

GLEN INNES SEVERN COUNCIL

BUSINESS PAPER



**FOR THE ORDINARY
COUNCIL MEETING**

**TO BE HELD ON
THURSDAY,
23 MARCH 2023**

PUBLIC FORUMS

- 1 The council may hold a public forum prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council. The duration of public forums will be 15 minutes and they will commence at 8.45am on the day of a set Council meeting.
- 2 Public forums are to be chaired by the mayor or their nominee. Only the names of speakers, the organisation that they are representing and the topic that they are speaking on will be recorded in Council's Meeting minutes.
- 3 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by 12 noon on the Tuesday before the meeting and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4 A person may apply to speak on no more than two (2) items of business on the agenda of the council meeting.
- 5 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 6 The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 7 No more than three (3) speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.
- 8 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the general manager or their delegate is to determine who will address the council at the public forum.
- 9 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.
- 10 Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no less than one (1) day before the public forum. The general manager or their delegate may refuse to allow such material to be presented.
- 11 The general manager or their delegate is to determine the order of speakers at the public forum.
- 12 Each speaker will be allowed a maximum of five (5) minutes to address the council. If there are more than three (3) speakers, the maximum time will be reduced to stay within the duration scheduled for the Public Forum. This time is to be strictly enforced by the chairperson.
- 13 Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 14 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 15 Speakers are under no obligation to answer a question put under clause 4.14. Answers by the speaker, to each question are to be limited to two (2) minutes.

- 16 Speakers at public forums cannot ask questions of the council, councillors, or council staff.
- 17 The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to three (3) minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
- 18 Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 19 When addressing the council, speakers at public forums must comply with this code and all other relevant Council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.
- a) The Mayor or Chair will be guided by Section 10A(2)(a) – (i) of the *Local Government Act 1993*, in not allowing members of the public during community consultation sessions to deal with or discuss or disclose any information with regards to the matters mentioned in this section and subsections of the Act.
- b) The opinions expressed by community members are not reflective or representative of the views of Council and hence Council cannot be held responsible or liable for such views.

Note: Public forums should not be held as part of a Council meeting. Council meetings should be reserved for decision-making by the Council. Where a public forum is held as part of a Council meeting, it must be conducted in accordance with the other requirements of the Code of Meeting Practice relating to the conduct of Council meetings.

Local Government Act 1993

Section 10A(2) (a) – (i)

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than councillors),
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
- (i) prejudice the commercial position of the person who supplied it, or
- (ii) confer a commercial advantage on a competitor of the council, or
- (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
- (i) alleged contraventions of any code of conduct requirements applicable under section 440.



GLEN INNES SEVERN COUNCIL

Notice is herewith given of an **ORDINARY MEETING**

That will be held at the Glen Innes Severn Learning Centre,
William Gardner Conference Room, Grey Street, Glen Innes on:
Thursday, 23 March 2023 at 9.00am

ORDER OF BUSINESS

1	ACKNOWLEDGEMENT OF COUNTRY.....	5
2	OPENING WITH PRAYER.....	5
3	APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS.....	5
4	MINUTES OF PREVIOUS ORDINARY MEETING - 23 FEBRUARY 2023 TO BE CONFIRMED	5
5	DISCLOSURE OF CONFLICT OF INTERESTS: PECUNIARY AND NON- PECUNIARY INTERESTS	5
6	MAYORAL MINUTE(S).....	5
7	REPORTS TO COUNCIL.....	6
7.1	Resolution Tracking Report.....	6
7.2	Presentation of Annual Financial Reports for the Financial Year ending 30 June 2022.....	9
7.3	Australia Day Committee - Election of Committee	18
7.4	Emmaville Mining Museum Committee - Election of Committee...	22
7.5	Glen Innes Severn Cemetery Committee - Election of Committee	26
7.6	Glencoe Hall Committee - Election of Committee.....	30
7.7	Open Spaces Committee - Election of Committee.....	34
7.8	Roads Consultative Committee - Election of Committee	38
7.9	Capital Works Program Progress Report as at 28 February 2023.	42
7.10	Investments Report as at 28 February 2023	48

7.11	Borrowings Report as at 28 February 2023	56
7.12	Review of the Internal Audit Charter	60
7.13	Draft Legislative Compliance Policy	63
7.14	Review of the Audit, Risk and Improvement Committee Terms of Reference	67
7.15	Motor Vehicle Leaseback Policy	70
7.16	New England Rail Trail - Glen Innes to Ben Lomond	74
7.17	Runway Rehabilitation Project	80
8	NOTICE OF MOTIONS/RESCISSION/QUESTIONS WITH NOTICE	85
9	CORRESPONDENCE, MINUTES, PRESS RELEASES	86
9.1	Correspondence and Press Releases.....	86
9.2	Minutes of Council Community Committee Meetings for Information.....	87
9.3	Minutes of Non-Council Community Committees for Information	88
10	REPORTS FROM DELEGATES	89
10.1	Reports from Delegates	89
11	MATTERS OF AN URGENT NATURE.....	96
12	CONFIDENTIAL MATTERS	97
12.1	Tender 23-01 Engagement of a Contractor for the Gulf Road re-sheet	98

Bernard Smith
General Manager

Council

Meeting Date: 4th Thursday of the month commencing at 9.00am.

Matters determined by Ordinary meetings will include all those non-delegable functions identified in Section 377 of the Local Government Act as follows:

- *the appointment of a general manager*
- *the making of a rate*
- *a determination under section 549 as to the levying of a rate*
- *the making of a charge*
- *the fixing of a fee*
- *the borrowing of money*
- *the voting of money for expenditure on its works, services or operations*
- *the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment)*
- *the acceptance of tenders which are required under this Act to be invited by the council*
- *the adoption of a management plan under section 406*
- *the adoption of a financial statement included in an annual financial report*
- *a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6*
- *the fixing of an amount or rate for the carrying out by the council of work on private land*
- *the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work*
- *the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the [Environmental Planning and Assessment Act 1979](#)*
- *the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194*
- *a decision under section 356 to contribute money or otherwise grant financial assistance to persons*
- *the making of an application, or the giving of a notice, to the Governor or Minister*
- *this power of delegation*
- *any function under this or any other Act that is expressly required to be exercised by resolution of the council."*

Other matters and functions determined by Ordinary Council Meetings will include:

- *Notices of Motion*
- *Notices of Motion of Rescission*
- *Council Elections, Polls, Constitutional Referendums and Public Hearings/Inquiries*
- *Ministerial Committees and Inquiries*
- *Mayor and Councillors Annual Fees*
- *Payment of Expenses and Provision of Facilities to Mayor and Councillors*
- *Local Government Remuneration Tribunal*
- *Local Government Boundaries*
- *NSW Ombudsman*
- *Administrative Decisions Tribunal*
- *Delegation of Functions by the Minister*
- *Delegation of Functions to General Manager and Committees*
- *Organisation Structure*
- *Code of Conduct*
- *Code of Meeting Practice*
- *Honesty and Disclosure of Interests*
- *Access to Information*
- *Protection of Privacy*
- *Enforcement Functions (statutory breaches/prosecutions/recovery of rates)*
- *Dispute Resolution*
- *Council Land and Property Development*
- *Annual Financial Reports, Auditors Reports, Annual Reports and Statement of the Environment Reports*
- *Performance of the General Manager*
- *Equal Employment Opportunity*
- *Powers of Entry*
- *Liability and Insurance*
- *Membership of Organisations*
- *Any matter or function not within the delegable function of Committees*
- *Matters referred from Committees for determination*

Membership: Full Council - 7 Councillors.

Quorum: 4 members

Chairperson: The Mayor

Deputy Chairperson: The Deputy Mayor

The Mayor will read the following statement:

“This Council Meeting is being streamed live, recorded and published in accordance with Council’s Live Streaming of Council Meetings Policy. No other persons are permitted to record the Meeting, unless specifically authorised by Council to do so.

To those present in the gallery today, by attending a public meeting of the Council you are consenting to your image, voice and comments being recorded and published.

Anyone who is invited to speak during the meeting will be recorded and their voice, image and comments will form part of the live stream and recording.

All speakers are requested to ensure their comments are relevant to the issue at hand and to refrain from making personal comments or criticisms.

The Chair and/or the General Manager have the discretion and authority at any time to direct the termination or interruption of live streaming. Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory or potentially inappropriate to be published.

Attendees are advised that they may be subject to legal action if their actions result in inappropriate and/or unacceptable behaviour and/or comments.

Thank you.”

The Mayor will read the following statement of ethical obligations:

“Councillors are reminded that they remain bound by the Oath/Affirmation of Office made at the start of the Council term to undertake their civic duties in the best interests of the people of the Glen Innes Severn Local Government Area and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act or any other Act, to the best of their skill and judgement.

Councillors are also reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with the Code of Conduct and Code of Meeting Practice.”

1 ACKNOWLEDGEMENT OF COUNTRY

“I acknowledge the Ngoorabul people as the traditional custodians of this land and pay my respect to the Elders past, present and emerging. I also extend that respect to Aboriginal and Torres Strait Islander people here today.”

2 OPENING WITH PRAYER

3 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

4 MINUTES OF PREVIOUS ORDINARY MEETING - 23 FEBRUARY 2023 TO BE CONFIRMED

5 DISCLOSURE OF CONFLICT OF INTERESTS: PECUNIARY AND NON-PECUNIARY INTERESTS

PECUNIARY:

Nature of conflict:

Action to be taken:

NON-PECUNIARY:

a) Significant Non-Pecuniary

Nature of conflict:

Action to be taken:

b) Non-significant Non-Pecuniary

Nature of conflict:

Action to be taken:

6 MAYORAL MINUTE(S)

7 REPORTS TO COUNCIL

REPORT TITLE: 7.1 RESOLUTION TRACKING REPORT

ECM INDEXES:

Subject Index: GOVERNANCE: Ordinary Meetings of Council

Customer Index: NIL

Property Index: NIL

AUTHOR: Debbie Duffell - Executive Assistant (Mayor and General Manager)

PURPOSE

The purpose of this report is to provide Councillors with an update on the outstanding resolutions from previous Ordinary and Extraordinary Council Meetings (**Annexure A**).

RECOMMENDATION

That the information contained within this report be received and noted.

REPORT

(a) Background

Resolutions of Council are resolved at each Ordinary and Extraordinary Council Meeting. It is important that all Council Resolutions are then followed up by staff in a timely and professional manner. The Outstanding Actions Report which is attached to this report (Annexure A) provides a framework to monitor and manage all the Outstanding Council Resolutions.

(b) Discussion

There are now 14 Council Resolutions currently outstanding at Thursday, 16 March 2023.

There were 11 Council Resolutions outstanding in the report that went to the Thursday, 23 February 2023 Ordinary Council Meeting.

A further 10 outstanding actions were added after the February 23, 2023 Ordinary Council Meeting.

Therefore, 7 outstanding actions have now been completed since the last Ordinary Council Meeting (workings: $11 + 10 = 21 - 7 = 14$).

The 14 outstanding resolutions are broken up as follows:

<u>YEARS</u>	<u>OUTSTANDING ACTIONS</u>		
2020	1	(1	Feb 2023)
2021	0	(0	Feb 2023)
2022	9	(10	Feb 2023)
2023	4	(0	Feb 2023)
TOTAL	<u>14</u>	(11	Feb 2023)

The outstanding resolutions relate to the following Directorates:

<u>DIRECTORATE</u>	<u>OUTSTANDING ACTIONS</u>		
General Manager	1	(0	Feb 2023)
Corporate and Community Services	4	(4	Feb 2023)
Place and Growth	4	(3	Feb 2023)
Infrastructure Services	5	(4	Feb 2023)
TOTAL	<u>14</u>	(11	Feb 2023)

It is important that Councillors have the confidence that officers are following up on their resolutions from the Council Meetings and actioning them without undue delay, in an accurate and professional manner.

The General Manager follows up all actions and provides guidance and instruction to complete the actions, set due dates and to provide up to date and clear commentary on a monthly basis.

Annexure A provides the most recent comments, from the responsible officers, as at Thursday, 16 March 2023.

Staff will continue to focus and prioritise completing the one (1) remaining outstanding action from the 2020 year.

(c) Options

Nil.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

Nil.

(b) Governance/Policy

Council strives for exceptional or best practice governance. One of the ways that Council achieves this is by ensuring that Council resolutions are actioned in a timely, accurate and professional manner.

(c) Legislative/Statutory

The Local Government Act 1993

335 Functions of a General Manager

The general manager of a council has the following functions

b) to implement, without undue delay, lawful decisions of the council

(d) Risk

There is a risk that Council staff may not action Council Resolutions without undue delay, in an accurate and professional manner. This report aims to mitigate this risk by managing accountability and promoting transparency.

(e) Social

An up-to-date Resolution Tracking Report provides confidence to Councillors and the community that Council Resolutions are being followed up in a timely, accurate and professional manner.

(f) Environmental

Nil.

(g) Economic

Nil.

(h) Asset Management

Nil.

CONSULTATION

(a) External

Nil.

(b) Internal

Various responsible officers.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

This report links to Council's Delivery Program Council Sustainability, Transparency and Communication Principal Activity STC 5.1.1: Deliver the Integrated Planning and Reporting Framework (IPRF) requirements.

CONCLUSION

It is important that all Council Resolutions are followed up in a timely, accurate and professional manner. This assists in building confidence, with the Councillors and the community, that Council is a transparent, efficient and professionally run organisation.

ATTACHMENTS

Annexure A Outstanding Actions as at 16 March 2023

REPORT TITLE: 7.2 PRESENTATION OF ANNUAL FINANCIAL REPORTS FOR THE FINANCIAL YEAR ENDING 30 JUNE 2022

ECM INDEXES:

Subject Index: FINANCIAL MANAGEMENT: Financial Reporting

Customer Index: NIL

Property Index: NIL

AUTHOR: Anna Watt - Director of Corporate and Community Services

PURPOSE

The purpose of this report is to present to Council the Audited Annual Financial Statements for the year ending 30 June 2022, which are attached as **Annexure A** (under separate cover).

RECOMMENDATION

That Council receives and notes the Audited Annual Financial Statements for the year ending 30 June 2022 as presented.

REPORT

(a) Background

The *Local Government Act 1993 (the Act)* contains specific requirements to be followed in relation to the presentation of Council's Statutory Annual Financial Statements.

In summary, the procedures are listed below:

1. The Annual Financial Statements are required to contain certificates to be signed in accordance with a resolution of Council, that they have been prepared in accordance with the provisions of the Act and the Regulations thereunder.
Council authorised the signing of the certificates at the Ordinary Council Meeting held on Thursday, 15 December 2022 (Resolution Number 27.12/22).
2. The Financial Statements and certificates referred to in item one (1) were then referred to Council's Auditor for auditing.
3. As soon as practical after receiving the Auditor's Report, Council must forward a copy of the audited Financial Statements to the **Office of Local Government (OLG)**. These documents were forwarded to the OLG on Monday, 27 February 2022.

4. A public notice must then be provided of Council's intention to present its audited Annual Financial Statements. Council provided a public notice in the Glen Innes Examiner on Thursday, 16 March 2023.
5. Anyone can make written submissions to Council regarding its audited Financial Statements or Auditor's Reports for a period of seven (7) days after the reports have been presented to Council (the seven (7) days will finish on Thursday, 30 March 2022).

(b) Discussion

According to the Auditor's Report, Council's accounting records have been kept in accordance with relevant legislation and accounting policies.

A summary of the key figures are listed as follows:

Consolidated Accounts

The Income Statement of the **General Purpose Financial Statements (GPFS)** shows a net operating result attributable to Council for the 2021/2022 Financial Year of \$9.98M (including grants and contributions provided for capital purposes of \$9.72M), this is up from a negative position of **(\$1.23K)** for the 2020/2021 Financial Year. The increase is mostly due to an increase in grants provided for capital purposes.

The lower than anticipated result (compared to the original budget of \$11.79M) is mainly due to Council receiving \$584K less in other revenues along with \$3.68M less received in grants and contributions, which was off set by a \$4.3M lower than budget spend on materials and services. Other minor impacts on the unfavourable variance to budget was depreciation and amortisation expense being \$640K higher than budget, a \$1M increase in employee benefits and on-costs, and \$142K net loss from the disposal of assets (budget \$0).

Council's net operating result for the financial year before grants and contributions provided for capital purposes showed a favourable result of \$253K (unfavourable result of **(\$5.914M)** for the 2020/2021 Financial Year).

Rates and annual charges revenue of \$12.2M increased by \$181K (1.51 per cent) in the 2021/2022 Financial Year. This was due in part to rate peg increases during the year.

Grants and contributions revenue of \$22.9M was \$7.1M higher than the 2020/2021 Financial Year (\$15.8M) with additional capital grants being received.

Employee benefits and on-costs (\$11.29M) increased by \$491K in 2021/2022.

Water Fund

The Water Fund achieved a Surplus from Continuing Operations including Capital Income of \$149 (\$89K in the 2020/2021 Financial Year).

