



STATUTORY

Business Paper

27 September 2016





Councillors of the Narrandera Shire

Dear Councillors

Notice is hereby given that the Statutory Meeting of the Narrandera Shire Council for the 2016 Mayor, Deputy Mayor and Council Committee Delegates Elections will be held in the Council Chambers on:

Tuesday 27 September 2016 at 5pm

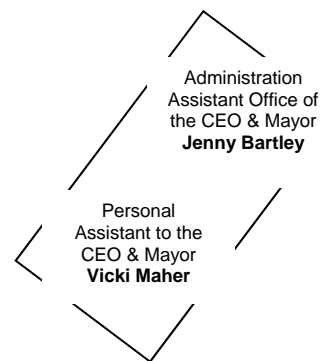
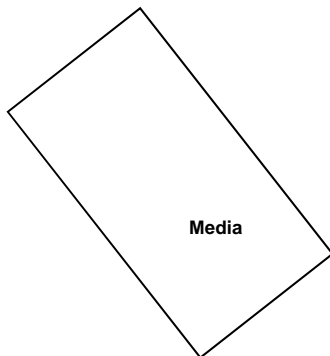
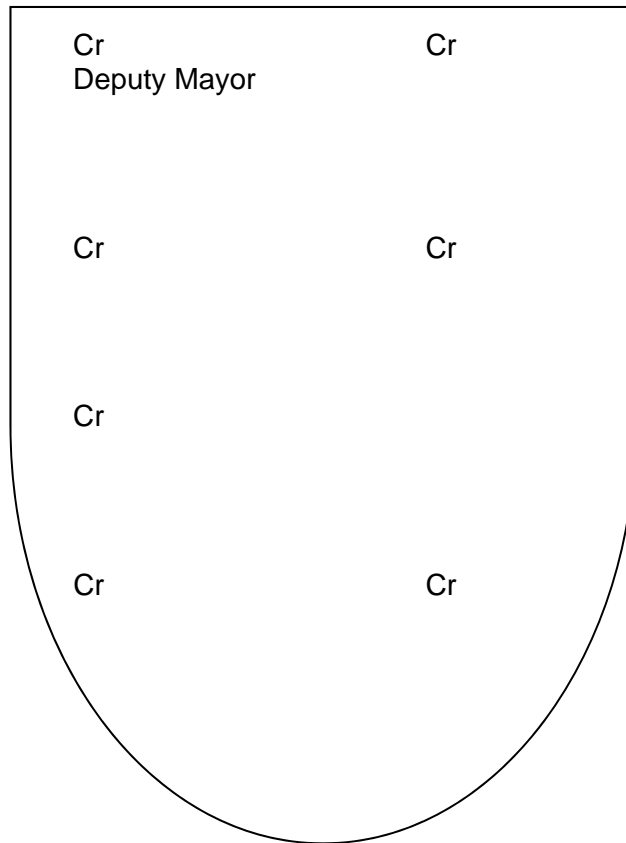
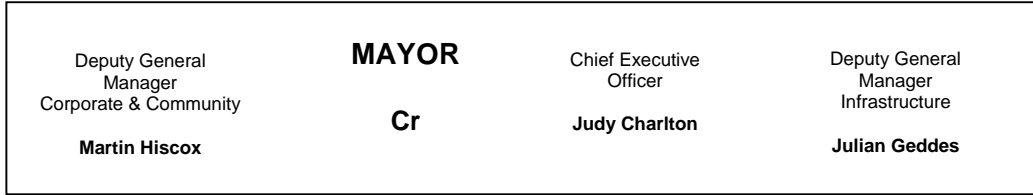
At the conclusion of the Statutory Meeting, the Ordinary Meeting of Council will then commence.

Yours faithfully

A handwritten signature in black ink that reads 'JCharlton'.

Judy Charlton
Chief Executive Officer


SEATING



2016 STATUTORY MEETING OF COUNCIL (Elections)

27 September 2016

AGENDA

-  Chief Executive Officer Open Statutory Meeting
Housekeeping




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Oath

I [*name of councillor*] swear that I will undertake the duties of the office of councillor in the best interests of the people of [*name of council area*] and the [*name of 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 judgment.



Affirmation

I [*name of councillor*] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of [*name of council area*] and the [*name of 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 judgment.



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-  Close Statutory Council Meeting
-  Commence Ordinary Council Meeting

Persons are advised that under the Local Government Act, 1993 and Regulations a person may NOT tape record the proceeding of a meeting of a Council, Committee or Workshop without the authority of the Council.

“Tape record” includes a video camera and electronic device capable of recording speech.

Mobile phones are to be switched off so as not to disrupt the meeting.

ITEM NO: 1
REPORT FROM: Executive Services
KEY DIRECTION: Trusted and Effective Government
SUBJECT: COUNCILLOR OATH OR AFFIRMATION

Submitted to Statutory Council Meeting held on: 27 September 2016

PURPOSE:

The purpose of this report is to advise Council of the process for taking the oath of office.

SUMMARY:

A Councillor must take an Oath Of Office or make an Affirmation Of Office at, or before, the first meeting of the council after the Councillor is elected.

The Oath or Affirmation may be taken or made before the General Manager of the Council, an Australian legal practitioner or a justice of the peace and is to be in the prescribed form.

RECORD OF OATH/AFFIRMATION:

Each Councillor in turn to take an oath or make an affirmation of office before the Chief Executive Officer (in the statutory role of the General Manager) at this meeting in the prescribed form.

Oath	Affirmation

BACKGROUND:

This new requirement was included in the Local Government Act in September 2016.

RELEVANCE TO COMMUNITY STRATEGIC PLAN AND OTHER STRATEGIES / MASTERPLANS / STUDIES:

This report aligns with the Narrandera Shire Community Strategic Plan:-

- Key Direction 5.2 - A strong relationship between government and community
- Objective 5.2.1 - Open, transparent and informed decision making
- Action 3 - Seek to ensure that all appropriate information is presented as part of decision making processes.

