citizen Representatives – Felicity Nivison  
Citizen Representatives – Irene Woods  
Citizen Representatives – Alex Smith

**Purpose:**

- ❖ To generally monitor the appearance of the town and district and to advise Council of areas requiring enhancement.
  - ❖ To advise Council on its Tree Planting Programme particularly as to suitability of species to be planted.
  - ❖ Administer Council's participation in the Keep Australia Beautiful Council's Tidy Towns Competition. The Committee should also review the results of Council's entry in this competition making recommendations as appropriate.
  - ❖ Administer the conduct of the Garden Competition.
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**Walcha Work Health and Safety Committee**

No Elected Representatives

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**Roads Management Committee**

**Membership:**

All Council  
Director – Engineering Services – TBA

**Purpose:** Oversee the development of the Roads Management Plan for Walcha shire.

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**Walcha Council Australia Day Committee**

The Services Clubs currently fill this role.  
Representative – Clr Lloyd Levingston

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**Walcha Council Waste Management Committee**

Representative – Clr MJ Woods  
Representative – Clr KW Ferrier  
Representative – Clr L Levingston  
General Manager – Jack O’Hara  
Director-Engineering Services – TBA  
Manager Waste, Sewer & Water – Tess Dawson

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**Management Committee Pioneer Cottage**

Representative – Clr L Levingston  
Alternate Representative – Clr RS Thomson

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**Walcha Council Arts Advisory Committee**

**Function of the Committee** – To advise Council on future public art projects.

**Membership:**

Representative – Clr SJ Schmutter - Chairperson  
Alternate Representative – Clr WJ Heazlett  
General Manager – Jack O’Hara  
Director – Engineering Services – TBA  
Three community representatives – James Rogers, Carley McLaren and Stephen King.

**Meetings** – The Committee is to meet six monthly or as required. The appointed Councillor to act as the Chairperson. The quorum is to be four.

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**Walcha Local (Liquor) Consultative Committee**

Membership - Representatives of all Licensed Premises’, Police and Council  
Purpose  
Representative – Clr KW Ferrier  
Alternate Representative – Clr Lloyd Levingston

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**Community Centre Committee (Multi-Purpose Centre)**

Representative – Clr SJ Schmutter  
Alternate Representative – Clr CM Lyon

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**Walcha Council Community Care Advisory Committee**

**Function of the Committee:**

To advise Council on policy matters and strategic issues regarding the management of Walcha Council Community Care.

**Membership:**

One Councillor – Clr KW Ferrier - Chairperson  
Environmental Services Manager – Lacey Latham  
Walcha Council Community Care Coordinator – Cathy Noon  
ATSI Walcha Council Community Care Coordinator – Elaine Bartholomew  
Meals on Wheels Provider – Kristin Bourke  
Independent Community care Service Provider – Debra Sweeney

Six Citizen Representatives (preferably consisting of a volunteer, a carer and four clients) – Ron Denham, Kate Hoy, Sue Reardon, TBA, TBA, TBA.

All 12 Committee Members to have voting rights.

**Election of Members:**

Six citizen representatives to be elected for a two year term with half that number changing each year. Citizen membership to be restricted to a maximum of four consecutive terms. Ie: eight years. Casual vacancies can be appointed until the review period.

**Meetings:**

The Committee is to meet quarterly on third Tuesday. Quorum is 7.  
(updated Resolution No.: 24/1516 – 26 August 2015)

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**Walcha Council Preschool Advisory Committee**

**Membership:**

Representative – Clr CM Lyon  
Alternate Representative – Clr JM Archdale  
Preschool Administration Manager – Karen Kermode  
Nominated Supervisor – Zoe Herbert  
Parent/Citizen Representatives (4):

- ❖ Lucie Street
- ❖ Stacey Miller
- ❖ Anna Mulligan
- ❖ Lisa Patterson-Kane

The Early Intervention Officer, Rhonda Barnett, can attend Meetings but does not have voting rights:

Four parent/citizen representatives to be elected for a 2 year term with half that number changing each year. They are also restricted to a maximum of 3 consecutive terms, ie 6 years.

**Purpose:** To advise Council on policy matters and strategic issues regarding the management of the Walcha Preschool.

**Meetings:** Meet quarterly (once per term) or as required on the fourth (4<sup>th</sup>) Tuesday of the term. The appointed Councillor to act as Chairman. The quorum to be 5.

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**Walcha Community Consultative Committee**

Organisations – All community organisations are invited to attend and include the police, service groups, Amaroo and Council

Purpose: To discuss community wide social issues

Delegate – Clr L Levingston  
Delegate – Clr SJ Schmutter

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### **Armidale Economic Development Group**

**Membership** – The Armidale Development Group is an Armidale Dumaresq Council committee with a wide cross section of industry groups represented on the committee such as UNE, Camber of Commerce and Local Business when the Strategic Alliance was formed Uralla, Guyra and Walcha Council were invited to send a representative to the meetings.

**Purpose** – To promote Economic Development in the Armidale Regions

**Delegate** – Mayor JM Archdale

**Alternate Delegate** – Clr WJ Heazlett

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### **Walcha Health Service Advisory Committee**

**Representative** – Clr JM Archdale

**Purpose:** To facilitate information flows between the community and the Hunter New England Area Health Service (HNEAHS) and to advise HNEAHS on appropriate levels of service for our community.

### **Sub Regional Strategy Committee**

**Delegate** – Clr JM Archdale

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### **Walcha Community Safety Precinct Sub-Committee**

#### **Membership:**

**Representative** – Clr Lloyd Levingston – Deputy Chair

**Alternate Representative** – Clr SJ Schmutter

**Walcha Police Sergeant** – Sergeant Anthony Smith

**Various Community Members**

**Members of Oxley Local Area Command Police**

#### **Purpose:**

- ❖ Ensure Local Area Commanders are communicating to their local communities;
- ❖ Encourage community partnerships to reduce crime and the fear of crime;
- ❖ Develop local solutions to local crime in partnership with local stakeholders;
- ❖ Improve public safety and reduce the fear of crime at a local level;
- ❖ Raise understanding of the relationship between policing and crime reduction; and
- ❖ Ensure Commanders take into account local community views on police visibility, police deployment and crime hotspots when deciding police tasking and deployment.

#### **Meetings:**

To meet twice yearly and report back to the Tamworth Community Safety Precinct Committee which meets quarterly.

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**Walcha Council Tourism Advisory Committee**

**Function of the Committee:**

To advise Council on future tourism promotion.

**Membership:**

Representative – Clr CM Lyon – Chairperson

Alternate Representative – Clr WJ Heazlett

General Manager – Jack O’Hara

Tourism Manager – Susie Crawford

Seven community representatives on two year term with them being eligible for reappointment on expiration of each term – Len Woods, Neil Smith, Vanessa Arundale, Casper Ozinga and Doug Laurie.

**Meetings:**

The Committee is to meet quarterly or as required. The appointed Councillor to act as the Chairperson. The quorum is to be 5.

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**Walcha Council Mountain Festival Committee**

**Function of the Committee:**

To organise an annual festival showcasing the local food, art and craft.

**Membership:**

One Councillor – Clr KW Ferrier – Chairperson

Tourism Manager – Susie Crawford

Community representatives on a two year term – Lisa Kirton, Cameron Greig, Ron Denham, Vicki McIvor, Chris Feltham, Leanne Natty, Glenn Dick, Michael Luchick, Ian Mackey

**Meetings:**

Meet quarterly or as required. Appointed Councillor to act as the Chairperson. Quorum to be 6.

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