This increase is mostly due to an Increase in User Charges Revenue.

After excluding Capital Income, the Water Fund result was a surplus of \$164K (\$95K in the 2020/2021 Financial Year).

The Water Supply business complies with the NSW Best Practice Guidelines.

Sewer Fund

The Sewer Fund achieved a Surplus from Continuing Operations including Capital Income of \$230K (\$323K in the 2020/2021 Financial Year).

After excluding Capital Income, the Surplus was \$216K (\$291K in the 2020/2021 Financial Year).

The Sewer business also meets the requirements of NSW Best Practice Guidelines.

Glen Innes Aggregates

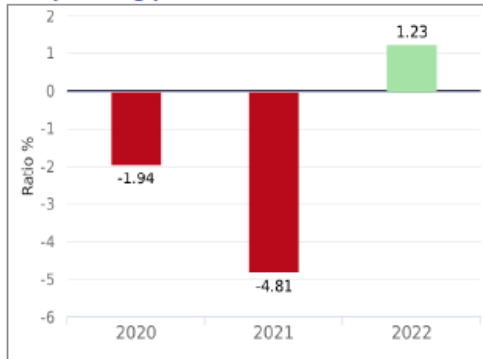
The Quarry achieved a Surplus from Continuing Operations of \$519K (\$339K in the 2020/2021 Financial Year).

**Position by Business Activity for the 2021/2022 Financial Year
(excluding Capital Income)**

	Glen Innes Aggregates	Water Fund	Sewer Fund	Totals
\$'000	\$'000	\$'000	\$'000	\$'000
Operating Revenue	3,142	2,571	1,796	7,509
Operating Expenditure	2,623	2,407	1,580	6,610
Operating Surplus	519	164	216	899

Council’s financial performance is also detailed in the following graphs and ratios:

1. Operating performance ratio



Purpose of operating performance ratio

This ratio measures Council’s achievement of containing operating expenditure within operating revenue.

Commentary on 2021/22 result

2021/22 ratio 1.23%

Council achieved a small operating surplus after capital grants which resulted in a return to a positive Operating Performance ratio. This improvement was assisted by an overall increase in operating grants, and only a small loss on disposal of assets, compared to the previous financial year.

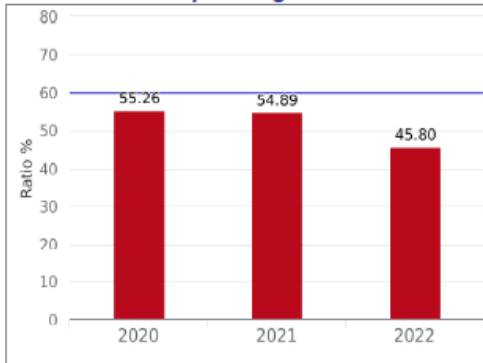
Benchmark: — > 0.00%

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio achieves benchmark

Ratio is outside benchmark

2. Own source operating revenue ratio



Purpose of own source operating revenue ratio

This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions.

Commentary on 2021/22 result

2021/22 ratio 45.80%

Council’s Own Source Operating Revenue ratio has continued to decline due to the influence of significant Grants income for the year.

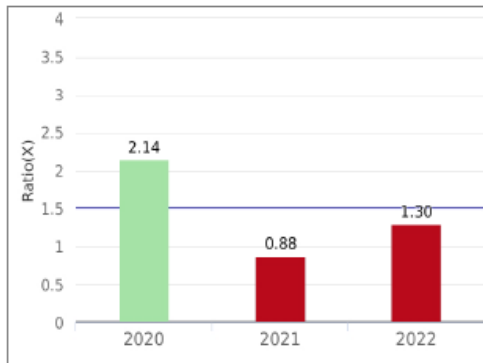
Benchmark: — > 60.00%

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio achieves benchmark

Ratio is outside benchmark

3. Unrestricted current ratio



Purpose of unrestricted current ratio

To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council.

Commentary on 2021/22 result

2021/22 ratio 1.30x

Unrestricted Current ratio has improved marginally due to movement of restriction for Glen Innes Aggregates Quarry operations (\$2,167K) from External to Internal in the current year, offset by movement of Drainage restriction (\$794k) from Internal to External in the current year. Council remains concerned about the level of negative restricted cash and is addressing strategies to return to a positive position over the next budget cycle.

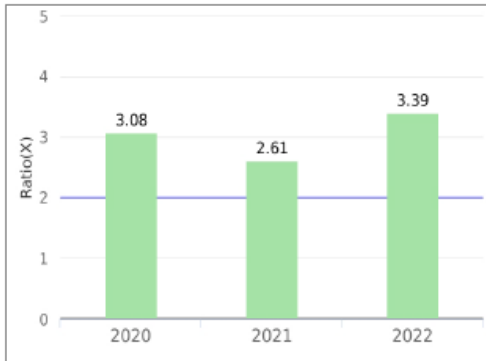
Benchmark: — > 1.50x

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio achieves benchmark

Ratio is outside benchmark

4. Debt service cover ratio



Purpose of debt service cover ratio

This ratio measures the availability of operating cash to service debt including interest, principal and lease payments

Commentary on 2021/22 result

2021/22 ratio 3.39x

This ratio has shown a relatively consistent trend over the past four years, variations in the ratio are due to fluctuations in operating result for each period.

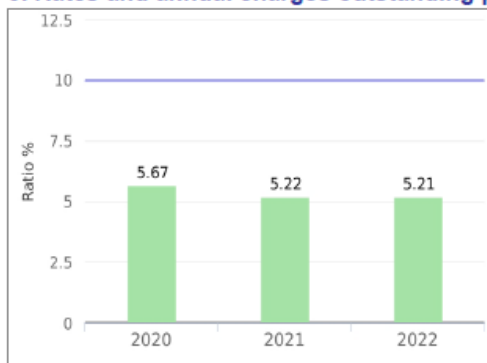
Benchmark: — > 2.00x

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio achieves benchmark

Ratio is outside benchmark

5. Rates and annual charges outstanding percentage



Purpose of rates and annual charges outstanding percentage

To assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts.

Commentary on 2021/22 result

2021/22 ratio 5.21%

Council has maintained a strong emphasis on ensuring outstanding rates and charges are kept to a minimum and has again been successful in the current period.

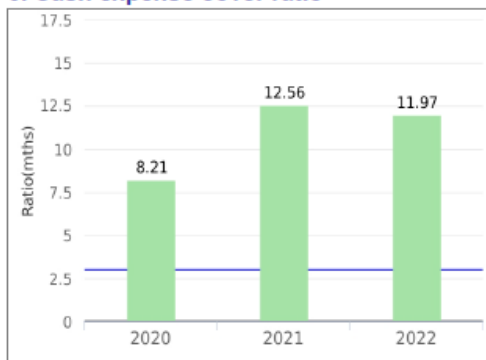
Benchmark: — < 10.00%

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio achieves benchmark

Ratio is outside benchmark

6. Cash expense cover ratio



Purpose of cash expense cover ratio

This liquidity ratio indicates the number of months a Council can continue paying for its immediate expenses without additional cash inflow.

Commentary on 2021/22 result

2021/22 ratio 11.97 months

Council has maintained a consistent Cash Expenses Cover ratio and the result for this period remains sound.

Benchmark: — > 3.00months

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio achieves benchmark

Ratio is outside benchmark

As well as in the following details of the capital financial ratios:

Infrastructure asset performance indicators (consolidated) *

\$ '000	Amounts 2022	Indicator 2022	Indicators 2021 2020		Benchmark
Buildings and infrastructure renewals ratio					
Asset renewals ¹	7,825	128.32%	137.15%	91.56%	>= 100.00%
Depreciation, amortisation and impairment	6,098				
Infrastructure backlog ratio					
Estimated cost to bring assets to a satisfactory standard	40,613	12.79%	12.57%	15.94%	< 2.00%
Net carrying amount of infrastructure assets	317,640				
Asset maintenance ratio					
Actual asset maintenance	5,164	153.51%	116.91%	102.29%	> 100.00%
Required asset maintenance	3,364				
Cost to bring assets to agreed service level					
Estimated cost to bring assets to an agreed service level set by Council	40,617	8.13%	7.87%	10.14%	
Gross replacement cost	499,697				

(*) All asset performance indicators are calculated using classes identified in the previous table.

(1) Asset renewals represent the replacement and/or refurbishment of existing assets to an equivalent capacity/performance as opposed to the acquisition of new assets (or the refurbishment of old assets) that increases capacity/performance.

As expected, the Audit Office has issued a Qualified Opinion due to Council's non recognition of rural fire-fighting equipment and buildings. Council is yet to receive its Final Management Letter as part of the final phase of the Audit.

A representative from Forsyths has confirmed their attendance at the Council Meeting to be held on Thursday, 23 March 2023 in order to provide an overview of Council's financial position and to answer any questions that members may have in regard to the Annual Financial Statements.

(c) Options

Nil.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

The budgeted expenditure for audit fees for the 2021/2022 Financial Year was \$63K. Council has not yet received the final invoice but it is anticipated that the annual fee will be \$75,500. This variance is due to several reasons, with the most significant being the changes that Council had within the Finance team along with the Financial Year end being simultaneous with the changeover of Council's Finance software. It is proposed to have greater transparency regarding fee variances in the future.

(b) Governance/Policy

Nil.

(c) Legislative/Statutory

Section 418 of the *Local Government Act 1993* (Public notice to be given of presentation of financial reports) requires all councils in NSW to give public notice of the presentation of Annual Financial Reports.

Section 419 of the *Local Government Act 1993* (Presentation of council's financial reports) requires the following:

- (1) A council must present its audited financial reports, together with the auditor's reports, at a meeting of the council held on the date fixed for the meeting.
- (2) The council's auditor may attend the meeting at which the financial reports are presented.
- (3) A council's auditor who carries out the functions of the auditor under an appointment by the Auditor-General must attend the meeting at which the financial reports are presented if the council gives not less than 7 days notice in writing that it requires the auditor to do so.

Section 420 of the *Local Government Act 1993* (Submission of financial reports and auditor's reports) requires the following:

- (1) Any person may make submissions to the council with respect to the council's audited financial reports or with respect to the auditor's reports.
- (2) A submission must be in writing and must be lodged with the council within 7 days after the date on which those reports are presented to the public.
- (3) The council must ensure that copies of all submissions received by it are referred to the auditor.
- (4) The council may take such action as it considers appropriate with respect to any such submission, including the giving of notice to the Departmental Chief Executive of any matter that appears to require amendment of the council's financial reports.

(d) Risk

The Own Source Operating Revenue Ratio, Unrestricted Current Ratio and the Infrastructure Backlog Ratio were below the benchmark this year. All three (3) were related to the influence of significant Grants income for the year.

The benchmark for the Infrastructure Backlog Ratio is less than 2%. Whilst exceeding the industry benchmark this ratio had been improving until the current year. Council's ratio was 15.94% in 2019/2020, it reduced to 12.57% during 2020/2021, however has increased slightly to 12.79% in 2021/2022.

(e) Social

Nil.

(f) Environmental

Nil.

(g) Economic

Nil.

(h) Asset Management

Council's infrastructure backlog ratio has been above 10% for the past five (5) years. The accepted industry standard is a ratio of less than 2%. Current external funding will assist in reducing the backlog.

CONSULTATION

(a) External

Extensive communication occurred between Local Gov Consulting (Council's Contractor), Forsyth's (Council's External Auditor) and Council staff during the preparation of the Financial Statements.

The Director of Corporate and Community Services had communication with the Audit Office to keep them updated on Council's progress of preparing the Financial Statements.

In addition, the Report on Conduct of the Audit for the year ended 30 June 2022 received from the Auditor General's Office of New South Wales has assisted in the writing of this report.

(b) Internal

Nil.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

The Annual Financial Statements form part of Council's Annual Report which is a requirement of the Integrated Planning and Reporting Framework.

CONCLUSION

Council's Financial Statements and Key Performance Indicators for the year ended 30 June 2022 reveal that Council's financial position continues to be satisfactory. This is highlighted by the various ratios detailed in the body of this report.

During the preparation of the Operational Plan and Budget for the 2023/2024 Financial Year Council will need to continue to focus on increasing operating revenue and/or decreasing operating expenses. In addition, Council needs to continue searching for additional untied revenue sources to address the infrastructure renewal backlog.

ATTACHMENTS

Annexure A Audited Financial Statements year ending 30 June 2022 (*under separate cover*)

REPORT TITLE: 7.3 AUSTRALIA DAY COMMITTEE - ELECTION OF COMMITTEE

ECM INDEXES:

Subject Index: GOVERNANCE: COMMITTEES OF COUNCIL

Customer Index: Australia Day Committee

Property Index: NIL

AUTHOR: Danielle Mepham - Executive Assistant (Director of Corporate and Community Services)

PURPOSE

The purpose of this report is for Council to consider endorsing recommendations made at the Australia Day Committee meeting held on Wednesday, 1 March 2023.

RECOMMENDATION

THAT Council:

1. Endorses the following nine (9) Community Representatives as the newly elected Australia Day Committee:

- *Robert Arthur;*
- *Karen Carr;*
- *Bev Edkins;*
- *Richard Edkins;*
- *Peter Haselwood;*
- *Mahri Koch;*
- *Jan Lemon;*
- *Kerry Strong; and*
- *Kerrie Sturtridge.*

2. Endorses the election of office bearers within the newly elected Australia Day Committee as follows:

- *Chairperson – Jan Lemon; and*
- *Secretary – Mahri Koch.*

REPORT

(a) Background

The Australia Day Committee includes representation from interested community representatives. The Committee is required to organise the annual Australia Day celebrations and consider matters and make recommendations to Council.

The **Annual General Meeting (AGM)** of the Australia Day Committee was held on Wednesday, 1 March 2023. Nine nominations were received for membership of the Committee. The representatives who nominated for the Australia Day Committee are aware of the following conditions, as outlined in the **Manual for Community Committees of Council (the Manual)**:

- *A commitment to the activities of the Committee and a willingness to be actively involved in Committee issues;*
- *Community representatives nominated for the Committee must be either a resident of the Local Government Area (LGA) or employee in a business within the LGA;*
- *Members are prepared to actively serve the Committee until the next AGM, and*
- *Members are prepared to operate under Council's Code of Conduct and Community Committees of Council Manual.*

(b) Discussion

In accordance with the Manual, all positions were declared vacant. Nominations were called from interested members of the community to fill the 12 committee positions, for the coming year.

The AGM Minutes of the Australia Day Committee (**Annexure A**) include the following recommendations, for membership, for consideration by Council:

- Bob Arthur;
- Karen Carr;
- Bev Edkins;
- Richard Edkins;
- Peter Haselwood;
- Mahri Koch;
- Jan Lemon;
- Kerry Strong; and
- Kerrie Sturtridge.

The election of office bearers was also held, with Jan Lemon elected as Chairperson and Mahri Koch as Secretary.

In accordance with Council's resolution 15.09/23 dated Friday, 23 September 2023, Council's representatives on this Committee are Councillor Jack Parry and Councillor Andrew Parsons.

(c) Options

Nil.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

An allocation is provided within Council's Operational Plan and Budget each Financial Year to coordinate Australia Day.

(b) Governance/Policy

The AGM has been carried out in accordance with the Manual. All community representatives who nominated for the Australia Day Committee are aware of the conditions as outlined in the Manual.

The Australia Day Committee does not have its own bank account but is provided a budget that is managed by the Committee Chair in liaison with Council staff for expenses incurred for the Australia Day celebrations in line with Council's Australia Day Policy.

(c) Legislative/Statutory

The Australia Day Committee is a Committee of Council under the provisions of Section 355 of the *Local Government Act 1993*.

(d) Risk

There is a risk to Council by appointing community members to committees to manage facilities or functions and provide services under Council.

If committee members do not comply with the roles and responsibilities as set out in the Manual there is potential risk that committee members may not be covered by Council's insurance. Furthermore, there is potential risk to Council's corporate image if committee members do not adhere to Council's Code of Conduct for Committee Members, Delegates of Council and Council Advisers.

Council aims to mitigate these risks by providing electronic and hard copies of the Manual and associated documents to committee members as well as providing annual training to all committees.

(e) Social

The Australia Day Committee manages the annual Australia Day event that is well attended by members of the Glen Innes Severn community.

(f) Environmental

Nil.

(g) Economic

Nil.

(h) Asset Management

Nil.

CONSULTATION

(a) External

Nil.

(b) Internal

The Manager of Governance Risk and Corporate Planning was previously consulted in relation to risk.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

This report links to Council's Delivery Program Community Service Principal Activity CS 1.5 Support the Voluntary and Not-For-Profit Sector to strengthen its capability.

CONCLUSION

The Australia Day Committee duly considered the matters brought before it, and the recommendations arising from the meeting require endorsement from Council.

The Australia Day Committee has elected nine (9) representatives for the coming year, who have agreed to be actively involved in Committee issues in compliance with the conditions set out in the Manual. Council's approval is now sought for the new membership.