ISSUES AND IMPLICATIONS:

- **Policy**
N/A
- **Financial**
N/A
- **Legal/Statutory**
Section 233A Local Government Act
A Councillor who fails, without a reasonable excuse, to take the oath of office or make an affirmation of office in accordance with Section 223A is not entitled to attend a meeting as a Councillor (other than the first meeting of the council after the Councillor is elected to the office or a meeting at which the Councillor takes the oath or makes the affirmation) until the Councillor has taken the oath or made the affirmation.
Any absence of a Councillor from an ordinary meeting of the council that the Councillor is not entitled to attend because of this section is taken to be an absence without prior leave of the council.
Failure to take an oath of office or make an affirmation of office does not affect the validity of anything done by a Councillor in the exercise of the Councillor's functions.
The general manager must ensure that a record is to be kept of the taking of an oath or the making of an affirmation (whether in the minutes of the council meeting or otherwise).
- **Community Engagement / Communication**
Advertising of the statutory meeting has been placed in the local newspaper and on Council's web site

OPTIONS AND PROPOSAL:

Each Councillor can choose to say the oath or the affirmation using the words below as set out in the Local Government Act.

The Oath

I [*name of councillor*] swear that I will undertake the duties of the office of councillor in the best interests of the people of Narrandera Shire and the Narrandera Shire 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 judgment.

The Affirmation

I [*name of councillor*] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Narrandera Shire and the Narrandera Shire 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 judgment.

JC/vkm – CM/16-16

ITEM NO: 2
REPORT FROM: Executive Services
KEY DIRECTION: Trusted and Effective Government
SUBJECT: ELECTION OF MAYOR FOR 2016 TO 2018

Submitted to Statutory Meeting held on: 27 September 2016

PURPOSE:

The purpose of this report is to advise Council of the requirements and due process to elect the Mayor from amongst the Councillors.

SUMMARY:

Mayors elected by Councillors on or after 30 August 2016 will hold office for two years (Section 230 of the Local Government Act).

RECOMMENDATION:

That Council:

1. Approve the Mayoral delegations as recorded in Attachment 2 of this report.
2. On receiving more than one nomination for the Mayor, choose the method of voting to be Ordinary Ballot.

BACKGROUND:

The recent changes to the Local Government Act now require a Mayor elected by Councillors to be elected for a two year term. The election is to be undertaken in accordance with the requirements of the Local Government Act, 1993 (LGA) Sections 225 to 230 and Local Government (General) Regulation 2005.

RELEVANCE TO COMMUNITY STRATEGIC PLAN AND OTHER STRATEGIES / MASTERPLANS / STUDIES:

This report aligns with the Narrandera Shire Community Strategic Plan:-

<u>Key Direction</u>	5.2 -	A strong relationship between government and community
<u>Objective</u>	5.2.1 -	Open, transparent and informed decision making
<u>Action</u>	3 -	Seek to ensure that all appropriate information is presented as part of decision making processes

ISSUES AND IMPLICATIONS:

- **Policy**
N/A
- **Financial**
N/A
- **Legal/Statutory**
Sections 225 to 230, 290 and 295 of the NSW Local Government Act, 1993 and Section 394 and Schedule 7 of the Local Government (General) Regulation 2005

Section 226 of the LGA outlines the role of the mayor.

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.
- **Community Engagement / Communication**
Public advertising of the Statutory Meeting was provided in the local newspaper and on Council's web site.

OPTIONS AND PROPOSAL:

Completed Nomination forms are required to be lodged with the Chief Executive Officer in the statutory role of the General Manager prior to or at the commencement of the 27 September 2016 Statutory Meeting.

Schedule 7 of the Local Government (General) Regulation outlines the voting process and this is provided below.

1 Returning officer

The general manager (or a person appointed by the general manager) is the returning officer.

2 Nomination

- (1) A councillor may be nominated without notice for election as mayor or deputy mayor.*
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.*
- (3) The nomination is to be delivered or sent to the returning officer.*
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.*

3 Election

- (1) If only one councillor is nominated, that councillor is elected.*
- (2) If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.*
- (3) The election is to be held at the council meeting at which the council resolves on the method of voting.*
- (4) In this clause:*

ballot has its normal meaning of secret ballot.

open voting means voting by a show of hands or similar means.

Part 2 Ordinary ballot or open voting

4 Application of Part

This Part applies if the election proceeds by ordinary ballot or by open voting.

5 Marking of ballot-papers

- (1) If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.*
- (2) The formality of a ballot-paper under this Part must be determined in accordance with clause 345 (1) (b) and (c) and (6) of this Regulation as if it were a ballot-paper referred to in that clause.*
- (3) An informal ballot-paper must be rejected at the count.*

6 Count—2 candidates

- (1) If there are only 2 candidates, the candidate with the higher number of votes is elected.*
- (2) If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.*

7 Count—3 or more candidates

- (1) If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.*
- (2) If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.*
- (3) If, after that, 3 or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only 2 candidates remain.*
- (4) A further vote is to be taken of the 2 remaining candidates.*
- (5) Clause 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.*
- (6) If at any stage during a count under subclause (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.*

Part 3 Preferential ballot

8 Application of Part

This Part applies if the election proceeds by preferential ballot.

9 Ballot-papers and voting

- (1) The ballot-papers are to contain the names of all the candidates. The councillors are to mark their votes by placing the numbers “1”, “2” and so on against the various names so as to indicate the order of their preference for all the candidates.*
- (2) The formality of a ballot-paper under this Part is to be determined in accordance with clause 345 (1) (b) and (c) and (5) of this Regulation as if it were a ballot-paper referred to in that clause.*
- (3) An informal ballot-paper must be rejected at the count.*

10 Count

- (1) If a candidate has an absolute majority of first preference votes, that candidate is elected.*
- (2) If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.*
- (3) A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter’s preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.*

- (4) *In this clause, **absolute majority**, in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.*

11 Tied candidates

- (1) *If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal—the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.*
- (2) *If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes—the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.*

Part 4 General

12 Choosing by lot

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.

13 Result

The result of the election (including the name of the candidate elected as mayor or deputy mayor) is:

- (a) *to be declared to the councillors at the council meeting at which the election is held by the returning officer, and*
- (b) *to be delivered or sent to the Director-General and to the Secretary of the Local Government and Shires Association of New South Wales.*

The formality of a ballot-paper under this part must be determined in accordance with clause 345 (1) (b) and (c) and (5) of the Local Government (General) Regulation as if it were a ballot-paper referred to in that clause.

