

# **COBAR SHIRE COUNCIL**



## **EXTRAORDINARY MEETING AGENDA**

**THURSDAY 13 SEPTEMBER 2018**

---

## **~ ORDER OF BUSINESS ~**

---

Business for the meeting will be as follows:

1. Apologies
  2. Declaration of Interests
  3. General Manager's Report – Part A (Action)
  4. Matters of Urgency
-

---

## ~ TABLE OF CONTENTS ~

---

<b><u>PART A – ACTION</u></b>	<i>Page Number</i>
Clause 1A – Election of the Mayor and Deputy Mayor .....	4
Clause 2A – Meeting Dates and Times .....	5
Clause 3A – Council Committees/Delegates .....	7
Clause 4A – Unaudited Financial Statements 2017/2018.....	11
Reference to Attachments .....	12

---

## **CLAUSE 1A – ELECTION OF THE MAYOR AND DEPUTY MAYOR**

**FILE: C12-1**

**AOP REFERENCE: 3.1.5**

**ATTACHMENT: NO**

**AUTHOR: *General Manager, Peter Vlatko***

### **Background**

Section 226 of the Local Government Act 1993 (NSW) provides that the role of the Mayor is:

- To exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council;
- to exercise such other functions of the council as the council determines;
- to preside at meetings of the council;
- to carry out the civic and ceremonial functions of the mayoral office.

The term of office for the Mayor is for a period of one (1) year and the procedure for election is contained in the Local Government (General) Regulation 2005 (Clause 394 and Schedule 7).

The General Manager or nominee acts as Returning Officer for the election. Section 231 of the Local Government Act 1993 (NSW) provides that Council may also elect a Deputy Mayor and such election is also to be carried out in accordance with the Local Government (General) Regulation 2005. The period of appointment of the Deputy Mayor is consistent with the period of the appointment of Mayor or a shorter term.

The Deputy Mayor may exercise any functions of the Mayor, at the request of the Mayor, or, if the Mayor is prevented by illness, absence or otherwise from exercising the functions, or, if there is a casual vacancy in the office of the Mayor.

If more than one (1) Councillor is nominated for each position, Council must resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting. Council's normal practice has been to proceed by ordinary ballot.

It is also appropriate that any ballot papers used in the election of the Mayor and Deputy Mayor be destroyed after the election.

### **RECOMMENDATION**

- 1. That Council note that the General Manager or his nominee is the Returning Officer for the purpose of electing the Mayor and Deputy Mayor.**
- 2. That the period of appointment of the Deputy Mayor be consistent with the period of the appointment of Mayor, being two (2) years.**
- 3. In the event of more than one (1) nomination that Council conduct the election of the Mayor and Deputy Mayor by ordinary ballot and in accordance with the Local Government (General) Regulations 2005.**
- 4. That following the election the ballot papers used in the election of the Mayor and Deputy Mayor be destroyed.**

---

## **CLAUSE 2A – MEETING DATES AND TIMES**

**FILE: C12-1**

**AOP REFERENCE: 3.1.5**

**ATTACHMENT: NO**

**AUTHOR: *General Manager, Peter Vlatko***

### **Background**

The Local Government Act 1993 (NSW) provides that Council is required to hold a minimum of ten (10) meetings per year (each in a different month).

Normally Ordinary Meetings of Council are currently held on the fourth Thursday of each month commencing at 5pm except the December Meeting which would be held on an earlier Thursday of the month to stay clear of the Christmas period (Thursday 13 December 2018) and January where no meeting is held.

In accordance with Council's current Code of Meeting Practice Council shall, by resolution, set the time, date and place of Ordinary Meetings of Council in September each year.

Also in accordance with the current Code of Meeting Practice, agendas for the Ordinary Council Meetings are prepared and distributed on the Thursday afternoon seven (7) days prior to the meeting day.

Council at its meeting on 27 September 2012 resolved to return to having one Ordinary Meeting to be designated to be a Rural Council Meeting per year. Council at its Extraordinary Meeting on 10 September 2015 further resolved as follows in regards to the Rural Council Meetings:

- “The Rural Council Meeting be held on a rotating basis through the Council Election Cycle as follows:
  - Mt Hope (September 2018);
  - Tilpa (September 2019);
  - Euabalong (October 2020 (After Councillor Election));
  - Nymagee (September 2021).
  
- The day would involve a bus tour of the road network and village/facilities of the respective area commencing in Cobar at 8:00am, lunch at the respective village and the Council Meeting commencing at 1:00pm with the return journey to Cobar ending latest 6:00pm (if practical);
- Where practically possible the Agenda would include relevant matter(s) concerning the respective locality and not include Committee of the Whole Closed Council matters;
- Lunch would be provided through the relevant Community Progress Association (if practical).