ATTACHMENTS

Annexure A Australia Day Committee - AGM Minutes - 1/3/23

REPORT TITLE: 7.4 EMMAVILLE MINING MUSEUM COMMITTEE - ELECTION OF COMMITTEE

ECM INDEXES:

Subject Index: GOVERNANCE: Committees of Council

Customer Index: Emmaville Mining Museum Committee

Property Index: NIL

AUTHOR: Danielle Mepham - Executive Assistant (Director of Corporate and Community Services)

PURPOSE

The purpose of this report is for Council to consider endorsing recommendations made at the Emmaville Mining Museum Committee meeting held on Thursday, 16 February 2023.

RECOMMENDATION

THAT Council:

1. Endorses the following 10 community representatives as the newly elected Emmaville Mining Museum Committee:

- **Danny Andrews;**
- **Adella Brown;**
- **Evan Brown;**
- **Heather Green;**
- **Mark Green;**
- **Margaret Haar;**
- **Ron Jillett;**
- **Bill Johnson;**
- **Margaret Lynn; and**
- **Jenny Wilson.**

2. Endorses the election of office bearers within the newly elected Emmaville Mining Museum Committee as follows:

- **Chairperson - Ron Jillett;**
- **Vice Chairperson - Bill Johnson; and**
- **Secretary and Treasurer - Evan Brown.**

REPORT

(a) Background

The Emmaville Mining Museum Committee includes representation from interested community members. The Committee is required to consider matters and make recommendations to Council.

The **Annual General Meeting (AGM)** of the Emmaville Mining Museum Committee was held on Thursday, 16 February 2023. Ten nominations were received for membership of the Committee. The representatives who nominated for the Emmaville Mining Museum Committee are aware of the following conditions as outlined in the **Manual for Community Committees of Council (the Manual)**:

- *A commitment to the activities of the Committee and a willingness to be actively involved in Committee issues;*
- *Community representatives nominated for the Committee must be either a resident of the Local Government Area (LGA) or an employee in a business within the LGA;*
- *Members are prepared to actively serve the Committee until the next Annual General Meeting; and*
- *Members are prepared to operate under Council's Code of Conduct and Community Committees of Council Manual.*

(b) Discussion

In accordance with the Manual, all positions were declared vacant. Nominations were called from interested members of the community to fill the 12 committee positions for the coming year.

The AGM Minutes of the Emmaville Mining Museum Committee (**Annexure A**) include the following recommendations, for membership, for consideration by Council:

- Danny Andrews;
- Adella Brown;
- Evan Brown;
- Heather Green;
- Mark Green;
- Margaret Haar;
- Ron Jillett;
- Bill Johnson;
- Margaret Lynn; and
- Jenny Wilson.

The election of office bearers was also held, with Ron Jillett elected as Chairperson, Bill Johnson elected as Vice Chairperson, and Evan Brown elected as Secretary and Treasurer.

In compliance with Council's resolution 15.09/22 dated Friday, 23 September 2022 Council's representative on this Committee is Councillor Rob Banham. The Tourism and Events Officer also attends these meetings as a management representative.

(c) Options

Nil.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

Under the provisions of chapter four (4), Financial Management, of the Manual, the General Manager has delegated financial authority to the Committee to manage its own operating funds.

(b) Governance/Policy

The AGM and election of office bearers has been carried out in accordance with the Manual. All representatives who nominated for the Emmaville Mining Museum Committee are aware of the conditions as outlined in the Manual.

The Emmaville Mining Museum Committee has delegated Council powers and responsibilities and are required to adhere especially to section four (4) Financial Management of the Manual to ensure compliance. Further they provide input into relevant Council policies and strategies as they are formulated and reviewed.

(c) Legislative/Statutory

The Emmaville Mining Museum Committee is a Council Committee under the provisions of Section 355 of the *Local Government Act 1993*.

(d) Risk

There is a risk to Council by appointing community members to committees to manage facilities or functions and provide services under Council.

If committee members do not comply with the roles and responsibilities as set out in the Manual, there is the potential risk to committee members then not being covered by Council's insurance. Furthermore, there is possible risk to Council's corporate image if committee members do not adhere to Council's Code of Conduct for Committee Members, Delegates of Council and Council Advisers.

However, Council aims to mitigate these risks by providing electronic and hard copies of the Manual and associated documents to committee members as well as providing annual training to all committees.

(e) Social

Council's Community Committee is managing the Emmaville Mining Museum which provides valuable assistance to Council in ensuring this facility is accessible and well utilised by members of the community.

(f) Environmental

Nil.

(g) Economic

Nil.

(h) Asset Management

Nil.

CONSULTATION

(a) External

Nil.

(b) Internal

The Manager of Governance, Risk and Corporate Planning was previously consulted in relation to risk.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

This report links to Council's Delivery Program Community Service Principal Activity CS 1.5 Support the Voluntary and Not-For-Profit Sector to strengthen its capability.

CONCLUSION

The Emmaville Mining Museum Committee duly considered the matters brought before it, and the recommendations arising from the meeting require endorsement from Council.

The Emmaville Mining Museum Committee has elected 10 members for the coming year, who have agreed to be actively involved in Committee issues in accordance with the conditions set out in the Manual for Community Committees of Council. Council's approval is now sought for the new membership.

ATTACHMENTS

Annexure A Emmaville Mining Museum Committee - AGM Minutes 16/2/23

REPORT TITLE: 7.5 GLEN INNES SEVERN CEMETERY COMMITTEE - ELECTION OF COMMITTEE

ECM INDEXES:

Subject Index: GOVERNANCE: Committees of Council

Customer Index: Glen Innes Severn Cemetery Committee

Property Index: NIL

AUTHOR: Danielle Mepham - Executive Assistant (Director of Corporate and Community Services)

PURPOSE

The purpose of this report is for Council to consider endorsing recommendations made at the Glen Innes Severn Cemetery Committee meeting held on Thursday, 16 February 2023.

RECOMMENDATION

THAT Council:

1. *Endorses the following six community representatives as the newly elected Glen Innes Severn Cemetery Committee:*
 - *Robert Davidson;*
 - *Carlene Knight;*
 - *Tammy McLennan;*
 - *Jenny Thomas;*
 - *Robert Thomas; and*
 - *Raelene Watson.*
2. *Notes that Councillor Arandale will continue in the role of Chairperson for the Committee.*

REPORT

(a) Background

The Glen Innes Severn Cemetery Committee includes representation from community members passionate about the upkeep and improvement of local cemeteries. The Committee is required to consider matters and make recommendations to Council.

The **Annual General Meeting (AGM)** of the Glen Innes Severn Cemetery Committee was held on Thursday, 17 March 2022. Four nominations were received for membership to the Committee. The representatives who nominated for the Glen Innes Severn Cemetery Committee are aware of the following conditions, as outlined in the **Manual for Community Committee of Council (the Manual)**:

- *A commitment to the activities of the Committee and a willingness to be actively involved in Committee issues;*
- *Community representatives nominated for the Committee must be either a resident of the Local Government Area (LGA) or employee in a business within the LGA;*
- *Members are prepared to actively serve the Committee until the next Annual General Meeting, and*
- *Members are prepared to operate under Council's Code of Conduct and Community Committee of Council Manual.*

(b) Discussion

In compliance with the Manual, all positions were declared vacant. Nominations were called from interested members of the community to fill the 12 committee positions for the coming year.

The AGM Minutes of the Glen Innes Severn Cemetery Committee (**Annexure A**) include the following recommendations, for membership, for consideration by Council:

- Robert Davidson;
- Carlene Knight;
- Tammy McLennan;
- Jenny Thomas;
- Robert Thomas; and
- Raelene Watson.

In accordance with Council's resolution 15.09/22 dated Friday, 23 September 2022 Council's representatives on this Committee are Councillor Rob Banham and Councillor Troy Arandale. The Manager of Recreation and Open Spaces, Graham Archibald, also attends these meetings as a management representative.

Council currently provides secretarial support to the committee.

Councillor Troy Arandale was elected to perform the duty of Chairperson for this committee.

(c) Options

Nil.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

As this is an advisory Committee of Council, the Glen Innes Severn Cemetery Committee has no financial delegations. Its purpose is to discuss key issues, consult with the community regarding the local cemeteries and make recommendations to Council.

(b) Governance/Policy

The AGM has been carried out in accordance with the Manual. All community representatives who nominated for the Glen Innes Severn Cemetery Committee are aware of the conditions as outline in the Manual.

The Glen Innes Severn Cemetery Committee does not have any delegated Council powers or responsibilities but provides a forum for residents and interest groups to provide input into Council policies and strategies as they are formulated and reviewed.

(c) Legislative/Statutory

The Glen Innes Severn Cemetery Committee is a Council Committee under the provisions of Section 355 of the *Local Government Act 1993*.

(d) Risk

There is a risk to Council by appointing community members to committees to manage facilities or functions and provide services under Council.

If committee members do not comply with the roles and responsibilities as set out in the Manual there is potential risk that committee members may not be covered by Council's insurance. Furthermore, there is potential risk to Council's corporate image if committee members do not adhere to Council's Code of Conduct for Committee Members, Delegates of Council and Council Advisers.

Council aims to mitigate these risks by providing electronic and hard copies of the Manual and associated documents to committee members as well as providing annual training to all committees.

(e) Social

The Glen Innes Severn Cemetery Committee provides oversight of interment issues within the Local Government Area.

(f) Environmental

Nil.

(g) Economic

Nil.

(h) Asset Management

Nil.

CONSULTATION

(a) External

Nil.

(b) Internal

The Manager of Governance, Risk and Corporate Planning was consulted previously in relation to risk.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

This report links to Council's Delivery Program Community Service Principal Activity CS 1.5 Support the Voluntary and Not-For-Profit Sector to strengthen its capability.

CONCLUSION

The Glen Innes Severn Cemetery Committee duly considered the matters brought before it, and the recommendations arising from the meeting require endorsement from Council.

The Glen Innes Severn Cemetery Committee has elected six members for the coming year, who have agreed to be actively involved in Committee issues in accordance with the conditions set out in the Manual. Council's approval is now sought for the new membership.

ATTACHMENTS

Annexure A Glen Innes Severn Cemetery Committee AGM Minutes - 16/2/23

REPORT TITLE: 7.6 GLENCOE HALL COMMITTEE - ELECTION OF COMMITTEE

ECM INDEXES:

Subject Index: GOVERNANCE: Committees of Council

Customer Index: Glencoe Hall Committee

Property Index: NIL

AUTHOR: Danielle Mepham - Executive Assistant (Director of Corporate and Community Services)

PURPOSE

The purpose of this report is for Council to consider endorsing recommendations made at the Glencoe Hall Committee meeting held on Saturday, 4 February 2023.

RECOMMENDATION

THAT Council:

1. Endorses the following nine community representatives as the newly elected Glencoe Hall Committee:

- ***Cainwen Grose;***
- ***Helen Gunther;***
- ***Andrew Irwin;***
- ***Chris Irwin;***
- ***Jason Irwin;***
- ***Rob Irwin;***
- ***Sharon Packwood-Scullion;***
- ***Nancy Parry; and***
- ***Julie Wright.***

2. Endorses the election of office bearers within the newly Glencoe Hall Committee as follows:

- ***Chairperson – Rob Irwin;***
- ***Vice Chairperson – Andrew Irwin;***
- ***Secretary – Helen Gunther; and***
- ***Treasurer – Julie Wright.***

REPORT

(a) Background

The Glencoe Hall Committee includes representation from interested community members. The Committee is required to consider matters and make recommendations to Council.

The **Annual General Meeting (AGM)** of the Glencoe Hall Committee was held on Wednesday, 9 March 2022. Eleven nominations were received for membership of the Committee. The representatives who nominated for the Glencoe Hall Committee are aware of the following conditions as outlined in the **Manual for Community Committees of Council (the Manual)**:

- *A commitment to the activities of the Committee and a willingness to be actively involved in Committee issues;*
- *Community representatives nominated for the Committee must be either a resident of the Local Government Area (LGA) or an employee in a business within the LGA;*
- *Members are prepared to actively serve the Committee until the next Annual General Meeting; and*
- *Members are prepared to operate under Council's Code of Conduct and Community Committees of Council Manual.*

(b) Discussion

In accordance with the Manual, all positions were declared vacant. Nominations were called from interested members of the community to fill the 12 committee positions for the coming year.

The AGM Minutes of the Glencoe Hall Committee (**Annexure A**) include the following recommendations, for membership, for consideration by Council:

- Cainwen Grose;
- Helen Gunther;
- Andrew Irwin;
- Chris Irwin;
- Jason Irwin;
- Rob Irwin;
- Sharon Packwood-Scullion;
- Nancy Parry; and
- Julie Wright.

The election of office bearers was also held, with Rob Irwin elected as Chairperson, Andrew Irwin elected as Vice Chairperson, Helen Gunther was re-elected as Secretary and Julie Wright re-elected as Treasurer.

In accordance with Council's resolution 15.09/22 dated Friday, 23 September 2022 Council's representatives on this Committee are Councillor Jack Parry and Councillor Andrew Parsons (reserve).

(c) **Options**

Nil.

IMPLICATIONS TO BE ADDRESSED

(a) **Financial**

Under the provisions of chapter four (4), Financial Management, of the Manual, the General Manager has delegated financial authority to the Committee to manage its own operating funds.

(b) **Governance/Policy**

The AGM and election of office bearers has been carried out in accordance with the Manual. All representatives who nominated for the Glencoe Hall Committee are aware of the conditions as outlined in the Manual.

The Glencoe Hall Committee has delegated Council powers and responsibilities and are required to adhere especially to section four (4) Financial Management of the Manual to ensure compliance.

Further they provide input into relevant Council policies and strategies as they are formulated and reviewed.

Code of Conduct for Council Committee Members, Delegates of Council and Council Advisers

As the Glencoe Hall Committee is a Community Committee of Council under the provisions of Section 355 of the **Local Government Act 1993 (the Act)** this Code will apply to all members of the Glencoe Hall Committee.

(c) **Legislative/Statutory**

The Glencoe Hall Committee is a Council Committee under the provisions of Section 355 of the *Local Government Act 1993*.

(d) **Risk**

There is a risk to Council by appointing community members to committees to manage facilities or functions and provide services under Council.

If committee members do not comply with the roles and responsibilities as set out in the Manual, there is the potential risk to committee members then not being covered by Council's insurance. Furthermore, there is possible risk to Council's corporate image if committee members do not adhere to Council's Code of Conduct for Committee Members, Delegates of Council and Council Advisers.

However, Council aims to mitigate these risks by providing electronic and hard copies of the Manual and associated documents to committee members as well as providing annual training to all committees.

(e) Social

Council's Community Committee is managing the Glencoe Hall which provides valuable assistance to Council in ensuring this facility is accessible and well utilised by members of the community.

(f) Environmental

Nil.

(g) Economic

Nil.

(h) Asset Management

Nil.

CONSULTATION

(a) External

Nil.

(b) Internal

The Manager of Governance, Risk and Corporate Planning was previously consulted in relation to risk.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

This report links to Council's Delivery Program Community Service Principal Activity CS 1.5 Support the Voluntary and Not-For-Profit Sector to strengthen its capability.

CONCLUSION

The Glencoe Hall Committee duly considered the matters brought before it, and the recommendations arising from the meeting require endorsement from Council.

The Glencoe Hall Committee has elected nine members for the coming year, who have agreed to be actively involved in Committee issues in accordance with the conditions set out in the Manual for Community Committees of Council. Council's approval is now sought for the new membership.

ATTACHMENTS

Annexure A Glencoe Hall Committee AGM Minutes - 4/2/23

REPORT TITLE: 7.7 OPEN SPACES COMMITTEE - ELECTION OF COMMITTEE

ECM INDEXES:

Subject Index: GOVERNANCE: Committees of Council

Customer Index: Open Spaces Committee

Property Index: NIL

AUTHOR: Danielle Mepham - Executive Assistant (Director of Corporate and Community Services)

PURPOSE

The purpose of this report is for Council to consider endorsing recommendations made at the Open Spaces Committee meeting held on Wednesday, 15 February 2023.

RECOMMENDATION

THAT Council:

1. *Endorses the following five community representatives as members of the newly elected Open Spaces Committee:*
 - *Peter Croft;*
 - *Desmond Fitzgerald;*
 - *Dr Mahri Koch (GLENRAC Representative);*
 - *Richard Moon; and*
 - *Raelene Watson.*

2. *Notes that Councillor Arandale was elected as Chairperson for the Committee.*

REPORT

(a) Background

The Open Spaces Committee includes representation from interested community members. The Committee is required to consider matters and make recommendations to Council.

The **Annual General Meeting (AGM)** of the Open Spaces Committee was held on Wednesday, 15 February 2023. The representatives who nominated for the Open Spaces Committee are aware of the following conditions as outlined in the **Manual for Community Committees of Council (the Manual)**:

- *A commitment to the activities of the Committee and a willingness to be actively involved in Committee issues;*
- *Community representatives nominated for the Committee must be either a resident of the Local Government Area (LGA) or an employee in a business within the LGA;*
- *Members are prepared to actively serve the Committee until the next Annual General Meeting; and*
- *Members are prepared to operate under Council's Code of Conduct and Community Committees of Council Manual.*

(b) Discussion

In accordance with the Manual, all positions were declared vacant. Nominations were called from interested members of the community to fill the 12 committee positions for the coming year.