Clause 345 is quoted as follows - (1) *A ballot-paper of an elector at an election is informal if: (b) it has not been initialled on the back by the Returning Officer or an electoral official, or (c) it contains a mark or writing that, in the Returning Officer's opinion, would enable the elector to be identified. (5) Despite subclause (1), a ballot paper of an elector at an election is not informal merely because it has not been initialled on the back by the Returning Officer or an electoral official, so long as it bears the mark referred to in clause 305 (2) (every ballot paper must contain a mark that has been determined by the Electoral Commissioner).*

ATTACHMENTS:

1. 2016 Mayoral Nomination Form
2. Mayoral Delegations

Attachment 1 – 2016 Mayoral Nomination Form

Narrandera Shire Council
Election Meeting
27 September 2016



**Nomination Form
for Mayor**

I hereby nominate Cr _____ for the position of Mayor.
(Please print)

Signature

Signature

I, Cr _____ hereby accept nomination for the position of
(Please print) Mayor.

Signature

This completed form can be handed to the Returning Officer (Chief Executive Officer in the statutory role of General Manager) prior to or at the commencement of the 27 September 2016 Statutory Meeting.

Attachment 2 – Mayoral Delegations

Narrandera Shire Council, in order to provide for the expedient exercise and performance of its powers and duties and the efficient management of its business and responsibilities pursuant to your election as Mayor on 27 September 2016, hereby delegates under Section 377 of the Local Government Act, 1993, to the person holding the office of **MAYOR** and to the person holding the aforementioned position in an acting capacity, the exercise of Council's powers, functions, duties and authorities contained in legislation and matters specified in Schedule 1 subject to the limitations specified in Schedule 2. This delegation shall commence on **27 September 2016** and will remain in force until specifically altered or revoked in writing.

SCHEDULE 1

1. To carry out any function conferred on and duty imposed on the Mayor under any Act or regulation; If, under any other Act other than the Local Government Act 1993, a function is conferred or imposed on the Mayor of Council, the function is taken to be conferred or imposed on the Council and the Mayor of the Council has delegated authority to exercise and/or perform on behalf of the Council the powers, authorities, duties and functions as prescribed under that other Act.
2. To give effect to the Law, Council's adopted policies, resolutions and directions, provided that such delegation is not sub-delegated without the specific approval of Council or as prescribed under the Local Government Act.
3. To sign correspondence and other documents. This function is subject to the limitation that execution of any documents under Council Seal must be carried out in compliance with Regulation 400 of the Local Government (General) Regulation 2005.
4. To respond to media publicity on Council matters and to issue media releases and make statement to the media on behalf of Council in accordance with Council's media and public relations policy;
5. To refer to the Chief Executive Officer in the statutory role of General Manager any matter which you consider needs investigation and reporting.
6. To approve leave arrangements of the Chief Executive Officer
7. To represent the Council, in conjunction with the Chief Executive Officer, in deputations to government, inquires and other forums where it is appropriate that the Mayor should present the Council's position.
8. To preside at all meetings of the Council, Committees, Community Committees and Public Meetings convened by the Council at which the Mayor is present unless the Mayor otherwise appoints another Councillor or person to perform this function.

SCHEDULE 2

1. Subject to the provisions and limitations expressly set out in Section 377(1) the Local Government Act 1993, as amended, and any other legislation relevant to the delegations;
2. The Mayor shall exercise the functions herein delegated in accordance with and subject to all and every policy and code of the Council adopted by resolution and current at the time of the exercise of the functions herein delegated;
3. Subject to the oversight and ultimate authority of Council.

END OF DELEGATION

ITEM NO: 3
REPORT FROM: Executive Services
KEY DIRECTION: Trusted and Effective Government
SUBJECT: ELECTION OF DEPUTY MAYOR 2016/17

Submitted to Statutory Council Meeting held on: 27 September 2016

PURPOSE:

The purpose of this report is to advise Council of the process to elect the Deputy Mayor from amongst the Councillors.

SUMMARY:

Councils are not required to elect a Deputy Mayor. If Council elects a Deputy Mayor, it is proposed that the term reflects the two year term of the Mayor.

RECOMMENDATION:

That Council:

1. Have a Deputy Mayor during this Council term
2. Elect a Deputy Mayor for a two year term 2016 to 2018
3. On receiving more than one nomination for the Deputy Mayor, choose the method of voting to be Ordinary Ballot.

BACKGROUND:

If Council wishes to, the election of the Deputy Mayor takes place immediately following the election of the Mayor.

RELEVANCE TO COMMUNITY STRATEGIC PLAN AND OTHER STRATEGIES / MASTERPLANS / STUDIES:

This report aligns with the Narrandera Shire Community Strategic Plan:-

<u>Key Direction</u>	5.2 -	A strong relationship between government and community
<u>Objective</u>	5.2.1 -	Open, transparent and informed decision making
<u>Action</u>	3 -	Seek to ensure that all appropriate information is presented as part of decision making processes.

ISSUES AND IMPLICATIONS:

- **Policy**
N/A
- **Financial**
N/A
- **Legal/Statutory**

Section 231 of the Local Government Act says:

- (1) The councillors may elect a person from among their number to be the deputy mayor.
 - (2) The person may be elected for the mayoral term or a shorter term.
 - (3) The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.
 - (4) The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected.
- **Community Engagement / Communication**
Advertising of the statutory meeting has been placed in the local newspaper and on Council's web site

OPTIONS AND PROPOSAL:

The options for the Deputy Mayor role are:

- No Deputy Mayor is elected for Narrandera Shire Council
- A Deputy Mayor is elected for two years, the same term as the Mayor
- A Deputy Mayor is elected for one year.

The same voting options are provided for the election of the Deputy Mayor as is available for the Mayor (Section 394 of the Local Government (General) Regulation).

Completed Nomination forms are required to be lodged with the Chief Executive Officer in the statutory role of General Manager prior to, or at the commencement of the Statutory Meeting on Tuesday 27 September 2016.