---

## **RECOMMENDATION**

- 1. That the Ordinary Meetings of Council be held in the Council Chambers commencing at 5pm on the fourth Thursday of each month except for the December meeting which is to be held on the second Thursday of the month to stay clear of the Christmas period and January where no meeting is held and the September Council Meeting to be designated as the Rural Council meeting that will commence at 1:00pm.**
  
- 2. The Rural Council Meeting be held on a rotating basis through the Council Election cycle as follows:**
  - Mt Hope (September 2018);**
  - Tilpa (September 2019);**
  - Euabalong (October 2020 (After Councillor Election));**
  - Nymagee (September 2021).**

---

## **CLAUSE 3A – COUNCIL COMMITTEES/DELEGATES**

**FILE: C6-15 AOP REFERENCE: 3.2.2.2 ATTACHMENT: YES (PAGE 14)**

**AUTHOR: *General Manager, Peter Vlatko***

### **Background**

The Local Government (General) Regulations 2005 provides for the establishment of committees:

1. A council may, by resolution, establish such committees as it considers necessary (Standing Committees).
2. A Standing Committee is to consist of the Mayor and such other councillors as elected by the councillors or appointed by the council.
3. The quorum for a meeting of a Standing Committee is to be:
  - (a) such number of members as the council decides, or
  - (b) if the Council had not decided a number - a majority of the members of the committee.

### **Delegates to other Committees/Organisations**

Council currently is involved in the following Committees/Organisations but may wish to consider if it wishes to retain involvement in all of them.

A summary of Committees/Organisations that Council participates in and provides a delegate for are detailed in the following table. The Committee Membership is up to the Council and does not have to be as previously adopted.

<b>Committee/Organisation</b>	<b>No. of Delegates</b>	<b>Current Delegates</b>
Local Traffic	1 Councillor	Clr Martin
Mallee Bushfire Prevention	1 Councillor	Clr Sinclair
Western Division Councils of NSW	Mayor, Deputy Mayor, 1 Councillor (alternate)	Mayor, Deputy Mayor, Clr Lea-Barrett, Clr Sinclair
Orana Regional Organisation of Councils	Mayor, General Manager	Mayor, General Manager
Barwon Darling Water Inc. (Mungindi – Menindee Advisory Council Inc.)	2 Councillors	Clrs Marsden, Yench
Wool Track Development Advisory	Mayor + 4 Councillors	Mayor, Clrs Martin, Maxwell, Sinclair, Yench,
Kidman Way Promotion	4 Councillors	Clrs Abbott, Martin, Toomey, Yench
Tourism Advisory	4 Councillors	Clrs Lehmann, Martin, Toomey, Yench

<b>Committee/Organisation</b>	<b>No. of Delegates</b>	<b>Current Delegates</b>
Outback Arts	2 Delegates	Payne (Alternate) Manager Tourism & Public Relations
Mt Grenfell Board of Management	1 Councillor	Clr Toomey, Yench (Alternate)
Macquarie Valley Weeds Advisory	1 Councillor	Clr Maxwell
Lachlan Valley Weeds Advisory	1 Councillor	Clr Maxwell
Liquor Accord	Mayor, 1 Councillor General Manager	Mayor, Clr Kings, General Manager
Murray Darling Association	2 Councillors	Clrs Lea-Barrett, Lehmann
Youth Council	3 Councillors, staff member, General Manager	Clr Payne, General Manager, staff member to be determined by the General Manager
Australia Wide Rural Roads Group	1 Councillor, 1 Clr alternate	Clr Sinclair, Maxwell (Alternate)
Lower Macquarie Water Utilities Alliance Board	Mayor, General Manager	Mayor, General Manager
Rural Roads Advisory	Whole of Council	All Councillors
Ward Oval Advisory Group Board	Mayor, 2 Councillors, Community Representatives	Mayor, Clrs Marsden, Toomey, Community Representatives
Association of Mine Related Councils	Mayor, General Manager	Mayor, Clr Lea-Barrett & Marsden (Alternate) General Manager
Internal Audit	2 Councillors not being the Mayor, Independent Chair and Community Representative	Clr Abbott, Sinclair, Independent Chair, Paul Manns and Community Representative, Geoffrey Langford
Western Regional Joint Planning Panel	2 Members, 1 Alternate	Clr Sinclair, Mr Kevin Ryan, Clr Marsden (Alternate)
Airport Advisory	4 Councillors	Clrs Abbott, Kings, Marsden, Martin
Cobar War Memorial Hostel	1 Councillor	Clr Marsden
General Manager's Review	Mayor, Deputy Mayor, 1 Councillor, 1 General Manager appointed Councillor	Mayor, Deputy Mayor, Clrs Martin, Maxwell
Cobar Shire Rural Fire District Service Agreement Liaison	Mayor, 1 Councillor, General Manager or his nominee	Mayor, Clr Martin, Director of Engineering Services