The AGM Minutes of the Open Spaces Committee (**Annexure A**) include the following recommendations, for membership, for consideration by Council:

- Peter Croft;
- Desmond Fitzgerald;
- Dr Mahri Koch (GLENRAC Representative);
- Richard Moon; and
- Raelene Watson.

In accordance with Council's resolution 15.09/23 dated Friday, 23 September 2022, Council's representative on this Committee is the Mayor (Councillor Rob Banham), Councillor Troy Arandale and Councillor Carol Sparks. The Director of Place and Growth and the Manager of Recreation and Open Spaces also attend these meetings as management representatives.

Council currently provides a minute secretary to assist this committee.

Councillor Troy Arandale was elected to perform the duty of Chairperson for this committee.

(c) Options

Nil.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

As this is an advisory Committee, the Open Spaces Committee has no financial delegations.

(b) Governance/Policy

The AGM has been carried out in accordance with the Manual for Community Committees of Council.

(c) Legislative/Statutory

The Open Spaces Committee is a Council Committee under the provisions of Section 355 of the *Local Government Act 1993*.

(d) Risk

There is a risk to Council by appointing community members to committees to manage facilities or functions and provide services on behalf of Council.

If committee members do not comply with the roles and responsibilities as set out in the Manual there is potential risk that committee members may not be covered by Council's insurance. Furthermore, there is potential risk to Council's corporate image if committee members do not adhere to Council's Code of Conduct for Committee Members, Delegates of Council and Council Advisers.

Council aims to mitigate these risks by providing electronic and hard copies of the Manual and associated documents to committee members as well as providing annual training to all committees.

(e) Social

The Open Spaces Committee provides a forum for residents and interested groups to provide input into Council policies and strategies as they are formulated and reviewed.

(f) Environmental

Nil.

(g) Economic

Nil.

(h) Asset Management

The Open Spaces Committee play a significant role in developing and refining Council’s Recreation and Open Spaces Infrastructure Strategy through continued planning, review and refinement of Asset Management Plans to maximise the use of available funding.

CONSULTATION

(a) External

Nil.

(b) Internal

The Manager of Governance, Risk and Corporate Planning was previously consulted in relation to risk.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

This report links to Council’s Delivery Program Community Service Principal Activity CS 1.5 Support the Voluntary and Not-For-Profit Sector to strengthen its capability.

The Open Spaces Committee has a significant role in developing and refining Council’s Recreation and Open Spaces Infrastructure Strategy.

CONCLUSION

The Open Spaces Committee duly considered the matters brought before it, and the recommendations arising from the meeting now require endorsement from Council.

The Open Spaces Committee has five community representatives, willing to be on the committee for the coming year, who have agreed to be actively involved in committee issues in accordance with the conditions set out in the Manual. Council’s approval is now sought for the new membership.

ATTACHMENTS

Annexure A Open Spaces Committee AGM Minutes - 15/2/23

REPORT TITLE: 7.8 ROADS CONSULTATIVE COMMITTEE - ELECTION OF COMMITTEE

ECM INDEXES:

Subject Index: GOVERNANCE: Committees of Council

Customer Index: Roads Consultative Committee

Property Index: NIL

AUTHOR: Danielle Mepham - Executive Assistant (Director of Corporate and Community Services)

PURPOSE

The purpose of this report is for Council to consider endorsing recommendations made at the Roads Consultative Committee meeting held on Thursday, 16 February 2022.

RECOMMENDATION

THAT Council:

- 1. Endorses the following eight community representatives as members of the newly elected Roads Consultative Committee:***
 - Tom Faithfull;***
 - James Gresham;***
 - Andrew Hancock;***
 - Daniel McAlary;***
 - Michael Norton;***
 - Jeff Smith;***
 - Brian Winter; and***
 - Maurice Velcich.***

- 2. Endorsed Andrew Hancock as the Committee Chairperson for the newly elected Roads Consultative Committee.***

REPORT

(a) Background

The Roads Consultative Committee includes representation from community members from urban and rural localities as well as the public transport sector. The Committee is required to consider matters and make recommendations to Council.

The **Annual General Meeting (AGM)** of the Roads Consultative Committee was held on Thursday, 16 February 2023. Eight nominations were received for membership of the Committee. The representatives who nominated for the Roads Consultative Committee are aware of the following conditions, as outlined in the **Manual for Community Committees of Council (the Manual)**:

- *A commitment to the activities of the Committee and a willingness to be actively involved in Committee issues;*
- *Community representatives nominated for the Committee must be either a resident of the Local Government Area (LGA) or employee in a business within the LGA;*
- *Members are prepared to actively serve the Committee until the next Annual General Meeting, and*
- *Members are prepared to operate under Council’s Code of Conduct and Community Committee of Council Manual.*

(b) Discussion

In accordance with the Manual, all positions were declared vacant. Nominations were called from interested members of the community to fill the nine (9) committee positions, as listed in the Terms of Reference for the Roads Consultative Committee, for the coming year.

The AGM Minutes of the Roads Consultative Committee (**Annexure A**) include the following recommendations, for membership, for consideration by Council:

- Tom Faithfull;
- James Gresham;
- Andrew Hancock;
- Daniel McAlary;
- Michael Norton;
- Jeff Smith;
- Brian Winter; and
- Maurice Velcich.

The position of Chairperson is usually performed by the Mayor as outlined in the Committees Terms of Reference, however Andrew Hancock was asked to step in to the role as Chairperson after the AGM in 2022 and has since been re-elected as Chairperson at the AGM in 2023.

In accordance with Council’s resolution 15.09/23 dated Friday, 23 September 2023, Council’s representatives on this Committee are the Mayor (Councillor Rob Banham), Councillor Troy Arandale and Councillor Jack Parry. The Director of Infrastructure Services, Manager of Asset Services, Manager of Infrastructure Delivery and Infrastructure staff nominated by the Director of Infrastructure Services also attend these meetings as management representatives. Council currently provides a minute secretary to assist this committee.

(c) Options

Nil.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

As this is an advisory Committee of Council, the Roads Consultative Committee has no financial delegations, however, its purpose is to discuss key issues and consult with users of local roads to make recommendations to Council.

(b) Governance/Policy

The AGM has been carried out in accordance with the Manual. All community representatives who nominated for the Roads Consultative Committee are aware of the conditions as outlined in the Manual.

The Roads Consultative Committee does not have any delegated Council powers or responsibilities but provides a forum for residents and interest groups to provide input into Council policies and strategies as they are formulated and reviewed.

(c) Legislative/Statutory

The Roads Consultative Committee is a Council Committee under the provisions of Section 355 of the *Local Government Act 1993*.

(d) Risk

There is a risk to Council by appointing community members to committees to manage facilities or functions and provide services under Council.

If committee members do not comply with the roles and responsibilities as set out in the Manual there is potential risk that committee members may not be covered by Council's insurance. Furthermore, there is potential risk to Council's corporate image if committee members do not adhere to Council's Code of Conduct for Committee Members, Delegates of Council and Council Advisers.

Council aims to mitigate these risks by providing electronic and hard copies of the Manual and associated documents to committee members as well as providing annual training to all committees.

(e) Social

The Roads Consultative Committee is an advisory committee to allow open lines of communication between Council and the community. By providing constructive consultation, feedback and advice regarding policy setting, decision-making and management of the roads function this committee will assist Council to meet the social and economic needs of the community.

(f) Environmental

Nil.

(g) Economic

Nil.

(h) Asset Management

The Roads Consultative Committee plays a significant role in developing and refining Council's road infrastructure strategy through continued review of Council's existing road network, planning, and refinement of Asset Management Plans to maximise the use of available funding.

CONSULTATION

(a) External

Nil.

(b) Internal

The Manager of Governance Risk and Corporate Planning was consulted previously in relation to risk.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

This report links to Council's Delivery Program Community Service Principal Activity CS 1.5 Support the Voluntary and Not-For-Profit Sector to strengthen its capability.

CONCLUSION

The Roads Consultative Committee duly considered the matters brought before it, and the recommendations arising from the meeting require endorsement from Council.

The Roads Consultative Committee has elected eight members for the coming year, who have agreed to be actively involved in Committee issues in accordance with the conditions set out in the Manual. Council's approval is now sought for the new membership.

ATTACHMENTS

Annexure A Roads Consultative Committee AGM Minutes - 17/2/23

**REPORT TITLE: 7.9 CAPITAL WORKS PROGRAM PROGRESS REPORT
AS AT 28 FEBRUARY 2023**

ECM INDEXES:

**Subject Index: CORPORATE MANAGEMENT: Budgeting
FINANCIAL MANAGEMENT: Financial Reporting**

Customer Index: NIL

Property Index: NIL

AUTHOR: Amy Watson - Financial Accountant

PURPOSE

The purpose of this report is for Council to review the progress of its Capital Works Program for the 2022/2023 Financial Year and to review the progress of the Capital Works Projects that were carried over from the 2019/2020, 2020/2021 and the 2021/2022 Financial Years and to review the Capital Works Projects that were adopted as Revotes for the 2021/2022 and 2022/2023 Financial Years.

RECOMMENDATION

That Council notes the information contained in this report.

REPORT

(a) Background

Council adopts its Capital Works Program annually as part of the adoption of the Operational Plan and Budget.

(b) Discussion

This report has been prepared with input from the staff who have ownership of the various projects to ensure that there is up-to-date commentary on all the projects.

The report provides a holistic overview of Council's progress regarding completed projects, works in progress or expected project commencement dates.

The Capital Works Program Carried Forward for the 2019/2020 Financial Year (**Annexure A**), Capital Works Program Carried Forward for the 2020/2021 Financial Year (**Annexure B**), Capital Works Program for the 2021/2022 Financial Year (**Annexure C**), Capital Works Program Revotes 2022 (**Annexure D**), Capital Works Program for the 2022/2023 Financial Year (**Annexure E**), and Capital Works Program Revotes for the 2022/2023 Financial Year (**Annexure F**) provide detailed information on all of the projects that were budgeted for and not completed in the 2019/2020, 2020/2021 and 2021/2022 Financial Years, projects that have been revoted into the 2021/2022 and 2022/2023 Financial Years and projects that were budgeted for in the 2022/2023 Financial Year.

Projects of Significance from the 2019/2020 Financial Year (refer Annexure A):

Glen Innes Indoor Sports Centre

This project is now completed in terms of providing updates to the Council.

At the February 2023 Open Ordinary Council meeting, it was resolved to allocate a budget of \$50,000 to complete landscaping at the Glen Innes Indoor Sport Centre. A landscaping plan will be developed with works scheduled as soon as practicable after the planning phase has been completed.

Projects of Significance from the 2021/2022 Financial Year (refer Annexure B):

New Finance System and Implementation

The **Employee Self Service (ESS)** kick-off meeting was held on Thursday, 2 March 2023 and **User Acceptance Testing (UAT)** will commence with a select group of Staff to test the ESS. The ESS module will allow electronic submission of timesheets, leave forms and leave approvals and many more features to automate manual processes. Payslips and leave balances will be able to be viewed by both Managers and Staff. The target date to go live with ESS is 1 July 2023.

As the new system has been live for over seven months, the task of building a solid framework to support data integrity, reporting, day-to-day tasks and month end tasks has begun. The work of mapping the 2021/2022 Financial Year end closing balances to the new system has begun. In order to fast track this process, a consultant has been engaged to assist in the development of regular reporting packs, business unit reporting, reconciliation tools for Balance Sheet accounts, Grants reconciliation and Budgeting and Forecasting templates. Microsoft Power BI will be used to develop these capabilities to report on critical KPI's and all required reporting.

The Rates, Water and Community Receipting modules are still experiencing technical difficulties. A strong proposal has been put to the Open Office team to commence a focused hyper care plan as soon as possible to resolve all major support tickets that are causing hindrance in the expected performance of the Rates and Water modules.

The constant pursuit of trying to complete the Water billing is facing significant issues. System upload of the Water meter files have been unsuccessful. The status of the related support ticket has been flagged as “Severe”.

Projects of Significance from the 2021/2022 Financial Year (refer Annexure C):

Construction of Centennial Parklands amenities facilities and outdoor area

Council has received a grant of \$1,341,616 to install amenities and an outdoor events area at the Centennial Parklands. There is expressed concern from stakeholders that the current designs are not sympathetic to the environment and further work on developing designs to enhance the Centennial Park need to be developed.

Yarrow Creek Bridge Update

The Yarrow Creek Bridge replacement on Mt Mitchell Road is in full swing this month, with the old bridge demolition complete and piles for the new bridge installed. The old driven piles of native hardwood have been removed after many years of service and replaced with the latest in steel encased reinforced concrete piles, with rock anchors extending up to six metres into the granite bedrock below ground level. Just like their timber predecessors, these new piles should service the Mt Mitchell Road bridge for many generations into the future.



Image 1 - Removal of the old timber piles



Image 2 – Installing steel casings for new piles



Image 3 – Pouring the concrete piles

(c) Options

Nil.

IMPLICATIONS TO BE ADDRESSED**(a) Financial**

The table below provides a summary of the adopted budget, revised budget and the actual and committed amounts for each respective period along with the percentage of the actual and committed expenditure when compared to the revised budget:

	ADOPTED BUDGET	REVISED BUDGET	Project Actual + Committed	Expenditure %
CAPITAL WORKS PROGRAM CARRIED FORWARD FROM 2019/2020	\$ 2,079,254	\$ 6,454,763	\$ 5,960,974	92%
CAPITAL WORKS PROGRAM CARRIED FORWARD FROM 2020/2021	\$ 4,364,065	\$ 4,364,065	\$ 3,051,965	70%
CAPITAL WORKS PROGRAM CARRIED FORWARD FROM 2021/2022	\$ 11,202,214	\$ 14,794,719	\$ 7,899,548	53%
CAPITAL WORKS PROGRAM REVOTES-2022	\$ 1,298,626	\$ 1,318,626	\$ 400,056	30%
CAPITAL WORKS PROGRAM 2022/2023	\$ 19,534,216	\$ 19,534,216	\$ 2,539,441	13%
CAPITAL WORKS PROGRAM REVOTES-2023	\$ 943,487	\$ 1,473,507	\$ 640,210	43%
TOTALS	\$ 39,421,862	\$ 47,939,896	\$ 20,492,193	43%

(b) Governance/Policy

Maintenance of Council's infrastructure assets is in accordance with Council's Risk Management Policies, Procurement Policy and Asset Management Plans.

(c) Legislative/Statutory

- *Local Government Act 1993;*
- Local Government Code of Accounting Practice and Financial Reporting; and
- Australian Accounting Standards.

(d) Risk

Maintaining Council's assets minimises legal and risk exposure. Council faces project management risks in managing timelines and budgets, particularly related to grant funded projects.

Developing a project risk management assessment and plan, using Council's Enterprise Risk Management system will assist in mitigating risk.

(e) Social

Asset maintenance and renewal work is performed to manage public hazards and asset performance. Where feasible, maintenance and renewal activities are scheduled to minimise social impacts.

(f) Environmental

Capital works are designed, and operational staff members have received training, to assess and minimise the environmental impact of work activities.

(g) Economic

Nil.

(h) Asset Management

The extent to which the Capital Works program is completed determines the Infrastructure Asset Renewal ratio, which is a measure of the financial sustainability of Council's assets.

CONSULTATION

(a) External

Nil.

(b) Internal

This report has been prepared with input from various staff who have ownership of the various projects to ensure that this report includes up-to-date commentary.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

This report links to Council's Delivery Program Infrastructure Management Principal Activity IM 3.2.1: Implement Maintenance infrastructure works according to adopted service levels.

CONCLUSION

Council adopts its Capital Works Program annually as part of its Operational Plan and Budget process. This report provides updated information on the projects within each of the Capital Works Programs, the spend to date as well as updated commentary.

ATTACHMENTS

- Annexure A Capital Works Program Carried Forward for the 2019/2020 Financial Year
- Annexure B Capital Works Program Carried Forward for the 2020/2021 Financial Year
- Annexure C Capital Works Program for the 2021/2022 Financial Year
- Annexure D Capital Works Program Revotes 2022
- Annexure E Capital Works Program for the 2022/2023 Financial Year
- Annexure F Capital Works Program Revotes for the 2022/2023 Financial Year

REPORT TITLE: 7.10 INVESTMENTS REPORT AS AT 28 FEBRUARY 2023

ECM INDEXES:

Subject Index: FINANCIAL MANAGEMENT: Investments

Customer Index: NIL

Property Index: NIL

AUTHOR: Amy Watson - Financial Accountant

PURPOSE

The purpose of this report is to provide Council with a reconciliation of Financial Investments as at the end of the reporting month.

RECOMMENDATION

That Council notes the information contained in this report.