ATTACHMENTS:

1. 2016 Deputy Mayor nomination form

JC/vkm – CM/16-16 & 10/35/49-04



**Narrandera Shire Council
Election Meeting
27 September 2016**

**Nomination Form
for Deputy Mayor**

I hereby nominate Cr _____ for the position of Deputy Mayor.
(Please print)

Signature

Signature

I, Cr _____ hereby accept nomination for the position of
(Please print) Deputy Mayor.

Signature

This completed form can be handed to the Returning Officer (Chief Executive Officer in statutory role of General Manager) prior to or at the commencement of the 27 September 2016 Statutory Meeting.

ITEM NO: 4
REPORT FROM: Executive Services
KEY DIRECTION: Trusted and Effective Government
SUBJECT: COUNCIL COMMITTEE DELEGATES

Submitted to Statutory Council Meeting held on: 27 September 2016

PURPOSE AND SUMMARY:

The purpose of this report is to provide the status position of Council committees, to seek the Councillor nominations to the committees for 2016/2017, and to endorse the community members to the Section 355 Committees.

RECOMMENDATION:

That Council:

1. Confirm the Council Committees as outlined in this report.
2. Thank all the Section 355 Committee community members for their contribution to the shire.
3. Endorse the Instrument of Delegation of Authority to the Section 355 Council Committees listed in the attachment to this report.
4. Elect Councillor delegates through nomination and if more nominations are received than available for each position, then election is by show of hands.
5. Elect a Councillor delegate for the Parkside Museum Committee.
6. Elect a Councillor delegate for the Newell Highway Taskforce.
7. Elect a Councillor delegate for the Public Libraries NSW Western Riverina Community Library Committee.
8. Elect a Councillor delegate for the Murray Darling Association Group Nine.
9. Elect a Councillor delegate for the Rural Fire Service MIA Zone Liaison Committee.
10. Elect a Councillor delegate for the Goldenfields Water County Council.
11. Elect a Councillor delegate to the Joint Regional Planning Panel.
12. Confirm Julian Geddes, Deputy General Manager Infrastructure as the staff delegate to the Joint Regional Planning Panel.
13. Elect a Councillor delegate to the Narrandera Aboriginal Employment Strategy Group.
14. Endorse the Executive and community members of the Grong Grong School of the Arts Commemoration Hall Committee as listed in the report.

15. Endorse the Executive and community members of the Barellan Hall Committee as listed in the report;
16. Endorse the Executive and community representatives of the Narrandera Koala Regeneration Supervising Committee as listed in the report.
17. Elect one Councillor to the Narrandera Koala Regeneration Supervising Committee.
18. Endorse the Executive and community representatives of the Narrandera Sportsground Advisory Committee as listed in the report.
19. Elect two Councillors to the Narrandera Sportsground Advisory Committee.
20. Endorse the Executive and community representatives of the Narrandera Sports Stadium Management Committee as listed in the report.
21. Elect one Councillor to the Narrandera Sports Stadium Management Committee.
22. Endorse the Executive and community representatives of the Narrandera Railway Station Building Management Committee as listed in the report.
23. Elect one Councillor to the Narrandera Railway Station Building Management Committee.
24. Endorse the Executive and community representatives of the Barellan Museum Committee as listed in the report.
25. Endorse the community representatives of the Narrandera Shire Council Library Committee, as listed in the report.
26. Elect one Councillor to the Narrandera Shire Council Library Committee.
27. Endorse the Executive and community representatives of the Noxious Weeds Advisory Committee, as listed in the report.
28. Elect two Councillors to the Noxious Weeds Advisory Committee.
29. Endorse the membership of the Narrandera – Leeton Shire Joint Airport Management Committee, as listed in the report.
30. Elect one Councillor to the Narrandera – Leeton Shire Joint Airport Management Committee.
31. Endorse the community representatives of the Wetlands Advisory Committee as listed in the report.
32. Elect one Councillor to the Wetlands Advisory Committee.
33. Endorse the Executive and community representatives of the Lake Talbot Environs Advisory Committee, as listed in the report.

34. Elect two Councillors to the Lake Talbot Environs Advisory Committee.
35. Endorse the Executive and community representatives of the John O'Brien Festival Organising Committee; as listed in the report.
36. Elect two Councillors to the John O'Brien Festival Organising Committee.
37. Endorse the community representatives of the Australia Day Planning Committee, as listed in the report.
38. Elect one Councillor to the Australia Day Planning Committee.
39. Endorse the community representatives of the Arts and Community Centre Committee as listed in the report.
40. Elect one Councillor to the Arts and Community Centre Committee.
41. Endorse the community representatives of the Narrandera Floodplain Risk Management Committee, as listed in the report.
42. Endorse the community representatives of the Borellan Floodplain Risk Management Committee, as listed in the report.
43. Elect two Councillors to the Narrandera Floodplain Risk Management Committee and the Borellan Floodplain Risk Management Committee.
44. Retain the current membership of the Internal Audit, Risk and Improvement Committee (Cr Hall, Cr Payne, independent Roger Fitzgerald) pending the release of the revised Office of Local Government Guidelines for this Committee.
45. Elect one Councillor to the Economic Development Taskforce.
46. Elect two Councillors to the Chief Executive Officer's Performance Review Committee.
47. Elect one Councillor to the Food Bowl Inland Rail Alliance Committee.
48. Elect one Councillor to the Water for Community Committee.
49. Elect one Councillor to the Narrandera Leeton Joint Visitor Services Committee; and
50. Conduct a review of all its S355 committees to identify strategic alignments and efficiencies and receive a report prior to September 2017 with recommendations for changes.

BACKGROUND:

A summary on the makeup and status of current Council committees are listed as follows:

- Section 355 committees operate in accordance with the Local Government Act (Section 355) which prescribes that a function of Council may be delegated to a

committee of Council. Recognition of a Section 355 Committee provides the Committee with coverage under Council's insurance policy.

- Some of Council's Section 355 committees are citizen run committees, such as Hall committees, which require minimal assistance from Council and operate with a high degree of autonomy because of the nature of their functions.
- Some Section 355 Committees are advisory and provide input prior to Council decision making.
- Standing committees consist of Council only members. Under the Local Government Act the Mayor is automatically a member and chairperson (if she or he wishes) of all standing committees. Currently Council has no standing committees.
- Working party/steering committees/task forces are generally convened to achieve an aim or objective on a particular matter. Once the objective is achieved the committee can be disbanded. A Working Party/Steering Committee can be made up of representatives from staff, Councillors, community and other agencies.