<b>Committee/Organisation</b>	<b>No. of Delegates</b>	<b>Current Delegates</b>
Cobar Shire Bush Fire Management	Mayor, Council Officer Representing the Environmental Section, Council Officer Representing the Roads and Maritime Services	Mayor, Director of Planning and Environmental Services, Engineering Support Manager
Australia Day Awards	Mayor, 3 Councillors, 2 Community Members, 1 community member chosen from within the Tourism Advisory Committee and one chosen on behalf of the Council by the Mayor	Mayor, Clrs Kings, Marsden, Martin, Neil Urquhart, John Peebles
Economic Taskforce	1 Councillor, General Manager, Manager Tourism & Public Relations, Community Members	Clr Lea-Barrett, General Manager, Manager Tourism & Public Relations, Community Members
Western Regional Weeds	1 Councillor, Noxious Weeds Officer	Clr Maxwell, Noxious Weeds Officer
Western Slopes Pipeline Committee	1 Councillor	Clr Martin
Cobar 2020 Committee	1 Councillor	Clr Lehmann
Hera Mine Community Consultative Committee	1 Councillor	Clr Maxwell
Cobar Water Board	3 Councillors (elected for a 5 year term)	Clrs Abbott, Brady, Yench
Far North West Joint Organisation	Mayor, Deputy Mayor (Alternate), General Manager	Mayor, Deputy Mayor (Alternate), General Manager

The General Manager's Review Committee in accordance with the General Manager's Contract of Employment consists of the Mayor, Deputy Mayor, a Councillor appointed by Council (currently Clr Martin) and a Councillor nominated by the General Manager (currently Clr Maxwell). It is no longer a Standing Committee of Council.

---

**RECOMMENDATION**

**That Council determine its delegates for each of the listed Committees/  
Organisations and where an election is required it be by open voting by show of  
hands.**

---

**CLAUSE 4A – UNAUDITED FINANCIAL STATEMENTS 2017/2018**

**FILE: A12-2& F2-2-24    AOP REFERENCE: 3.1    ATTACHMENT: YES  
(UNDER SEPARATE COVER)**

**AUTHOR: *Director of Finance and Community Services, Kym Miller***

**Purpose**

To approve the referral of the draft Financial Statements for the year ended 30 June 2018 to the Audit Office of New South Wales for audit and to authorise the signing of a statement as to Council's opinion of the General Purpose Financial Report.

**Background**

Section 413 (1) of the *Local Government Act 1993* requires that the Annual Financial Statements be referred for audit by Council.

Section 413 (2) (c) requires that Council by resolution includes in the Annual Financial Statements a statement as to its opinion on the General Purpose Financial report.

Draft Financial Statements have been prepared. Contract Audit staff on behalf of the Audit Office of New South Wales staff are expected to commence the audit in early September.

The key pages of the draft statements and the statement of opinion are attached.

It is to be noted that the reports include a number of items which are not recurring:

- Revaluation of operational land and buildings;
- Revaluation of storm water drainage assets;
- Bringing to account gravel stocks not previously recorded as stock – these will be shown as a prior period adjustment;
- The impairment of the RFS shed – the final treatment of this item may alter dependent upon its further consideration but it is no longer appropriate to record it as work in progress at cost.

Again the Financial Assistance Grant has been prepaid by approximately 50% of the amount determined for 2018/2019.

**RECOMMENDATION**

- 1. In accordance with Section 413 (1) of the Local Government Act 1993 Council refer the draft Financial Statements for the year ended 30 June 2018 for audit.**
- 2. In accordance with Section 413 (2) (c) Mayor, Lilliane Brady OAM, a Councillor, General Manager, Mr Peter Vlatko and the Responsible Accounting Officer sign the required statement as to Council's opinion of the accounts.**

# **ATTACHMENTS**



## **EXTRAORDINARY MEETING AGENDA**

**THURSDAY 13 SEPTEMBER 2018**

---

## ~ REFERENCE TO ATTACHMENTS ~

---

**PART A – ACTION**

*Page Number*

Clause 3A – Council Committees/Delegates ..... 14

Clause 4A – Unaudited Financial Statements 2017/2018..... Under Separate Cover