REPORT

(a) Background

This report is required to be prepared monthly and presented to the next available Ordinary Council Meeting in accordance with Section 212 of the **Local Government (General) Regulation 2021 (the Regulation)**.

(b) Discussion


Council has \$18M invested in Term Deposits, equating to 100% of Council's total financial investment portfolio as at the end of the reporting month.

Council selects banks based on rating, return and term of investment. It is expected that future investments will continue to target returns while aiming to select institutions with a high **Standard and Poor's (S&P)** rating. This is done by rolling investments between banks that meet Council's criteria and cash requirements.

If Council has two (2) comparable investment fund options, investment will be made in the fund that does not fund fossil fuels. At present all banks in this category are rated BBB. Council's Investment Policy limits exposure to an individual financial institution, for the BBB rated category, to five percent (5%) of the total Investment portfolio.

Currently Council has three (3) responsible investments, being three (3) \$1M investments with Westpac’s Green Tailored Deposits. These are identified in the Summary of Investments table set out below.

The Bank Reconciliation Statement shown below details what Council had in its bank account as at the end of the reporting month. This considers unrepresented cheques, unrepresented deposits and unrepresented debits compared to what is stated in the General Ledger:

Bank Reconciliation Statement	
Balance as per General Ledger	
Opening Balance 1 February 2023	\$5,542,879.01
February Movements	\$ 2,236,802.77
Closing Balance 28 February 2023	\$ 7,779,681.78
Less unprocessed Bank Statement Transactions	\$ -
Total:	\$ 7,779,681.78
Balance as per Statement	
	\$ 7,779,681.78
Less Unpresented Cheques	\$ -
Plus Unpresented Debits	\$ -
Less Unpresented Deposits	
Total:	\$ 7,779,681.78
	
Responsible Accounting Officer	
2 March 2023	

The Summary of Investments set out in the following table details each of Council’s investments, where each investment is held, maturity dates, interest rates and the rating of each investment as at the end of the reporting month. The balances reported in this reported for Cash at Bank and investments cannot be verified and reconciled against the Balance Sheet as opening balances have not been brought into the new Finance system from Financial Year 2022 to Financial Year 2023.

SUMMARY OF INVESTMENTS:

Rating (S&P)	Mature	%	Institution	Bank funds Fossil Fuels	Invested \$	Return \$
A1+/AA-	6/03/2023	0.94%	Westpac Banking Corporation (6)	Yes*	1,000,000	9,451.51
A2/BBB	21/03/2023	1.25%	AMP (10)	Yes	700,000	8,750.00
A1+/AA-	24/03/2023	1.24%	Westpac Banking Corporation (1)	Yes*	1,000,000	12,400.00
A1/A+	5/04/2023	1.60%	Macquarie (16)	Yes	900,000	14,400.00
A1/A+	8/04/2023	3.85%	NAB (18)	Yes	1,000,000	12,763.01
A1/A+	23/05/2023	3.15%	ING	Yes	1,000,000	31,500.00
A1+/AA-	24/06/2024	4.38%	Macquarie (16)	Yes	1,000,000	87,720.00
A1+/AA-	24/06/2023	3.60%	NAB (18)	Yes	1,000,000	36,000.00
A3/BBB+	31/07/2023	3.60%	NAB (17)	Yes	1,000,000	36,197.26
A1+/AA-	23/08/2023	3.95%	BOQ (13)	Yes	700,000	27,650.00
A2/BBB+	9/08/2023	3.80%	NAB (14)	Yes	1,000,000	38,000.00
A1+/AA-	15/08/2023	4.10%	CBA (15)	Yes	1,000,000	41,000.00
A1+/AA-	8/09/2023	3.95%	NAB (18)	Yes	1,000,000	39,391.78
A1+/AA-	8/09/2023	4.18%	Macquarie	Yes	700,000	29,179.84
A1/A+	11/09/2023	4.04%	CBA (19)	Yes	1,000,000	40,621.37
A1+/AA-	25/09/2023	4.46%	CBA (12)	Yes	1,000,000	44,844.38
A1+/AA-	25/10/2023	4.57%	CBA (8)	Yes	1,000,000	46,200.82
A1+/AA-	19/12/2023	4.60%	ING	Yes	1,000,000	46,000.00
A1+/AA-	11/12/2023	4.28%	Westpac Banking Corporation (4)	Yes*	1,000,000	43,034.52
Expected Average Return 22/23		3.45%	Total Investments		18,000,000.00	645,104.49
Actual Average Return Received YTD		0.74%	Cash on Hand		7,779,681.78	
Total Cash and Investments					25,779,681.78	

*Although these banks fund fossil fuels, these investments are Green Tailored Deposits.

The table below details the interest received for the current Financial Year as at the end of the reporting month:

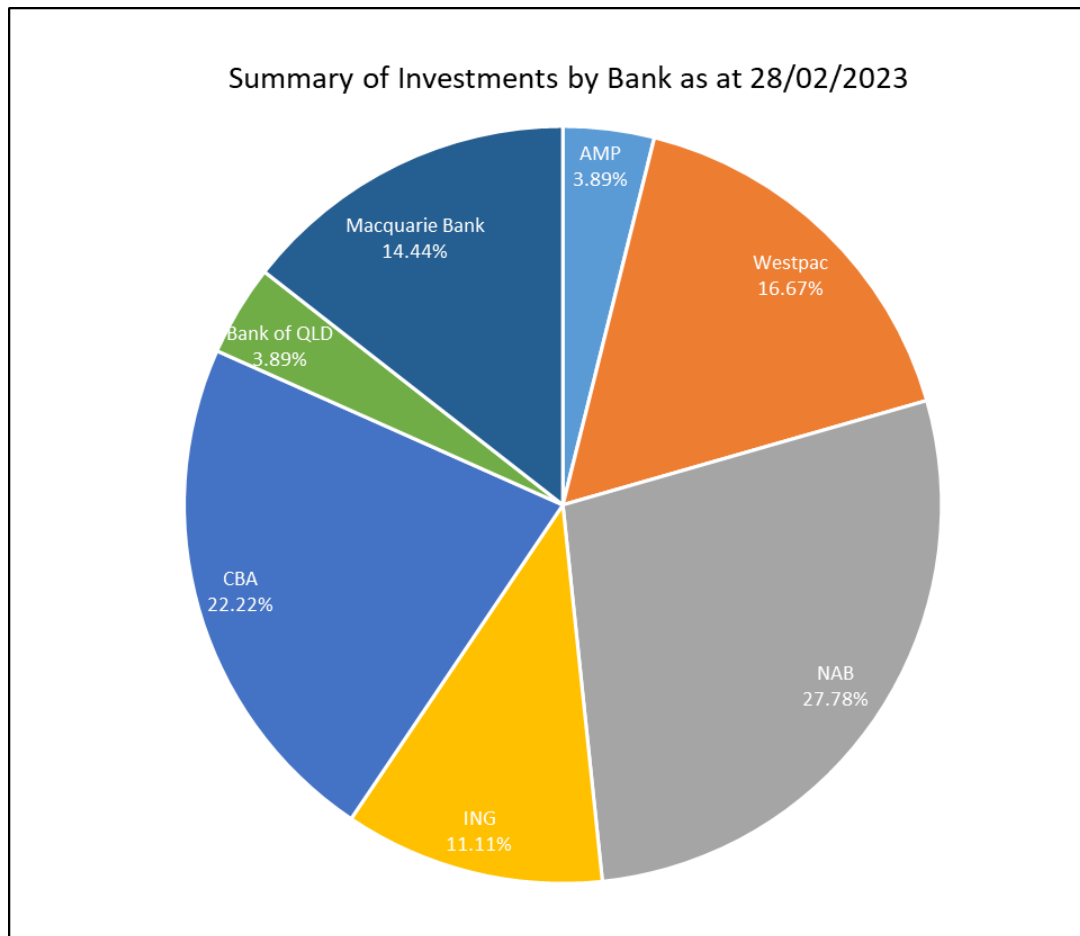
Interest received for year to 28 February 2023	\$131,709.27
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The table below details the monthly movements of investments for the reporting month:

Investment Movements	
Opening Balance as at 1 February 2023	18,000,000
Less:	
Maturities (0)	
Subtotal	18,000,000
Plus	
Rollovers (0)	-
New Investments (0)	-
Current Balance as at 28 February 2023	18,000,000

During the reporting month, there were no redeemed or new investments.

The graph below shows the summary of Investments by Bank:



The application of restricted funds and trust funds are limited to a particular purpose and must be set aside for that purpose. Therefore, they may not be available to meet certain obligations, and this should be kept in mind when determining the short-term liquidity of Council.

Certification

I, Shageer Mohammed, Chief Financial Officer, do hereby certify that the above investments have been made in accordance with the Regulation (Section 212), the **Local Government Act 1993 (the Act)** (Section 625), and Council's **Investment Policy (the Policy)**.

(c) Options

Nil.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

The actual average return on Council investments for the 2021/2022 Financial Year was 0.55%. The current actual average return for the 2022/2023 Financial Year is 3.45%. This is an increase on the actual average return of 2.90%, which reflects the current upward trend in interest rates.

Interest rates are now trending upwards, and it is expected that the actual average return will increase as investments are made at the new rates. The Bloomberg Ausbond Bank Bill Index one year return rate for the reporting month is 1.76%.

The following table compares information on investment balances from this year to last year:

Investment Balances	This Year	Last Year
Opening Balance 1 February	18,000,000	18,100,000
Closing Balance 28 February	18,000,000	17,800,000

(b) Governance/Policy

Monthly financial reporting ensures transparency of financial reporting to enable Councillors to make financially sustainable and accountable decisions. The Policy states that short-medium term funds can be invested for up to five years.

Investments are to be considered in conjunction with the following key criteria:

- At the time of investment, no institution at any time shall hold more than 45% of Council's total investments. The maximum will be determined by the long-term rating of the institution - AAA up to 45%; AA up to 35%; A up to 15% and BBB up to five percent (5%);

- At the time of investment, the maximum portfolio limits per rating are - AAA up to 100%; AA up to 100%; A up to 45%; BBB up to 25% and Government up to 100%; and
- Council's Investments can be placed in a mixture of short (0-12 months), short-medium (1-2 years) and medium (2-5 years) term investments whilst ensuring that liquidity and income requirements are met.

The portfolio is split across three (3) of the credit rating categories (AA, A and BBB).

All aggregate rating categories are within the policy limits.

Credit Quality Portfolio Compliance

The following table details the credit rating of each of the categories where Council has money invested. All investments are compliant with Council's Investment Policy:

COUNCILS PORTFOLIO COMPLIANCE

Compliant	Credit Rating	Invested	Invested \$	Policy Limit	Available \$
Yes	AAA	0.00%	-	100%	18,000,000
Yes	AA	66.67%	12,000,000	100%	6,000,000
Yes	A	14.44%	1,900,000	45%	6,200,000
Yes	BBB	18.89%	4,100,000	25%	400,000
Yes	Government	0.00%	-	100%	18,000,000
		100.00%	18,000,000		

A credit rating is an evaluation of the credit risk of a prospective financial institution, predicting its ability to pay back the investment and interest maturity and an implicit forecast of the likelihood of the institution defaulting. The credit ratings are an opinion based on the creditworthiness of the company issuing the security and are assigned by Australian Ratings based on publicly available information at a point in time.

(c) Legislative/Statutory

All investments continue to be made in accordance with the requirements of the Act and the Policy.

Section 625 of the Act states the following:

How may Councils invest?

- (1) *A Council may invest money that is not, for the time being, required by the Council for any other purpose.*
- (2) *Money may be invested only in a form of investment notified by order of the Minister published in the Gazette.*

- (3) *An order of the Minister notifying a form of investment for the purposes of this section must not be made without the approval of the Treasurer.*
- (4) *The acquisition, in accordance with section 358, of a controlling interest in a corporation or an entity within the meaning of that section is not an investment for the purposes of this section.*

Section 212 of the Regulation states the following:

Report on Council's Investments

- (1) *The responsible accounting officer of a council:*
- (a) *must provide the council with a written report (setting out details of all money that the council has invested under section 625 of the Act) to be presented:*
- (i) *if only one ordinary meeting of the council is held in a month, at that meeting, or*
- (ii) *if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and*
- (b) *must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council's investment policies.*
- (2) *The report must be made up to the last day of the month immediately preceding the meeting.*

(d) Risk

The following table provides information on investment types including a risk assessment and the amount and percentage invested compared to the total investment portfolio:

RISK ASSESSMENT OF INVESTMENT PORTFOLIO

Investment Type	Risk Assessment		Amount \$	% of Portfolio
	Capital	Interest		
Term deposits	Low	Low	18,000,000	100%
Total			18,000,000	100%

The Policy defines the principal objective of the investment portfolio as the preservation of capital. There is a risk that the investment portfolio does not perform on par or greater than the **Consumer Price Index (CPI)**. It is possible therefore that Council does not meet the principal objective of the Policy. In addition, consideration must be given to the potential that the investment restrictions provided in the Policy (both legislatively and by Council) may increase this risk.

A review of the aggregate performance on Council investments, comparative to the CPI, over a significant period (greater than five years) may ascertain if the investment strategy has been meeting the Policy's principal objective. This may then advise if changes are required to Council's investment strategy.

(e) Social

Council funds are used to provide services and infrastructure to the community and, as a result, well managed funds maximise the level of financial resources available to support the community.

(f) Environmental

Nil.

(g) Economic

Sound economic management includes maximising Council's return on financial investments.

(h) Asset Management

Nil.

CONSULTATION

(a) External

Council makes investments through Curve Securities and deals directly with the Commonwealth Bank and the Westpac Bank. During the month all three advisors were contacted to gain advice on daily interest rates.

(b) Internal

The Manager of Governance, Risk and Corporate Planning was consulted previously regarding the risk implications section of this report.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

This report links to Council's Delivery Program Council Sustainability, Transparency and Communication Principal Activity STC 5.4.2: Ensure Council's Investment and Borrowings Policies and practices meet the requirements of STC 5.4 Responsible custodianship of the community's assets.

CONCLUSION

Funds have been restricted to ensure all areas of Council continue to operate in accordance with both the annual Operational Plan and Budget and the Long-Term Financial Plan. Further, all investments continue to be made in accordance with the requirements of the Act, the Regulation, and Council's Investment Policy.

ATTACHMENTS

There are no annexures to this report.

REPORT TITLE: 7.11 BORROWINGS REPORT AS AT 28 FEBRUARY 2023

ECM INDEXES:

Subject Index: FINANCIAL MANAGEMENT: Loans

Customer Index: NIL

Property Index: NIL

AUTHOR: Amy Watson - Financial Accountant

PURPOSE

The purpose of this report is to provide Council with a reconciliation of borrowings as at the end of the reporting month.

RECOMMENDATION

That Council notes the information contained in this report.

REPORT

(a) Background

This report is provided to inform Council of the reconciliation of borrowings on a monthly basis. The Summary of borrowings set out in the following table details each of Council's borrowings. The balances reported in this reported cannot be verified and reconciled against the Balance Sheet as opening balances have not been brought into the Finance system from Financial Year 2022 to Financial Year 2023.

(b) Discussion

The following tables detail the interest rates, loan completion dates, and balances as at the end of the reporting month for each of Council's borrowings in each of the respective funds:

General Fund					
Loan No	Purpose	Interest Rate	Loan Start Date	Loan Completion Date	Balance
1	TCORP "Wattle Vale" and RFS Loan	3.95%	12/12/2016	8/12/2036	\$ 1,560,951.48
11-01	Business Acquisition: Quarry	7.69%	28/07/2011	28/07/2036	\$ 567,000.00
3	Learning Centre	7.35%	19/06/2009	19/06/2025	\$ 106,308.94
2	GIMC Debt at Amalgamation	6.69%	31/10/2002	1/11/2027	\$ 1,712,824.68
12	LIRS Loan: Road Renewal	5.32%*	10/12/2012	9/12/2022	\$ -
13	LIRS Loan: CBD Revitalisation	5.46%*	27/02/2013	3/03/2023	\$ 57,908.82
14	LIRS Loan: Accelerated Road Renewal	3.82%*	6/03/2015	28/05/2025	\$ 259,301.61
15	LIRS Loan: Accelerated Bridge Program	3.82%*	6/03/2015	28/02/2025	\$ 1,037,206.43
16	Glen Innes and Emmaville Swim Centre: Revitalisation	4.70%	6/03/2015	28/02/2035	\$ 1,076,890.50
Total General Fund Liability					\$ 6,378,392.46

*On each of the four (4) **Local Infrastructure Renewal Scheme (LIRS)** loans, Council pays the interest rates above; Council is then reimbursed either three percent (3%) or four percent (4%), depending on the loan, every six (6) months of interest paid on each loan under the LIRS scheme.