Section 355 Committees have a Constitution endorsed by Council and are provided with delegations by Council. Statutory Committees such as the Local Traffic Committee and Emergency Management Committee operate through legislation.

Council is also invited to be a member of various external organisations' committees.

RELEVANCE TO COMMUNITY STRATEGIC PLAN AND OTHER STRATEGIES / MASTERPLANS / STUDIES:

This report aligns with the Narrandera Shire Community Strategic Plan:-

<u>Key Direction</u>	5.2 -	A strong relationship between government and community
<u>Objective</u>	5.2.1 -	Open, transparent and informed decision making
<u>Action</u>	3 -	Seek to ensure that all appropriate information is presented as part of decision making processes.

ISSUES AND IMPLICATIONS:

- **Policy**
Section 355 Committee Management Guidelines, Volunteering Policy, Code of Conduct, Code of Meeting Practice
- **Financial**
Some of the Section 355 Committees have financial delegations.
- **Legal/Statutory**
Committee establishment is undertaken in accordance with the NSW Local Government Act, 1993 and the Local Government "General" Regulation 2005. Office of Local Government Circular 16-24 reminds Councils that;
 - There have been several recent cases of section 355 committees failing to meet basic governance and accounting standards. This creates significant and ongoing risks for councils.

- Where councils delegate functions to section 355 committees, including the expenditure of council funds, it is important that the activities of these committees remain transparent and subject to critical oversight.
- Committees should be able to demonstrate clear links with the goals of the council's Delivery Program, while meeting required standards of governance.
- Following the upcoming local government elections, councils are encouraged to review the operations of all section 355 committees to ensure they continue to be fit for purpose, and their functions and expenditures align with the goals of the incoming council's Delivery Program.
- **Community Engagement / Communication**
Community engagement occurs through the community representation on the Section 355 Committee and attendance at the respective meetings.
- **Human Resources / Industrial Relations (if applicable)**
Where appropriate, Council staff are allocated to Section 355 Committees to assist in the secretarial, governance and technical areas
- **Risks**
All Section 355 Committees and their members shall operate under Council's Code of Conduct and Code of Meeting Practice. There is an Instrument of Delegation of Authority for each Section 355 Committee (refer to Attachment 1).

OPTIONS AND PROPOSAL:

The following tables note the current organisations with Council representatives, the Section 355 Committees and other committees with Councillor representatives.

1 DELEGATES TO EXTERNAL ORGANISATIONS for 2016/2017

Organisation	Representation and action required
Fruit Fly Committee	The Mayor of the day is the representative. Committee meets in time of crisis only.
Parkside Museum Committee	One Councillor representative is required. Meetings held second Monday each month, excluding January, June and /or July.
Public Libraries NSW. Western Riverina Community Library Committee	One Councillor representative is required. Meetings held every six months and travel is required
Murray Darling Association (Group Nine)	One Councillor representative is required. Meets four times per year in Echuca.
Rural Fire Service MIA Zone Liaison Committee	One Councillor representative is required. Meets as required
Goldenfields Water County Council	One Councillor representative is required. Meets bi-monthly in Temora. The representative for this County Council is usually a Councillor from Barellan or Grong Grong as Goldenfields Water only services Barellan and Grong Grong, not Narrandera town.
Newell Highway Taskforce Committee	One Councillor representative is required. Meets quarterly, travel required
Riverina and Murray Regional Organisation of Councils (RAMROC)	The Mayor of the day and Chief Executive Officer attend these meetings. The Meeting minutes are submitted to Council
Joint Regional Planning Panel (JRPP)	One Councillor Deputy General Manager Infrastructure The Panel only meets when there is a development application that meets the criteria for a JRPP.
Narrandera Aboriginal Employment Strategy Group convened by CVGT	One Councillor HR Co-ordinator The meeting schedule to be confirmed by CVGT.

2. COUNCILLORS AND COMMUNITY REPRESENTATIVES TO SECTION 355 COMMITTEES for 2016/2017

Name	Membership	Councillor reps required
<p>Ref: 10/35/79</p> <p>Grong Grong School of the Arts Commemoration Hall Committee.</p>	<p>Community representatives:</p> <p>Executive: President – Mr Bob Manning Vice President – Ms Brett Mahoney Secretary – Ms Fran Townsend Treasurer – Reiner Meier</p> <p>Committee members: Mr Stan Alkemade Ms Carolyn Alkemade Ms Anne Wall Mr Les Wall Ms Robyn Gillespie Ms Marg Fraser Mr John Kooper Ms Sandra Kooper Mr Mick Batchelor Mr Bruce Gawne Ms Nicole Gawne Ms Renee Lucas Ms Jeanie Batchelor Mr Lance Gillespie Mr Richard Ryan Mr Len O’Rielly Ms Margaret O’Rielly Ms Claudia Middleton Mr Barry Walsh</p>	<p>No Councillor rep required</p>
<p>Ref: 50/20/1</p> <p>Barellan Hall Committee.</p>	<p>Community representatives: Mr Steve Woodham (President) Ms Nola Trembath (Treasurer) Ms Val Hawker Ms Kerri Flagg Ms Melissa O’Grady Ms Colleen O’Grady Ms Jean Inglis</p>	<p>No Councillor rep required</p>

