

COBAR SHIRE COUNCIL



EXTRAORDINARY MEETING AGENDA

THURSDAY 28 JANUARY 2016

~ ORDER OF BUSINESS ~

Business for the meeting will be as follows:

1. Apologies
 2. Declaration of Interests
 3. Report – Part A (Action)
 4. Report – Part C (Confidential)
 5. Matters of Urgency
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<u>PART C – CONFIDENTIAL</u>	<i>Page Number</i>
Clause 1C – Resignation of General Manager, Mr Gary Woodman Refer to Confidential Agenda
Clause 3C – Project Team Discussions Refer to Confidential Agenda
Clause 4C – Cobar Shire Council Remaining a Stand-Alone Council Refer to Confidential Agenda

That the reports regarding the Resignation of the General Manager, Mr Gary Woodman, Project Team Discussions and Cobar Shire Council Remaining a Stand-Alone Council be considered in the Committee of the Whole Closed Council with the press and public excluded for the reasons stated in Section 10A (2) (a) of the Local Government Act 1993 as the matter and information relates to personnel matters concerning particular individuals (not Councillors) and in accordance with Section 10A (2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would if disclosed in open Council would prejudice the commercial position of the person who supplied it.

CLAUSE 1A – RESIGNATION OF GENERAL MANAGER, MR GARY WOODMAN

**FILE: C6-11, PERSONAL AOP REFERENCE: 3.1 ATTACHMENT: NO
AUTHOR: Mayor, Lilliane Brady OAM**

Purpose

To inform Council of the vacancy of the position of the General Manager.

Background

The information and discussions to the Council is considered a personnel matter in accordance with the Local Government Act 1993 and accordingly should be considered by Council in the Committee of the Whole Closed Council with the press and public excluded.

RECOMMENDATION

- 1. That Mr Gary Woodman’s resignation as General Manager be accepted with regret.**
- 2. That the resignation of General Manager, Mr Gary Woodman be considered in the Committee of the Whole Closed Council with the press and the public be excluded in accordance with Section 10A (2) (a) of the Local Government Act 1993 as the matter and information relates to personnel matters concerning particular individuals (not Councillors).**

CLAUSE 2A – GENERAL MANAGER POSITION VACANCY

FILE: S5-16-3, PERSONAL AOP REFERENCE: 3.1 ATTACHMENT: NO

AUTHOR: Mayor, Lilliane Brady OAM

Purpose

This Report seeks Council resolutions to address the vacancy in the position of General Manager.

Background

The General Manager has recently tendered his resignation from Cobar Shire Council.

Section 336 of the *Local Government Act 1993* provides that:

If a vacancy occurs in the position of general manager, the council must immediately appoint a person under section 334 to the vacant position or appoint a person to act in the vacant position.

Section 351 of the *Local Government Act 1993* provides that:

- (1) If a position (including a senior staff position) within the organisation structure of the council is vacant or the holder of such a position is suspended from duty, sick or absent:
 - (a) the council, in the case of the general manager's position, or*
 - (b) the general manager, in the case of any other position, may appoint a person to the position temporarily.**
- (2) A person who is appointed to a position temporarily may not continue in that position:
 - (a) if the holder of the position is on parental leave-for a period of more than 24 months, or*
 - (b) in any other case-for a period of more than 12 months.**

RECOMMENDATION

- 1. That Council appoints Mr Stephen Taylor to act in the vacant General Manager's position effect immediately until such time as Council has appointed a person as its General Manager and that person has commenced employment with Cobar Shire Council.**
- 2. That Council advertise the vacant General Managers position in accordance with Section 336 and 351 of the Local Government Act 1993.**

CLAUSE 3A – PROJECT TEAM DISCUSSIONS

FILE: G4-29 AOP REFERENCE: 1.6.3, 3.1.1.4, 4.1.6 ATTACHMENT: NO
AUTHOR: *Mayor Lilliane Brady, OAM*

Purpose

To hold discussion on the directions of the Project Team.

Background

Further to a Meeting held in Sydney between the Mayor, Deputy Mayor, Public Works and Members of Infrastructure NSW Board actions in relation to the Cobar Shire Project Team need to be addressed to ensure that we retain our funding.

RECOMMENDATION

That discussions on the Project Team be considered in the Committee of the Whole Closed Council with the press and the public be excluded in accordance with Section 10A (2) (a) of the Local Government Act 1993 as the matter and information relates to personnel matters concerning particular individuals (not Councillors) and in accordance with Section 10A (2)(d)(i) of the *Local Government Act 1993* as it contains commercial information of a confidential nature that would if disclosed in open Council would prejudice the commercial position of the person who supplied it.

CLAUSE 4A – COBAR SHIRE COUNCIL REMAINING A STAND - ALONE COUNCIL

FILE: L5-24

AOP REFERENCE: 3.1.6, 3.3

ATTACHMENT: NO

AUTHOR: *Mayor Lilliane Brady OAM*

Purpose

To hold discussions on Cobar Shire Council remaining a stand-alone Council.

Background

Council have been informed that if Cobar Shire Council wish to stand alone, Council have to agree to this and a written request must be submitted to the Minister of Local Government.

We must also agree as a condition to reduce the number of Councillors and further discussions on the number of Council Meetings will also need to be discussed.

RECOMMENDATION

That discussions on Cobar Shire Council remaining a stand-alone Council be considered in the Committee of the Whole Closed Council with the press and the public be excluded in accordance with Section 10A (2)(d)(i) of the *Local Government Act 1993* as it contains commercial information of a confidential nature that would if disclosed in open Council would prejudice the commercial position of the person who supplied it.