Water Fund					
Loan No	Purpose	Interest Rate	Loan Start Date	Loan Completion Date	Balance
11-02	Land Acquisition: Future Storage	7.69%	28/07/2011	28/07/2036	\$ 1,517,400.00
Total Water Supply Fund Liability					\$ 1,517,400.00

Sewer Fund					
Loan No	Purpose	Interest Rate	Loan Start Date	Loan Completion Date	Balance
10	Sewer Augmentation Loan	6.51%	9/05/2006	11/05/2026	\$ 759,512.54
Total Sewer Fund Liability					\$ 759,512.54

TOTAL LOANS LIABILITY					\$ 8,655,305.00
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Certification

I, Shageer Mohammed, Chief Financial Officer, do hereby certify that the above borrowings have been made in accordance with the requirements of the **Local Government Act 1993 (the Act)** (Chapter 15, Part 12 – sections 621 to 624) and the **Local Government (General) Regulation 2021 (the Regulation)** (Section 230).

(c) Options

Nil.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

Council has Loan Liabilities totalling \$8,655,305 as at the end of the reporting month. In the month of January 2023, the LIRS loan for Road Renewal was fully repaid. In March 2023, the LIRS loan for CBD Revitalisation will be fully repaid.

(b) Governance/Policy

As Council is responsible for the prudent management of community resources, it is important it adheres to the Capital Expenditure Guidelines, prepared by the Office of Local Government.

(c) Legislative/Statutory

All Borrowings continue to be made in accordance with the requirements of the Act.

The Act, Chapter 15, Part 12, states the following:

Section 621 – When and for what may a Council borrow?

A Council may borrow at any time for any purpose allowed under this Act.

Section 622 – What form may a Council borrowing take?

A council may borrow by way of overdraft or loan or by any other means approved by the Minister.

Section 624 – Are there any restrictions on a Council borrowing?

The Minister, may from time to time, impose limitations or restrictions on borrowings by a particular Council or Councils generally despite the other provisions of this Part.

Other legislation and guidelines relevant to Council borrowing:

- The Regulation (Section 229 and Section 230); and
- Minister of Local Government Borrowing Order pursuant to section 624 of the Act (Appendix A11, Code of Accounting Practice) Local Government Circulars and Directives.

(d) Risk

Council is reminded that, under section 8A of the Act, it should consider the long term and cumulative effects of its decisions on future generations.

Accordingly, Council must exercise reasonable care and diligence that a prudent person would exercise when borrowing funds. The borrowing of money is not a function that Council can delegate.

It is expected that Councillors would have a full understanding of the terms and conditions of borrowing arrangements before entering any contract. Council is required to abide by the contractual requirements of the loan providers.

(e) Social

Council funds are used to provide services and infrastructure to the community and, as a result, well managed funds maximise the level of financial resources available to support the community.

(f) Environmental

Nil.

(g) Economic

Sound economic management includes maximising Council's available funds by taking out loans to spread the cost of the Capital Works across the period in which the project will be available for the community's use.

This is called "Intergenerational Equity". Each generation pays for the service or project when borrowings are used to fund the project.

(h) Asset Management

Nil.

CONSULTATION

(a) External

Nil.

(b) Internal

The Manager of Governance, Risk and Corporate Planning was consulted previously regarding the risk implications section contained in this report.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

This report links to Council's Delivery Program Council Sustainability, Transparency and Communication Principal Activity STC 5.4.2: Ensure Council's investment and borrowings policies and practices meet the requirements of STC 5.4 Responsible custodianship of the community's assets.

CONCLUSION

Council's loans continue to be made in accordance with the requirements of the Act and the Regulation.

ATTACHMENTS

There are no annexures to this report.

REPORT TITLE: 7.12 REVIEW OF THE INTERNAL AUDIT CHARTER

ECM INDEXES:

Subject Index: RISK MANAGEMENT: Internal Audit

Customer Index: NIL

Property Index: NIL

AUTHOR: Dennis McIntyre - Manager of Governance, Risk and Corporate Planning

PURPOSE

The purpose of this report is to present Council with the revised Internal Audit Charter (***Annexure A***) for its review and adoption.

RECOMMENDATION

That Council adopts the revised Internal Audit Charter.

REPORT

(a) Background

The current Internal Audit Charter was adopted by Council on 25 June 2020 (resolution number: 6.06/20).

The Draft **Risk Management and Internal Audit Guidelines (Guidelines)** from the **Office of Local Government (OLG)** require the Internal Audit Charter to be reviewed by the **Audit, Risk and Improvement Committee (ARIC)** annually and by the Council once each Council term. Any significant changes recommended during the ARIC annual review must also go before Council for adoption.

The document has been reviewed by Council's **Management Executive Team (MANEX)** and the ARIC and is now recommended for Council's review and adoption.

(b) Discussion

The OLG has created a model internal audit charter and Council's Internal Audit Charter has been developed based on the model charter.

The Charter defines the purpose of internal audit at Council, its independence, authority, administrative arrangements and the framework for the conduct of the internal audit function.

The *International Standards for the Professional Practice of Internal Auditing (2017)* states:

Internal Audit is an independent, objective assurance and consulting activity designed to add value and improve Council operations. It helps Council accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance process.

The internal audit staff report functionally to the ARIC and report administratively to the General Manager, delegated through the Manager of Governance, Risk and Corporate Planning. Internal audit activities are not subject to direction by Council and Council's management do not have a role in the exercise of internal audit activities. The internal audit function is to be independent of Council so it can provide an unbiased assessment of Council's operations.

Council has a shared internal audit arrangement with Tamworth Regional Council. Council's internal auditor is also the chief audit executive.

(c) Options

Nil.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

\$40,000 has been budgeted in the 2022-23 Operational Plan and Budget to cover the costs of the Internal Audit shared function arrangement. The cost for internal audit in the fiscal year will likely be \$39,375 (excluding GST).

(b) Governance/Policy

Once adopted by Council, the revised Internal Audit Charter will govern the functions of Council's internal audit function and the chief audit executive, and has further implications for the ARIC, Council and General Manager.

(c) Legislative/Statutory

Section 428A and 428B of the *Local Government Act 1993*.

(d) Risk

The internal audit function carries out audits on Council controls, in place to manage risk, and on the risk management function at Council.

Internal audit adds a further layer of oversight (and cost) to audit activities carried out by the NSW Audit Office. Council is responsible for ensuring that the ARIC and internal audit function are achieving value for money.

(e) Social

Nil.

(f) Environmental

Nil.

(g) Economic

Nil.

(h) Asset Management

Nil.

CONSULTATION

(a) External

The OLG model charter has been used to create the Internal Audit Charter for Council.

(b) Internal

The ARIC, MANEX and the Internal Auditor.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

This report links to Council's Delivery Program Council Sustainability, Transparency and Communication Principal Activity STC 5.3.8: Provide an Independent Internal Audit Function in line with the Office of Local Government Risk Management Framework and Internal Audit Guidelines.

CONCLUSION

Council's Internal Audit Charter has been revised and amended significantly to match the OLG Model Internal Audit Charter and is now presented to Council for its review and adoption.

ATTACHMENTS

Annexure A Draft Internal Audit Charter

REPORT TITLE: 7.13 DRAFT LEGISLATIVE COMPLIANCE POLICY

ECM INDEXES:

Subject Index: CORPORATE MANAGEMENT: Legislation
RISK MANAGEMENT: Framework

Customer Index: NIL

Property Index: NIL

AUTHOR: Dennis McIntyre - Manager of Governance, Risk and Corporate Planning

PURPOSE

The purpose of this report is to present the draft Legislative Compliance Policy (**Annexure A**) to Council for review and adoption.

RECOMMENDATION

That Council adopts the draft Legislative Compliance Policy.

REPORT

(a) Background

The Audit Office of NSW, in their 2018 Audit Report on Local Government, identified that 83 councils did not have a legislative compliance policy and 94 councils did not have a legislative compliance register. Their recommendation infers that having a legislative compliance policy and register can improve the monitoring of compliance with key laws and regulations.

Subsequently the Audit Office made this recommendation in Council's Management Letter and has raised it annually since. In the Interim Management Letter for 2022, the auditors have identified at Issue 3, *Policies and Procedures that Council does not have: a Contract Management Policy, and Legislative Compliance Register or Policy.*

The implications are stated as: *There is a risk that Council's current practices are not reflected in policies and plans and that risks could go unmanaged with Council systems compromised.*

The Recommendation is: *Management should continue to develop the appropriate governance and operational policies. These plans and policies should form an integral part of an overall Council Risk Register and Risk Management Framework.*

Council's interim response was: *It is agreed that management will continue to develop appropriate governance and operational policies. Council have purchased a legal database through Reliansys and a legislative compliance register that will be implemented in the 2022-2023 financial year. A contract Management Policy will also be considered.*

(b) Discussion

The Australian Standard (AS ISO 19600:2015 – Compliance Management Systems – Guidelines) recommends that an organisation should have a documented legislative compliance policy and that it should be endorsed by the organisation's governing body.

If Council has not identified and catalogued legislation and regulations it operates under, it cannot give assurance that legislative requirements are being met. The Standard recommends a policy that considers the organisation and its context, the needs and expectations of stakeholders and defines its scope. In other words, it needs to be relevant to the objectives, values and resources of Council, considering these in relation to the requirements of various regulatory bodies and subsequent risks they place on the business functions.

Therefore, having a management framework in place with a pragmatic and realistic approach, from a risk management basis, keeping Council's guiding principles and strategic objectives in the forefront, and carrying out compliance activities within its means may be considered a suitable approach.

The Policy framework incorporates Council's Reliansys' Compliance and Delegations+, Audit and Monitor modules, which include legislative libraries of key pieces of legislation that are generally applicable to local government in NSW. Legislation regulating some of Council's businesses that are not commonplace in Local Government, such as child/aged/disability care or mining are not covered in the library. These can be entered into Council controlled registers and then monitored by the responsible officer and the MGRCP. The library is updated in real time through the system, with updates provided to both the MGRCP and the responsible owner.

The Compliance system allows for a variety of reporting methods that will provide some information around how Council is tracking in this area.

The Framework also identifies other practical means how Officers are notified of changes in legislation or reporting obligations such as the **Office of Local Government (OLG)** Calendar of Compliance, OLG Circulars, industry/regulatory legal updates, seminars/conferences etc.

Both the **Management Executive Team (MANEX)** and the **Audit, Risk and Improvement Committee (ARIC)** have reviewed the Policy.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

The cost for Council's compliance systems is \$19,800 (excluding GST) annually, with an annual increase linked to the Consumer Price Index.

The compliance systems comprise of the following modules:

- Audit;
- Legislative Compliance Register (including law library);
- Delegations +; and
- Monitor (Policy Register).

(b) Governance/Policy

Once adopted by Council, the new Legislative Compliance Policy will become a Policy of Council.

Relevant policies related to this report are the:

- Risk Management Policy; and
- Corporate Governance Policy Framework.

(c) Legislative/Statutory

This report pertains to the oversight of legislative compliance at Council.

(d) Risk

Legislative non-compliance is a risk for Council. The Auditors consider it a medium risk and have recommended Council develop a policy and register. Once completed, the auditors will likely audit the framework and register, and make further recommendations. Management will need to consider any such recommendations in relation to Council's objectives and resources.

Policies are a low-level risk management control. To genuinely assess Council's risk, it is required to look at any past occurrences of non-compliance that have impacted negatively on Council's abilities to achieve its strategic objectives. At least, for the past five years Council have had a low-medium risk of negative impacts from non-compliance.

The Policy is documenting what is already in place and working at Council, in addition to the systems that are to be implemented; the outcomes of which are yet to be determined.

(e) Social

Nil.

(f) Environmental

Nil.

(g) Economic

Nil.

(h) Asset Management

Nil.

CONSULTATION

(a) External

The Wollongong City Council Governance and Customer Service Manager was consulted regarding the development of this framework and several NSW Councils' Legislative Compliance Policy and Registers have been reviewed in compiling this draft Framework.

AS ISO 19600:2015 – Compliance Management Systems – Guidelines was consulted in the drafting of the Policy and the writing of this report.

(b) Internal

MANEX and ARIC.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

This report links to Council's Delivery Program Council Sustainability, Transparency and Communication Principal Activity STC 5.2.2: Formalise the Governance Framework and deliver compliance across all governance areas.

CONCLUSION

The draft Legislative Compliance Framework has been developed and reviewed by both MANEX and the ARIC and is now presented to Council for its review and adoption.

ATTACHMENTS

Annexure A Draft Legislative Compliance Policy

REPORT TITLE: 7.14 REVIEW OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE TERMS OF REFERENCE

ECM INDEXES:

Subject Index: RISK MANAGEMENT: Audit Risk and Improvement Committee (ARIC)

Customer Index: NIL

Property Index: NIL

AUTHOR: Dennis McIntyre - Manager of Governance, Risk and Corporate Planning

PURPOSE

The purpose of this report is to provide Council with the **Audit, Risk and Improvement Committee (ARIC)** revised Terms of Reference (**Annexure A**) for review and adoption.

RECOMMENDATION

That Council adopts the Audit, Risk and Improvement Committee revised Terms of Reference.

REPORT

(a) Background

The ARIC Charter was adopted by Council on 25 June 2020 (Resolution number: 6.06/20). The ARIC Terms of Reference will replace the ARIC Charter.

The Draft **Risk Management and Internal Audit Guidelines (Guidelines)** from the **Office of Local Government (OLG)** require the ARIC Terms of Reference to be reviewed by the ARIC annually and by the Council once each Council term. Any significant changes recommended in the ARIC's annual review must also go before Council for adoption.

(b) Discussion

The objective of Council's ARIC is to provide Council with independent assurance through monitoring and advisory services overseeing Council's governance processes, compliance, risk management and control frameworks, external accountability obligations, and overall performance.

The ARIC Terms of Reference (Annexure A) has been created using the OLG’s Model terms of reference and align with section 428A of the *Local Government Act 1993* (NSW) and the OLG Guidelines. They set out the objectives, authority and roles and responsibilities of the members.

Other inclusions delineate the requirements involving composition, tenure and independence of the committee.

Council may have one non-voting member on the committee.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

The costs for the ARIC (\$28,000) are budgeted in Council’s Operational Plan and Budget 2022/2023. Considerations arising from the Terms of Reference will need including in ongoing budget proposals.

(b) Governance/Policy

This Terms of Reference will govern the ARIC and has implications for the Internal Auditor, Council and General Manager.

(c) Legislative/Statutory

Section 428A of the *Local Government Act 1993* (NSW)

(d) Risk

Risk Management is a function that the ARIC will provide advice and assurance on.

(e) Social

Nil.

(f) Environmental

Nil.

(g) Economic

Nil.

(h) Asset Management

Nil.

CONSULTATION

(a) External

The Terms of Reference are created from the OLG model terms.

(b) Internal

The Internal Auditor assisted in drafting the Terms of Reference. The ARIC has reviewed the document.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

This report links to Council's Delivery Program Council Sustainability, Transparency and Communication Principal Activity STC 5.3.7: Provide an Audit Risk and Improvement Committee in line with the Office of Local Government Risk Management Framework and Internal Audit Guidelines and ensure it has sufficiently resourced secretariat support to function optimally.

CONCLUSION

The ARIC Terms of Reference have been created using the OLG's model terms of reference, have been reviewed by the ARIC, and are now presented to Council for adoption.

ATTACHMENTS

Annexure A Draft ARIC Terms of Reference

REPORT TITLE: 7.15 MOTOR VEHICLE LEASEBACK POLICY

ECM INDEXES:

Subject Index: CORPORATE MANAGEMENT: Policy

Customer Index: NIL

Property Index: NIL

AUTHOR: Peter Sayers - Manager of Administration and Human Resources

PURPOSE

The purpose of this report is to present Council with the revised Motor Vehicle Leaseback Policy (***Annexure A***) for its review and adoption.

RECOMMENDATION

That Council adopts the revised Motor Vehicle Leaseback Policy.

REPORT

(a) Background

The Motor Vehicle Leaseback Policy was last adopted by Council on 27 August 2020 and is due for review every three years. The document has been updated and is now recommended for Council's review and adoption.

(b) Discussion

Proposed changes to the Motor Vehicle Leaseback Policy are relatively minor, comprising:

- Updating the document to the current policy format;
- Updating document titles referred to in the policy;
- Adding roles and responsibilities in accordance with the current format;
- Updating maximum vehicle values in line with recommendations from Council's Assets section;
- Adding a mechanism by which the General Manager may increase the values of Category 1, 2 and 3 vehicles annually, in line with CPI increases, without reference back to the elected Council;
- Updating leaseback contribution amounts; and
- Changing the policy so that the General Manager approves operational vehicle leaseback agreements rather than the relevant Director.

It should be noted that the increased leaseback fees in the revised Policy will take effect after 1 July 2023, in line with the Policy and Local Government (State) Award requirements to give employees at least two months' notice of any increases.

The proposed increases in leaseback fees represent an increase of around 5.3% on current fees, well within the Award maximum of 10 percent. In case councillors are wondering, the struck through fees in the draft Policy are not the current fees.

(c) Options

Nil.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

Provision is made annually in Council's Plant Replacement Fund for the acquisition and turnover of vehicles provided under the Motor Vehicle Leaseback Policy.