Name	Membership	Councillor reps required
<p>Ref: 40/15/4-02</p> <p>Narrandera Koala Regeneration Centre Supervisory Committee.</p>	<p>Council representatives: Mayor of the day and one other Councillor</p> <p>Council staff: Lee Reavley</p> <p>Community representatives: Chairman- Mr Ken Murphy Vice Chairman- Mr Roy Wade Secretary/ Treasurer – Mr John Sullivan (assisted by Mrs Lindsay Hayes) Publicity Officer – Mrs Lindsay Hayes</p> <p>Other Committee Members as listed: Mrs Betty Bradney Mr Geoff Sullivan Miss Lorna Quilter Mrs Jennifer O’Brien Mr Bob Manning Mrs Theresa Hollis Mrs Heidi Logermann Miss Kimberley Beattie Barbara Bartholomew Angela Lewis (NPWS) Terry Smith</p>	<p>One Councillor to be nominated</p>
<p>Ref: 10/35/78-02</p> <p>Narrandera Shire Council Sportsground Advisory Committee</p>	<p>Councillor representative: Mayor of the day and two (2) Councillor representatives</p> <p>Staff: Council’s Deputy General Manager Infrastructure and Manager Open Space and Recreation Manager or other appropriate staff delegate</p> <p>Executive representatives: - Mr Peter Royle (President) Mr Gavin Sullivan (V President) Mr Graham Flynn (Secretary/Treasurer),</p> <p>Community representatives: Mr Warwick Heckendorf Mr Bill Howitt Mr Ron Absolom Mr Noel Crichton Mr Shane Longmore Ms Lee Longford Mr Peter Eurell</p>	<p>Two Councillors to be nominated</p>

Name	Membership	Councillor reps required
<p>Ref: 10/35/67</p> <p>Narrandera Shire Council Sports Stadium Management Committee.</p>	<p>Current Council representative: One Councillor</p> <p>Community representatives:</p> <p>Gayle Murphy (Chair & Secretary) Steve Buchanan (Deputy Chair) Martin Hiscox Clair Bolton Ros Hunt</p> <p>Council staff: Lee Longford Manager Open Space and Recreation</p>	<p>One Councillor to be nominated</p>
<p>Ref: 10/35/74</p> <p>Narrandera Shire Council Railway Station Building Management Committee.</p>	<p>Councillor representative: One Councillor</p> <p>Community representatives: Mr Tony Andracchio (Treasurer) Terry Roach Mr Bob Manning Mr Barry Buchanan Ms Chris Gallagher (Secretary)</p>	<p>One Councillor to be nominated</p>
<p>Ref: 10/35/80</p> <p>Barellan Museum Management Committee.</p>	<p>No Council representative required.</p> <p>Endorsed at 19 May 2015 Ordinary Meeting</p> <p>Community representatives: Mrs Lyn Dalton (President) Mrs Eileen Hulme (V President) Mrs Nancy Dicker Mrs Marie Magee (Publicity Officer) Mrs Irene Stevenson (Treasurer) Mrs Margaret McRae (Asst Secretary) Mr Charlie Dalton Mr Kevin Dicker Mr Robert Magee Mr Don Kelly (Maintenance Officer) Mrs Val Kelly Mr Jack and Mrs Val Hawker Jean Ingliss Colleen Jamieson</p>	<p>No Councillors required</p>
<p>Ref: 60/15/5</p> <p>Narrandera Shire Council Library Committee</p>	<p>Councillor representatives: Mayor of the day and one other Councillor</p> <p>Community representatives: Mrs Gwen Lee Mrs Pat Powell Mrs Judy Crowe and Mrs Barbara Bryon.</p>	<p>One Councillor to be nominated</p>

Name	Membership	Councillor reps required
<p>Ref: 10/35/69</p> <p>Narrandera Shire Council Noxious Weeds Advisory Committee</p>	<p>Councillor representatives: Two Councillors</p> <p>Staff: Deputy General Manager Infrastructure Manager Open Space and Recreation Council Noxious Weeds Officer</p> <p>Other Agencies: Murrumbidgee Catchment Authority – Mr Peter Beal Livestock Health and Pest Authority representative – Mr Reg Eade</p> <p>Ms Paula Bosse (Regional Noxious Weeds Co-ordinator) John Hugo (RMS)</p> <p>Community representatives: Mr John Wiltjer (Chair) Mr John Foley Mr Shawn Conlan Mr Ben May Mr Sturt Hutchins Mr Graham Bock</p>	<p>Two Councillors to be nominated</p>
<p>Ref: 70/20/1</p> <p>Narrandera – Leeton Shire Councils Joint Airport Management Committee</p>	<p>Councillor representatives: Mayor of the day and one other Councillor</p> <p>NSC Staff: Chief Executive Officer and Deputy General Manager Infrastructure</p> <p>Leeton Shire Council representatives: Mayor, Councillor, General Manager and staff delegate from Leeton Shire Council</p>	<p>One Councillor to be nominated</p>
<p>Ref: 80/10/4-03</p> <p>Narrandera Shire Council Wetlands Advisory Committee</p>	<p>Councillor representatives: Mayor of the day and one other Councillor.</p> <p>Staff: Deputy General Manager Infrastructure and the Manager Open Space and Recreation.</p> <p>Community Representatives: Ms Betty Bradney Mr John Sullivan Mrs Marilyn Manning Mrs Nella Smith Mr Terry Smith Mr Neville James Mr Peter Beal Mr Roy Wade Ms Jennifer O'Brien Mr John Hornbuckle Mr Bob Manning</p>	<p>One Councillor to be nominated</p>

Name	Membership	Councillor reps required
<p>Ref: 10/35/104</p> <p>Narrandera Shire Council Lake Talbot Environs Advisory Committee</p>	<p>Councillor Representatives: Two Councillors</p> <p>Staff: Deputy General Manager Infrastructure and Manager Open Space and Recreation</p> <p>Community Representatives: Mr Ken Murphy (Secretary) Mr Darren Kragge (Vice Chair) Mr Jeff Kirk Mr Peter Beal Mr Rex Evans (Chair) Mr Alistair Hayward Mr Vince Mercuri Mr Troy Lee</p>	<p>Two Councillors to be nominated</p>
<p>Ref: 10/35/107</p> <p>Narrandera Shire Council John O'Brien Festival Organising Committee - 2017</p>	<p>Councillor Representatives: Two Councillors</p> <p>Community representatives: Ernest Rea (Chair) Mr David Marwood (Treasurer) Ms Kimberley Beattie (Secretary) Annette Morey (Media Liaison Officer) Zuzana Crook Mr Tony Andracchio Stuart Hobart Judy Hobart</p> <p>Council Staff: Ms Ashleigh Harrison – Events Officer</p>	<p>Two Councillors to be nominated</p>
<p>Ref: ED/1645</p> <p>Narrandera Shire Council Australia Day Planning Committee</p>	<p>Councillor Representatives: Mayor of the day (Chair) and one other Councillor</p> <p>Community representatives: Ms Helen McDermott Ms Louise Mulligan – Barellan Mr Bob Manning Ms Beryl Brain – Grong Grong Mr Stephen Targett</p> <p>Council Staff: Ashleigh Harrison – Events Officer Manager Economic Development</p>	<p>One Councillor to be nominated</p>

Name	Membership	Councillor reps required
<p>Ref: 10/35/130</p> <p>Narrandera Shire Council Arts and Community Centre Committee</p>	<p>Councillor Representatives: Mayor of the day and one other Councillor</p> <p>Community representatives Ms Sue Killham; Ms Julie Briggs; Mr Trent Light; Ms Sue Foley, Mr Michael Pieper Western Riverina Arts Executive Officer</p> <p>Council Staff: Chief Executive Officer Manager Economic Development</p>	<p>One Councillor to be nominated</p>
<p>Ref: ED/752</p> <p>Narrandera Floodplain Risk Management Committee</p> <p>Both Floodplain Risk Management committees are to have the same chair and deputy chair</p>	<p>Councillor Representatives: Two Councillors with one being the Chair</p> <p>Council Staff: Manager Projects & Assets Manager Development & Environment Executive Engineer</p> <p>Community representatives: Noel Crichton and Shane Clancy.</p> <p>Consultant Rep, NSW Public Works - Mr Fred Spain; OEH – Steve Manwaring; Local Land Services (Riverina) – Peter Beal; SES – Wal Lingen, Dave Buchtmann Murrumbidgee Irrigation Executive Manager Planning – Dave Gilbert; RMS – Paul Moriarty; NSW Fisheries – Luke Pearce.</p>	<p>Two Councillors to be nominated</p>
<p>Ref: ED/1876</p> <p>Barellan Floodplain Risk Management Committee</p> <p>Both Floodplain Risk Management committees are to have the same chair and deputy chair</p>	<p>Councillor Representatives: Two Councillors with one being the Chair</p> <p>Council Staff: Manager Projects & Assets Manager Development & Environment Executive Engineer</p> <p>Community representatives: Tom Manning and Emil White; Alternate – Peter Brown.</p> <p>Consultant BMT WBM: Daniel Williams Office of Environment & Heritage: Steve Manwaring SES: Wal Lingen, Dave Buchtmann Bureau of Meteorology: Justin Robinson Riverina Local Land Services: Peter Beal</p>	<p>Two Councillors to be nominated</p>

3. OTHER COMMITTEES requiring representation for 2016/2017:

Committee	Membership	Nomination
Internal Audit, Risk and Improvement Committee (formerly called Internal Audit Committee, new name required by the LGA Act)	One Councillor (Cr Hall) and two Independent members currently Narelle Payne (Chair) and Roger FitzGerald. The Meeting minutes are submitted to Council. The Office of Local Government will be circulating new Guidelines for the Internal Audit, Risk and Improvement Committee in due course due to changes to the Local Government Act. The CEO has conferred with Council's Internal Audit contractor. He has advised that rather than advertise for a new community member for an interim period, it would be practical to retain the existing committee even though one of the community members is now a Councillor. The other community member would become the chair in the interim.	One Councillor to be nominated
Economic Taskforce Committee	Mayor of the day, Deputy Mayor of the day, one other Councillor, the Chief Executive Officer and Manager Economic Development. The Meeting minutes are submitted to Council.	One Councillor to be nominated
Chief Executive Officer's Performance Review Committee	Mayor of the day, Deputy Mayor of the day, and two other Councillors. Meeting minutes submitted to Council.	Two Councillors to be nominated
The Rescue Committee	This is a statutory committee established when required through disaster legislation. The Meeting minutes are submitted to Council.	Representatives nominated when committee convened
The Local Emergency Management Committee	This is a statutory committee – The Chair is the Chief Executive Officer. The Mayor of the day can attend if they wish. Meeting minutes are submitted to Council.	No Councillors to be nominated
Food Bowl Inland Rail Alliance	Mayor of the day, two other Councillors, Chief Executive Officer (Chair), and Manager Economic Development. plus representatives from the other shires in the Alliance. The Meeting minutes are submitted to Council.	One Councillor to be nominated
Water for Community Committee	Mayor of the day, Deputy Mayor of the day and one other Councillor. The Meeting minutes are submitted to Council.	One Councillor to be nominated
Narrandera and Leeton Visitor Services Steering Committee	Mayor of the day, one other Councillor, Chief Executive Officer and Manager Economic Development and equivalent Leeton Shire representation The Meeting minutes are submitted to Council.	One Councillor to be nominated
Road Safety Officer (RSO) Steering Committee	Narrandera Shire Council's Manager Assets and Projects, an RMS representative, a Leeton Shire Management representative and the joint Narrandera and Leeton Shire Road Safety Officer.	No Councillors to be nominated
Local Traffic Committee	A technical review committee (Road Transport Act 1999) – comprises a representative from NSW Police and RMS, the State member of parliament or their nominee, and Council's Deputy General Manager Infrastructure, Manager Works and the Traffic / Airport Officer. Councillors may attend as observers. Meeting minutes submitted to Council.	No Councillors to be nominated

Narrandera Shire Council has a large number of committees. Several of the committees have common interests and in some instances even have the same community representatives. There is also the opportunity to bring committees together that share similar aims such as the Arts and Community Centre Committee and the Railway Station Building Committee which both have goals related to arts and culture.

As advised by the Office of Local Government there is merit in conducting a review of the committees following the 2016 Council elections. This review could include assessment as to whether the number could be reduced without impacting on community involvement and the efficacy of the committees while at the same time improving strategic outcomes for the community and reducing risk.

For now though, it is necessary to appoint Councillor delegates to the existing committees.