The Policy also commits Council to paying any FBT liability arising out of private use of the vehicles. Council currently uses the statutory method to calculate the taxable value of a car fringe benefit rather than the operating cost method.

The statutory method is used by most businesses as it is easier to calculate and doesn't rely on drivers keeping logbooks. In simple terms, it uses a flat rate of 20% of the car's base value and factors in the number of days a year the vehicle is available for private use.

Council's FBT liability arising from vehicle leasebacks for the last three years was:

Year	Amount
2020	\$2,808
2021	\$22,485
2022	\$24,778

(b) Governance/Policy

Once adopted by Council, the Motor Vehicle Leaseback Policy will become policy of Council, providing an important element in Council's stated objective to be an 'Employer of Choice'.

(c) Legislative/Statutory

The Motor Vehicle Leaseback Policy has been written in accordance with the requirements of Clause 17B (Leaseback Vehicles) of the *Local Government (State) Award 2020*.

(d) Risk

Nil.

(e) Social

Nil.

(f) Environmental

Nil.

(g) Economic

Nil.

(h) Asset Management

The Motor Vehicle Leaseback Policy complements Council's Plant and Fleet Policy, assisting Council to manage and maintain its vehicle assets.

CONSULTATION

(a) External

Nil.

(b) Internal

Council's Assets section had input into the vehicle prices and leaseback fees set out in the revised Policy.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

This report links to Council's Delivery Program Infrastructure Management Principal Activity IM 3.2.2: Provide adequate plant and fleet levels for excellence in service delivery.

This report links to Council's Delivery Program Council Sustainability, Transparency and Communication Principal Activity STC 5.7.1: Implement the Workforce Strategy and Plan.

CONCLUSION

Council's Motor Vehicle Leaseback Policy has been revised to include changes that have occurred since the current Policy was adopted in August 2020. Changes are relatively minor, with the revised Policy now presented to Council for its review and adoption.

ATTACHMENTS

Annexure A Draft Motor Vehicle Leaseback Policy

REPORT TITLE: 7.16 NEW ENGLAND RAIL TRAIL - GLEN INNES TO BEN LOMOND

ECM INDEXES:

Subject Index: GOVERNANCE: Committees of Council

**Customer Index: New England Rail Trail Group
Glen Innes Highlands Rail Trail Working Group**

Property Index: NIL

AUTHOR: Keith Appleby - Director of Infrastructure Services

PURPOSE

The purpose of this report is to provide Council with an update on the proposed New England Rail Trail project and seek confirmation of Council's commitment to the project.

RECOMMENDATION

That Council progresses the lease arrangements and commences the design process for the construction and ongoing operation of the New England Rail Trail between Glen Innes and Ben Lomond.

REPORT

(a) Background

In March 2020, Council reviewed a Draft Business Case, prepared by **Regional Development Australia Northern Inland (RDANI)**, which contained its key findings and assumptions regarding the development of the New England Rail Trail.

Council also resolved to seek support for the closure of the existing rail line. It resolved the following at the March 26, 2020 Ordinary Council Meeting:

20.03/20 RESOLUTION

That Council:

1. Notes the New England Rail Trail draft business case developed by Regional Development Australia Northern Inland (RDANI) and its key findings.

2. Supports the necessary Act of NSW Parliament to close the rail corridor and seek advice from the State Government on the process to have the rail track declassified and made available for development of the trail.
3. Endorses further works to be undertaken in relation to establishing the governance structure for oversight of bringing the Rail Trail to the commencement of design and project planning. The governance structure should comprise Armidale Regional Council, Glen Innes Severn Council and New England Rail Trail (minority). Its key responsibilities would be:
 - a) Scoping the project;
 - b) Providing advice to the respective Councils on the management of the process in relation to the transfer of the rail corridor;
 - c) Commission a detailed business case, including the whole of life costs of maintaining the track and give advice to the Councils on it;
 - d) Commission a study on the potential economic value-added from the development of the rail trail; and
 - e) Advise Councils on the financial and economic impacts of a rail trail
 - f) Prepare land tenure and funding applications.
4. Allocates an amount of \$25,000 in the 2020/2021 Operational Plan for the determination of the construction cost of the Ben Lomond to Glen Innes section of the proposed Rail Trail.

At the November 26, 2020 Ordinary Council Meeting, Council resolved the following:

19.11/20 RESOLUTION

That Council makes the following three (3) applications for Bushfire Local Economic Recovery funding:

1. A Cultural Precinct Package comprising upgrades to the Wilson Park Sporting Precinct including upgrades to the proposed Warwick Twigg Indoor Sports Centre, upgrades to the Skate Park and Glen Innes Aquatic Centre and improvements to access to these facilities.
2. **An application for major tourism product development comprising the development of the Glen Innes to Ben Lomond section of the New England Rail Trail.**
3. A business and industry package including upgrades to the Dumaresq Street Industrial area, development of a tourism package and itinerary platform, and further develops the Highlands Business and Community Hub concept.

Council's application for funding of the 35.5km section of Rail Trail between Glen Innes and Ben Lomond was announced as successful, however, a grant deed has not yet been entered into.

(b) Discussion

The project is subject to the legislative framework surrounding rail corridors generally. Historically a rail corridor could be closed only by the passage of specific legislation through the NSW Parliament.

With the passing of the *Transport Administration Amendment (Rail Trails) Act 2022*, the regulations may now authorise the use of the subject land for recreation, tourism or related purposes or road or road infrastructure. If so authorised, the rail infrastructure owner can enter into a lease of the subject land with a local council for those purposes. It should be noted that this new pathway still requires specific regulations to be made and to sit in Parliament for a two-week period of review. As part of this process the lease area must be defined.

The project originally proposed a six-metre wide project corridor within the wider rail corridor, however, Council has been advised that the full width of corridor must be taken up by the project.

As a result of these changes, and to consider the impact of prevailing market forces and construction cost increases, Council has requested the funding body to utilise the services of NSW Public Works Advisory to provide a desktop review of the project (**Annexure A**).

The resulting report provides an overview of revised project costs, project risks, and timeframe for delivery. This approach takes advantage of lessons learned during the construction of the Northern River Rail Trail, due to open to the public in March 2023, that project having been managed by the authors of the report.

The report has provided a comprehensive overview of the project issues and risks. In some cases, these issues and risks have been well noted but not fully addressed. Council may require further information prior to entering into various aspects of the project.

In other cases, the information is well presented and has answered Council's concerns. Chief among these is project budget and potential construction costs. There appears to be a pathway for full funding of the project at current costs via an application process for additional Bushfire Local Economic Recovery (BLER) funds. Should funding not be forthcoming, on road options can be investigated for any gaps in the trail.

While the project originally proposed a second slashed path for horse riding, this aspect is now proposed to be deferred for future consideration to reduce project costs.

The report suggests that the Council should review whether the surface is to be constructed entirely as an unsealed surface. This was put to the funding body for consideration, however, it was noted that the funding body is very unlikely to support additional costs resulting from a change of scope to incorporate a sealed surface. The project therefore remains as an unsealed surface for the entire length.

Next Steps:

Should Council confirm its commitment to the project, a draft lease will be developed for Council to take control of the rail corridor between the Glen Innes and Ben Lomond Stations (noting that a section of this corridor lies in the Armidale **Local Government Area (LGA)**). An application for additional funding will also be made, to cover the revised project costs plus a 25% contingency as recommended by **NSW Public Works Advisory (NSW PWA)**. NSW PWA is available to deliver the project as project manager on Council's behalf, and there are some potential benefits from utilising the experience gained in the Northern Rivers project.

(c) Options

Option 1

That Council progresses the lease arrangements and commences the design process for the construction and ongoing operation of the New England Rail Trail between Glen Innes and Ben Lomond.

THIS IS THE PREFERRED OPTION.

Option 2

That Council withdraws from the New England Rail Trail project.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

Ongoing maintenance costs are expected to be in the order of \$50,000 per annum.

(b) Governance/Policy

Nil.

(c) Legislative/Statutory

Section 357 of the *NSW Local Government Act 1993* provides that a council may exercise its functions within its area or outside its area but may exercise its regulatory functions under Chapter 7 only within its area. Chapter 7 relates to the regulatory function of Council under its local approvals policy.

This essentially allows Council to operate the Rail Trail within the Armidale LGA as a tenant of TfNSW, however, any enforcement activities within that LGA must be undertaken by Armidale Regional Council.

(d) Risk

The project contains a number of risks as outlined in the risk matrix contained in the desktop review.

(e) Social

The development of the New England Rail Trail has the potential to provide a significant uplift in social capacity by creating new opportunities for group cycling in a safe and pleasant environment.

(f) Environmental

The project will be assessed for environmental impact under the provisions of Part 5 of the *Environmental Planning and Assessment Act 1979*. Waterway crossings will be subject to separate approval under the *NSW Fisheries Management Act 1994*.

(g) Economic

The Original Rail Trail feasibility study suggests that the Rail Trail would contribute an additional eight Full Time Employees due to increased visitor spending and an additional \$2M of visitor expenditure. It also adds diversity to the local economies and adds a new nature-based attraction which has the power to retain visitors for longer.

(h) Asset Management

The expected depreciation charge would be in the order of \$50,000 per year noting that a substantial portion of the works can be ascribed as non-depreciable assets, (such as bulk earthworks) or have longer effective lives (assuming a retained value at end of the lease).

CONSULTATION

(a) External

This report has been prepared in consultation with the funding body (represented by NSW Dept Regional NSW) and NSW PWA.

(b) Internal

Council's Director of Place and Growth was consulted with regard to economic development impacts.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

This report links to Council's Delivery Program Community Service Principal Activity CS 1.1.3 : Provide and maintain adequate exercise and playground equipment in the LGA's parks and recreation areas.

This report links to Council’s Delivery Program Economic Development Principal Activity ED 2.3.1: Deliver the applicable actions, projects and initiatives from the 2020-2040 Economic Development Strategy and 2020-2025 Action Plan.

This report links to Council’s Delivery Program Infrastructure Management Principal Activity IM 3.1.7: Assess need for Open Spaces and Parks and Gardens assets construction or renewal.

This report links to Council’s Delivery Program Council Sustainability, Transparency and Communication Principal Activity STC 5.4.5: Seek funding opportunities to assist in offsetting annual operational plan expenditure, whilst considering the whole of life costs of any new asset acquisition or development.

CONCLUSION

Council has previously applied for funding to construct a 35.5km section of the New England Rail Trail from Glen Innes to Ben Lomond. A desktop review has noted increased project costs and some new issues. The opportunity for Council to review the project and confirm its future direction is provided. The project will require a number of further reports to Council as it progresses.

ATTACHMENTS

Annexure A New England Rail Trail Desktop Review (*under separate cover*)

REPORT TITLE: 7.17 RUNWAY REHABILITATION PROJECT

ECM INDEXES:

Subject Index: TRAFFIC AND TRANSPORT: Glen Innes Aerodrome

Customer Index: Internal Dept – Airport Manager

Property Index: 773 Emmaville Road, Glen Innes

AUTHOR: Cameron MacLachlan - Technical Services Coordinator

PURPOSE

The purpose of this report is to seek Council commitment as a co-contributor to grant funding for the Runway Rehabilitation Project at Glen Innes Airport.

RECOMMENDATION

That Council commits to co-contributing to the Regional Airport Programme Round III grant in the amount of \$2.2M.

REPORT

(a) Background

The Airport Master Plan was adopted by Council Resolution 17.12/22. The first three immediate development recommendations are: rehabilitation of the main instrument runway, renewal of the lighting system, and drainage improvements. During 2022, concurrent to the final drafting of the plan, three grant opportunities became available which could fund such a project.

Council took advantage of this rare opportunity and applied for the following grants:

1. **Disaster Recovery Funding Arrangement (DRFA)** – NSW Severe Weather & Flood Grant - March 2022 - AGRN1012 - Category D: \$1,000,000 with a project end date of 30 June 2024. **This grant application was successful.**
2. **Regional Airport Programme Round III (RAPIII):** \$1,101,059 with a project end date of 30 June 2025. **This grant application was successful.**
3. **Infrastructure Betterment Fund (IBF):** \$1,322,332 with a project end date of 30 Jun 25. **This grant application is awaiting approval** and will not be confirmed before the end of March 2023.

The RAPIII project team requires confirmation before the end of March 2023 that Council will commit to funding its portion of the co-contribution.

(b) Discussion

The project: Activity is divided into three main areas. The rehabilitation of main runway (RWY 14/32) involves in-situ foam bitumen stabilisation, reshaping, strengthening, and a new seal. Improved sub-soil drainage is the second area to be addressed. Lastly, a renewed lighting system would be installed including compliant LED runway lights, repositioned and illuminated windsocks, back-up power system, and a new Pilot Activated Light control box.

The costs: Detailed costs will be sought during the tender and design phase. However, preliminary estimates were provided by the Airport Master Plan consultants. The runway and drainage cost estimate is \$2,452,138 and the lighting estimate is \$851,040: a total of \$3,303,178.

The funding: The overall project cost estimate is \$3.3M. RAPIII - \$1.1M contribution - requires a two-thirds overall project cost contribution from Council of \$2.2M. Council has secured the \$1M DRFA grant as the first part of its co-contribution and applied to the IBF for the remaining \$1.2M. **Should the IBF grant application fail, Council would need to commit \$1.2M from the General Fund or other grants if available in FY24.**

The timeline: Tender, design, and preliminary works would be scheduled for FY23 and early FY24 using the \$1M from the DRFA funding. The rehabilitation and lighting renewal would occur in FY24 with the preference to have work completed before the next fire season. Council's co-contribution would not be required until FY24. The aim would be to have a short but intense period of activity to minimize the amount of time the main runway would be closed.

Full rehabilitation only: A staged, or partial, rehabilitation is not being proposed. Many of the current issues with the runway infrastructure are due to a staged and patch-work approach to renewal. The runway, drainage, and lighting were done at different times to different standards and are not working together as a whole:

1. The runway profile problems (water ingress and seal deterioration) are due to improvements to the centre line area of the runway and then cost-cutting on the widened outer edges.
2. Turning node lights and taxiway exit lights were added to the layout and are non-compliant with the original plan.
3. The widened section of the runway was not strengthened to the same standard as the rest of the runway and this newer section infringed on the older runway lighting and drainage layout.
4. A Pilot Activated Light system was installed into an antique power control box without back-up power.

Furthermore, the key deliverables for the RAPIII programme (all-weather capability, compliance, improved air-safety) require the full project to be completed: full runway rehabilitation, drainage, and lighting (see the Risk section below).

This project will improve the airport runway management efficiency via:

1. **Spares:** The current Pilot Activated lighting control box is antiquated – dating from 1966. Council is finding it difficult to source bulbs and cannot find any spares for the circuitry. The expertise required to maintain this museum quality equipment is simply not available.
2. **Cost:** because of rarity and useful life, spares are increasing maintenance costs. LED lighting would increase the useful life of spares and drive down costs.
3. **Sustainability:** current incandescent lighting is not energy smart. LED lighting would reduce energy consumption.
4. **Runway Maintenance Costs:** patch sealing of the runway is becoming more frequent with cost rising and associated concerns with Foreign Object Damage and visual markings.
5. **Future Proofing:** this project maintains current capability without stopping future growth. The renewal supports the short, medium and long-term goals of the Airport Master Plan which include local aviation business support, general aviation, RFS and emergency service dedicated areas, and flying training development.
6. **Maintenance Planning:** this project follows the recommendation from the Airport Master Plan which identifies a realistic and achievable asset management plan for airport maintenance budgets.
7. **Flood events:** Renewing the drainage as part of the overall runway renewal will reduce the airport's susceptibility to surface flooding during rain and wet weather; since June 2021, the airport has been closed for 61 days for flooding.

(c) Options

Option 1

That Council commits to co-contributing to the Regional Airport Programme Round III grant in the amount of \$2.2M.

This decision takes advantage of the opportunity to have 66% of capital costs grant funded and allows development of the Glen Innes Airport according to the Airport Master Plan.

THIS IS THE RECOMMENDED OPTION.

Option 2

That Council declines the Regional Airport Programme Round III grant opportunity. This decision will forego \$2.1M of grant funding and postpone any further development of the aims of the Airport Master Plan.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

Two financial implications scenarios are possible:

1. Should the IBF grant application fail, \$1.2M would need to be sourced from General Funds in FY24.
2. Should the IBF grant application be successful, this project would be fully grant funded.

(b) Governance/Policy

Nil.

(c) Legislative/Statutory

See the list of non-compliances with **CASA CASR Part 139 Manual of Standards, 2019** in the Risk section below which this project will rectify.