ATTACHMENTS:

1. Instrument of Delegation of Authority to Council Section 355 Committees.

JC/vkm – CM/16-16 & 10/35/71-02-46



DELEGATION OF AUTHORITY
SECTION 377, LOCAL GOVERNMENT ACT, 1993

**INSTRUMENT OF DELEGATION OF AUTHORITY
TO COUNCIL'S SECTION 355 COMMITTEES**

**INSTRUMENT OF DELEGATION OF AUTHORITY TO COUNCIL'S SECTION 355
COMMITTEES**

Narrandera Shire Council, in order to provide for the expedient exercise and performance of its powers and duties and the efficient management of its business and responsibilities pursuant to Council's resolution of 27 September 2016, hereby delegates under Section 377 of the Local Government Act, 1993, to the following **Section 355 Committees**, the exercise of Council's powers, functions, duties and authorities contained in legislation and matters specified as listed in Schedule 1. This delegation remains in force until specifically altered or revoked.

SCHEDULE 1

- **Narrandera/Leeton Shire Councils Joint Airport Management Committee** – Nil – Recommendations referred to Council.
- **Narrandera Shire Council Library Committee** – Nil – Recommendations referred to Council.
- **Barellan Hall Committee** – to oversee the management of the Barellan Hall for the benefit of the Barellan and district community in consultation with Council.
- **Barellan Museum Management Committee** – responsible for all the day to day operations and costs and the development of policies relating to the collection, housing and display of museum items.
- **Grong Grong School of the Arts and Commemoration Hall Committee** – responsible for the management and operational costs of the Grong Grong Hall.



**INSTRUMENT OF DELEGATION OF AUTHORITY
TO COUNCIL'S SECTION 355 COMMITTEES**

- **Narrandera Shire Council Railway Station Building Management Committee** – responsible for management and operational matters of the Narrandera Railway Station Building. The responsibility will include – determination of permitted usage and allocation of activities within the Station complex; Set rules of conduct for organisations and persons utilising the Railway Station amenities.; Adoption of an operational budget including the setting of charges for usage and provision of all operational expenses; Resolution of disputes regarding activities conducted; maintenance and upkeep on the Railway Station; and application for grants associated with the Railway Building.
- **Narrandera Koala Regeneration Centre Supervisory Committee** – to oversee, in conjunction with the National Parks and Wildlife Service, the continued propagation and welfare of the colony of koalas located in the Narrandera Nature Reserve No 42 and the Narrandera Flora and Fauna Reserve. The Committee is authorised to conduct an annual count of koalas in conjunction with the National Parks and Wildlife Service and with the assistance of volunteers, and to make recommendations to Council in regard to the preservation of the koala colony at the Flora and Fauna Reserve. The Committee is to promote the existence of the koala colony but not to disturb or affect the natural environment in which they exist.
- **Narrandera Shire Council Noxious Weeds Advisory Committee** – responsible for the development of draft policies relating to noxious weeds for Council consideration, and for monitoring of the policies. The advisory committee is authorised to develop and recommend management programs to Council and to monitor the effectiveness of such programs. The advisory role shall also extend to making recommendations to Council on any other relevant noxious weeds matters; and to develop and implement community awareness, education and cooperation programs.
- **Narrandera Shire Council Sportsground Advisory Committee** – responsible for investigating the feasibility of developing and preparing the Narrandera Sportsground to regional and or AFL exhibition standard; Development of a concept plan for Council approval for upgrading of the Narrandera Sportsground to the identified standard; Identification of grant funding and community funds / assistance to finance works; Provision of recommendations for improvement works at the Narrandera Sportsground in conjunction with the annual budget.



**INSTRUMENT OF DELEGATION OF AUTHORITY
TO COUNCIL'S SECTION 355 COMMITTEES**

- **Narrandera Shire Council Sports Stadium Management Committee** – responsible for the management, subject to the direction of the Council, of the Narrandera Sports Stadium. These responsibilities include – Determination of permitted usage and allocation of activities within the Stadium; setting of rules of conduct for organisations and persons utilising the Stadium; setting a draft operational budget including the setting of charges for usage and provision of all operational expenses; determination of operational arrangements for the Kiosk and rights to associated income and to resolve disputes regarding activities conducted within the stadium.
- **Narrandera Shire Council Wetlands Advisory Committee** – responsible for advising and providing input to Council on future development and usage of the Wetlands, and conducting activities to maintain the wetlands.
- **Narrandera Shire Council Lake Talbot Environs Advisory Committee** - Is responsible for assisting Council in managing the environs through the coordination of input from all users of Lake Talbot and its surrounds, and the subsequent provision of advice to Council; and the provision of voluntary labour as a demonstration of community involvement when grant or other funding is sought by Council for improvements to Lake Talbot environs
- **Narrandera Shire Council John O'Brien Festival Organising Committee** - Is responsible for organising and delivering the annual John O'Brien Festival, including developing community pride and ownership in the Festival and promoting the festival to visitors, broadening the appeal of the festival to visitors, locals and younger persons; preserving and promoting the contribution of John O'Brien poetry in Australia and engaging volunteer resources and community participation in the event program.
- **Narrandera Shire Council Australia Day Planning Committee** - Responsible for coordinating Australia Day activities in the towns of Narrandera, Barellan and Grong Grong and for providing Council with recommendations on award recipients.



DELEGATION OF AUTHORITY
SECTION 377, LOCAL GOVERNMENT ACT, 1993

**INSTRUMENT OF DELEGATION OF AUTHORITY
TO COUNCIL'S SECTION 355 COMMITTEES**

- **Narrandera Shire Council Arts and Community Centre Committee** - Responsible for providing strategic advice, support and direction to the planning and development of the Arts and Community Centre, including:
 - (a) Overseeing the development of the former Masonic building to be used as an Arts and Community Centre.
 - (b) Identifying user groups and opportunities and parameters for the use of the building.
 - (c) Developing draft user policies, fees and charges for Council approval.
 - (d) Identifying and co-ordinating funding applications for the ongoing development of the Arts and Community Centre.

- **Narrandera Floodplain Risk Management Committee and Barellan Floodplain Risk Management Committee** - The Committees are formed in accordance with Section D of the Floodplain Development Manual (2005) to assist Council in the development and implementation of the floodplain risk management plans for the shire. The committees are a forum for the discussion of technical, social, economic and ecological issues and to resolve differing viewpoints on these issues. The committee is to work with the Council and community during the development of the draft plans and policies and assist Council in the administration of the adopted plans and policies.