(d) Risk

This project will rectify the following CASA safety non-compliances, observations, and finding lodged against the airport:

1. Runway edge light spacing (CASA OBS 81232)
2. Turn node light positioning (CASA OBS 817523)
3. Runway light mountings (CASA Finding 722022)
4. Taxiway edge lighting (CASA Finding 821232)
5. Poor marking from seal deterioration (CASA Finding 722023)
6. Poor runway seal join (CASA OBS 817252)
7. Secondary WDI non lit (CASA NCN 717129)

Air safety and enhanced all-weather capability (a goal of RAPIII) will be improved as follows:

1. Lower Approach Minima: Position and lack of lighting for wind direction indicators caused CASA to restrict the lower straight-in approach minima for both RWY 14/32 by 330ft and 390ft. This restriction significantly reduces operational capability because when the airport is impacted by low cloud, the cloud base often lies between the straight in-minima and the imposed restriction of circling minima.
2. Low visibility/night operations and safety will be enhanced by CASA compliant lighting spacing at 60m along the runway length.
3. All-weather safety will be enhanced having a stand-by function and back-up power to the lighting system which currently has only a manual stand-by and no back-up power.
4. Low visibility/night operations within the visual circuit will have enhanced safety and efficiency with lit wind direction indicators.

(e) Social

The primary social benefit of continued operation of the airport facilitates is the provision of aeromedical support for the community.

(f) Environmental

Nil.

(g) Economic

Economic implications are addressed in detail in the adopted Airport Master Plan.

(h) Asset Management

The capital works involved in this project are asset renewal works. Expenditure will assist Council to meet its asset renewal ratio and will not add to depreciation costs.

CONSULTATION

(a) External

- Rehbein Airport Consultants
- Kamen Engineering (Airport Engineering Specialists)
- CASA
- RAP III Project Team
- DFRA Project Team
- IBF Project Team

(b) Internal

Chief Financial Officer.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

This report links to Council's Delivery Program Infrastructure Management Principal Activity IM 3.6.1: Continue to investigate options for increased utilisation of the Airport, whilst maintaining current service levels.

CONCLUSION

The opportunity to have two-thirds of major renewal project to the airport grant funded is very rare. Moreover, without a reliable and capable runway and lighting, the goals of the Airport Master Plan are simply not achievable.

ATTACHMENTS

There are no annexures to this report.

8 NOTICE OF MOTIONS/RESCISSION/QUESTIONS WITH NOTICE

9 CORRESPONDENCE, MINUTES, PRESS RELEASES

REPORT TITLE: 9.1 CORRESPONDENCE AND PRESS RELEASES

ECM INDEXES:

Subject Index: CORPORATE MANAGEMENT: Reporting

Customer Index: NIL

Property Index: NIL

AUTHOR: Jeff Carroll - Records Supervisor

PURPOSE

The purpose of this report is to list the documents and press releases that have been circulated to Councillors throughout February 2023.

RECOMMENDATION

That Council notes the information contained in this report.

Correspondence

- Arts North West – newsletter;
- Australian Bureau of Statistics – 2026 Census topic consultation;
- Inside Local Government – newsletters;
- Local Government NSW – newsletters;
- Member for Northern Tablelands, The Hon. Adam Marshall – weekly reports, opinions and media alerts; and
- Reconciliation NSW – update.

Press Releases

- Shadow Minister for Veterans' Affairs, Member for New England, The Hon. Barnaby Joyce;
- Member for Northern Tablelands, The Hon. Adam Marshall; and
- Grafton to Inverell Cycle Classic.

Publications

- LG Focus – February 2023.

All the above documents and press releases were sent by email to each Councillor for their information as they were received.

REPORT TITLE: 9.2 MINUTES OF COUNCIL COMMUNITY COMMITTEE MEETINGS FOR INFORMATION

ECM INDEXES:

Subject Index: GOVERNANCE: Committee of Council

Customer Index: NIL

Property Index: NIL

AUTHOR: Jeff Carroll - Records Supervisor

PURPOSE

The minutes listed as annexures have been received from Committees of Council for the information of Council.

RECOMMENDATION

That Council notes the information contained in this report.

ATTACHMENTS

Annexure A	Australia Day Committee - 1/02/23
Annexure B	Australian Standing Stones Management Board - 18/01/23
Annexure C	Australian Standing Stones Management Board - 15/02/23
Annexure D	Glencoe Hall Committee - 4/02/23
Annexure E	Library Committee - 9/12/22
Annexure F	Minerama Committee - 14/01/23
Annexure G	Minerama Committee - 13/02/23
Annexure H	Open Spaces Committee - 15/02/23
Annexure I	Glen Innes Saleyards Advisory Committee - 22/02/23

REPORT TITLE: 9.3 MINUTES OF NON-COUNCIL COMMUNITY COMMITTEES FOR INFORMATION

ECM INDEXES:

Subject Index: CORPORATE MANAGEMENT: Meetings – Local Community Committees

Customer Index: NIL

Property Index: NIL

AUTHOR: Jeff Carroll - Records Supervisor

PURPOSE

The following minutes have been received from Community Committees for the information of Council:

Local Traffic Committee	10/02/23
Rural Fire District Liaison Committee	13/02/23

RECOMMENDATION

That Council notes the information contained in this report.

ATTACHMENTS

There are no annexures to this report.

10 REPORTS FROM DELEGATES

REPORT TITLE: 10.1 REPORTS FROM DELEGATES

ECM INDEXES:

Subject Index: GOVERNANCE: Committees of Council

Customer Index: INTERNAL DEPT - Councillors

Property Index: NIL

AUTHOR: Debbie Duffell - Executive Assistant (Mayor and General Manager)

PURPOSE

The purpose of this report is to list all the recent meetings held by the Section 355 Community Committees of Council and to list all the meetings and functions that have been attended by Councillors

RECOMMENDATION

That Council notes the information contained in this report.

REPORT

(a) Background

Council currently has the following number of Committees, Groups and Industry Structures on which it is represented:

- Councillor/Staff Committees of Council: six (6);
- Community Committees of Council: 16;
- Groups of Council: two (2);
- Delegates of Council: two (2); and
- Community Committees NOT Committees of Council: 19.

Council delegates were assigned at the Ordinary Council Meeting held on Thursday, 23 September 2022. These delegates will remain in place until Thursday, 28 September 2023.

(b) Discussion

In keeping with past practice, Council resolved the following (in part) at the Ordinary Council Meeting held on Thursday, 23 September 2022:

15.09/22 RESOLUTION

3. All Councillors be required to provide the Executive Assistant to the Mayor and General Manager with all relevant information relating to their attendances at all Committee Meetings during the previous month, in a timely, professional and accurate manner, and that these records of attendance continue to be published for all Councillors under Section 10 “Reports from Delegates” in the following month’s Business Paper.

Councillors are therefore required to provide information to the Executive Assistant (Mayor and General Manager) regarding their attendance at all Council and Committee meetings.

To meet the deadlines in relation to the publication of the Business Paper, Councillors are requested to provide the names and dates of meetings/ functions attended in writing or by email to the Executive Assistant (Mayor and General Manager) by close of business on the first Friday of every month.

It is the sole responsibility of each Councillor to ensure that the information is provided to the Executive Assistant (Mayor and General Manager) in both a timely and accurate manner. This will ensure that Councillors are abiding by Council’s first value, which is Respect.

It is now expected that each Councillor will meet this commitment that they have all agreed to.

A record of these attendances is recorded monthly as a part of this report.

This record provides valuable information to the community on what meetings all Councillors are attending.

The following meetings were held by Section 355 Community Committees of Council during February 2023:

Name of Committee	Councillor Delegate(s)	Date
Australia Day Committee	Cr Parry, Cr Parsons	1.2.23
Glencoe Hall Committee (AGM)	Cr Parry, Cr Parsons	4.2.23
Community Access Committee	Cr Banham, Cr Sparks	6.2.23
Minerama Committee	Cr Parsons, Cr Sparks	13.2.23
Australian Standing Stones Management Board	Cr Banham, Cr Gresham	15.2.23
Open Spaces Committee (AGM)	Cr Banham, Cr Arandale, Cr Sparks	15.2.23

Name of Committee	Councillor Delegate(s)	Date
Emmaville Mining Museum Committee (AGM)	Cr Banham	16.2.23
Glen Innes Severn Cemetery Committee (AGM)	Cr Banham, Cr Arandale	16.2.23
Roads Consultative Committee (AGM)	Cr Banham, Cr Arandale, Cr Parry	16.2.23
Library Committee (AGM)	Cr Banham	17.2.23
Glen Innes Saleyards Advisory Committee (AGM – no quorum)	Cr Banham, Cr Alt	22.2.23
Aboriginal Consultative Committee	Cr Banham, Cr Sparks	27.2.23

The following is a list of meetings and functions attended by Councillors during February 2023:

Councillor	Name of Meeting / Function	Date attended
Cr R Banham (Mayor)	Local Traffic Committee Meeting	1.2.23
	Community Access Committee Meeting	6.2.23
	Funeral – John Kirk	8.2.23
	Hogs for Homeless	8.2.23
	Hogs for Homeless Mental Fitness Dinner	8.2.23
	Glen Innes High School Dux Ceremony	9.2.23
	National Australia Bank New England Regional and Agribusiness Drinks pre-Glen Innes Show	9.2.23
	President's Luncheon Glen Innes Showground	10.2.23
	Official Opening Glen Innes Show	10.2.23
	Glen Innes Show	11.2.23
	Meeting with members of the Historical Society with the General Manager	13.2.23
	Rural Fire Service SLA Meeting	13.2.23
	Meeting with Manager Local Land Services (LLS) Native Private Forests	15.2.23
	Open Spaces Committee AGM	15.2.23
	Australian Standing Stones Management Board Meeting	15.2.23
	Roads Consultative Committee Meeting AGM	16.2.23
Emmaville Mining Museum Committee AGM and General Meeting	16.2.23	
Library Committee (AGM)	17.2.23	

Item 10.1

Councillor	Name of Meeting / Function	Date attended
	Travel to Sydney for Rural and Regional Summit	19.2.23
	Local Government NSW Rural and Regional Summit	20.2.23
	Country Mayors Association “Meet the Leaders” Forum	21.2.23
	Coalition of Renewable Energy Mayors (CoREM) Meeting with EnergyCo, Planning Department and Minister for Energy	21.2.23
	Meeting with the General Manager, Director of Place and Growth and Cr Gresham	22.2.23
	Glen Innes Saleyards Advisory Committee (AGM – no quorum)	22.2.23
	Pre-Meeting Briefing Session	23.2.23
	Ordinary Council Meeting	23.2.23
Cr T Arandale (Deputy Mayor)	Open Spaces Committee AGM	15.2.23
	Australian Standing Stones Management Board Meeting	15.2.23
	Roads Consultative Committee Meeting AGM	16.2.23
	Glen Innes Severn Cemetery Committee (AGM)	16.2.23
	Pre-Meeting Briefing Session	23.2.23
	Ordinary Council Meeting	23.2.23
	New England Joint Organisation Meeting	27.2.23
	Meeting with local business owner	27.2.23
Cr T Alt	Hogs for Homeless Mental Fitness Dinner	8.2.23
	Pre-Meeting Briefing Session	23.2.23
	Ordinary Council Meeting	23.2.23
Cr L Gresham	Grant Announcement by the Hon. Adam Marshall, MP	30.1.23*
	New England County Council Meeting	7.2.23
	Glen Innes Highlands Visitors Association Meeting	13.2.23
	Meeting with community members	15.2.23
	Australian Standing Stones Management Board Meeting	15.2.23
	Meeting with the General Manager, Director of Place and Growth and the Mayor	22.2.23
	Pre-Meeting Briefing Session	23.2.23
	Ordinary Council Meeting	23.2.23

Councillor	Name of Meeting / Function	Date attended
	100 Year Anniversary of CWA Glen Innes Day Branch Luncheon	27.2.23
Cr J Parry	Australia Day Committee Meeting	1.2.23
	Glencoe Hall Committee AGM	4.2.23
	Hogs for Homeless Mental Fitness Dinner	8.2.23
	Roads Consultative Committee Meeting AGM	16.2.23
	Pre-Meeting Briefing Session	23.2.23
	Ordinary Council Meeting	23.2.23
Cr A Parsons	Ordinary Council Meeting	23.2.23
	Glen Innes Community Centre Committee Meeting	27.2.23
Cr C Sparks	Attract Connect Stay (ACS) Meet and Greet for health professionals at the Bowling Club	22.2.23
	Pre-Meeting Briefing Session	23.2.23
	Ordinary Council Meeting	23.2.23
	ACS Committee Meeting	23.2.23
	Meeting to organise volunteers for Clean Up Australia Day	24.2.23
	Aboriginal Consultative Committee AGM and General Meeting	27.2.23
	Country Women's Association 100 Years Celebration Luncheon	27.2.23
	Glen Innes Community Centre Committee Meeting	27.2.23

*This attendance was missed being reported in the December 2022 Business Paper.

(c) Options

Nil.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

Nil.

(b) Governance/Policy

Although most Council committees are advisory in nature, input from these committees assists Council in formulating policy.

Manual for Community Committees of Council

Paragraph 2.2.5 of Council's Manual for Community Committees of Council states the following:

Attendance of Committee Members is required at Committee Meetings. Committee Members are required to attend a minimum of three (3) meetings in each financial year. In the instance that members are unable to attend the scheduled meeting, an apology must be submitted to the Secretary prior to the commencement of the meeting.

A person shall cease to be a member of a Community Committee if the member is absent for more than three (3) meetings without leave (i.e. accepted apology). (This does not apply to Councillors or Council staff).

(c) Legislative/Statutory

Section 355 of the *Local Government Act 1993* states the following:

How a council may exercise functions.

A function of a council may, subject to this Chapter be exercised:

- (a) by the council by means of the councillors or the employees, by its agents or contractors, by financial provision, by the provision of goods, equipment, services, amenities or facilities or by any other means, or
- (b) **by a committee of the council**, or
- (c) partly or jointly by the council and another person or persons, or
- (d) jointly by the council and another council or councils (including by means of a joint organisation or a Voluntary Regional Organisation of Councils of which the councils concerned are members), or
- (e) by a delegate of the council (which may, for example, be a joint organisation or a Voluntary Regional Organisation of Councils of which the council is a member).

(d) Risk

Nil.

(e) Social

The record of attendance provides valuable information to the community on what meetings all Councillors are attending.

(f) Environmental

Nil.

(g) Economic

Nil.

(h) Asset Management

Nil.

CONSULTATION

(a) External

Nil.

(b) Internal

The Executive Assistant (Director of Corporate and Community Services) provided the information regarding the meetings held by Section 355 Community Committees of Council.

Individual Councillors provided the information regarding the meetings and functions that they attended.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

This report links to Council's Delivery Program Council Sustainability, Transparency and Communication Principal Activity STC 5.2.2: Formalise the Governance Framework and deliver compliance across all governance areas.

Council achieves many of its strategic objectives contained in the Operational Plan and Delivery Program through its Community Committee structure.

CONCLUSION

Council delegates were assigned at the Ordinary Council Meeting held on Thursday, 23 September 2022. These delegates will remain in place until Thursday, 28 September 2023.

This report lists all the recent meetings held by the Section 355 Community Committees of Council and all of the meetings and functions that have been attended by Councillors.

ATTACHMENTS

There are no annexures to this report.

11 MATTERS OF AN URGENT NATURE

12 CONFIDENTIAL MATTERS

CLOSED COUNCIL **To consider Confidential Reports** (Section 10A(2) of The Local Government Act 1993)

Where it is proposed to close part of the Meeting, the Chairperson will allow members of the public to make representations to or at the meeting, before any part of the meeting is closed to the public, as to whether or not that part of the meeting should be closed to the public.

The Chairperson will check with the General Manager whether any written public submissions or representations have been received as to whether or not that part of the meeting should be closed to the public.

The grounds on which part of the Council or Committee meeting may be closed to the public are listed in Section 10A(2) of the *Local Government Act 1993* and are as follows:

- (a) personnel matters concerning particular individuals other than Councillors,
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) during the receipt of information or discussion of information concerning the nature and location of a place or an item of Aboriginal significance on community land,
- (i) alleged contraventions of any code of conduct requirements applicable under section 440.

Section 10A(3) of the Act provides that Council, or a Committee of the Council of which all the members are councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Section 10B(3) of the Act provides that if a meeting is closed during discussion of a motion to close another part of the meeting to the public (as referred to in section 10A(3) of the Act), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is a matter referred to in section 10A(2) of the Act).

Section 10B(1) of the Act provides that a meeting is not to remain closed to the public during the receipt of information or the discussion of matters referred to in section 10A(2):

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret - unless the Council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest section 10B(4) of the Act states it is irrelevant that:

- (a) a person may interpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
 - (i) cause embarrassment to the Council or committee concerned, or to councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the Council or committee.

RECOMMENDATION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

<i>Item</i>	<i>Report</i>	<i>Reason</i>
<i>12.1</i>	<i>Tender 23-01 Engagement of a Contractor for the Gulf Road re-sheet</i>	<i>(d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.</i>

The following two (2) recommendations will also be put to the Closed Council:

RECOMMENDATION

That Council moves out of Closed Council into Open Council.

RECOMMENDATION

That the Confidential Closed Council Resolutions be recommended for adoption to the Ordinary Meeting of Council.