

GLEN INNES SEVERN COUNCIL

BUSINESS PAPER



**FOR THE ORDINARY
COUNCIL MEETING**

**TO BE HELD ON
THURSDAY,
25 MAY 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, 25 May 2023 at 9.00am

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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 - 27 APRIL 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)

REPORT TITLE: 6.1 MAYORAL MINUTE: DAMAGING INCREASE IN EMERGENCY SERVICES LEVY COSTS

ECM INDEXES:

Subject Index: GOVERNANCE: Mayoral Minute

Customer Index: NIL

Property Index: NIL

AUTHOR: Rob Banham - Councillor

MOTION

THAT Council:

1. ***Writes to the Treasurer, the Minister for Emergency Services, the Minister for Local Government and the local State Member:***
 - a) ***Expressing Council's strong opposition to the NSW Government's last minute decision to impose an enormous Emergency Services Levy (ESL) cost increase on councils for 2023/24 by scrapping the ESL subsidy for councils and at a time after Council has publicly advertised its Operational Plan and annual budget to the community.***
 - b) ***Noting that as a consequence of the unannounced 73% increase in the State Emergency Service budget and an 18% increase in the Fire and Rescue NSW budget, Council's 3.7% rate increase to provide essential community services and infrastructure has been significantly eroded.***
 - c) ***Advising that the Government's decision may/will lead to a reduction in important local services and/or the cancellation of necessary infrastructure projects.***
 - d) ***Calling on the NSW Government to take immediate action to:***
 - i. ***restore the ESL subsidy in 2023/24.***
 - ii. ***urgently introduce legislation to decouple the ESL from the rate peg to enable councils to recover the full cost.***
 - iii. ***develop a fairer, more transparent and financially sustainable method of funding critically important emergency services in consultation with local government.***
2. ***Writes to the Chair of the Independent Pricing and Regulatory Tribunal (IPART) advising that Council's forced emergency services contribution is manifestly disproportionate to the 2023/24 rate cap, which has resulted in additional financial stress.***

3. Writes to the President of LGNSW seeking the Association's ongoing advocacy to bring about a relief in the burden of Council's emergency services contribution.

I, Councillor Rob Banham, give notice that at the next Ordinary Meeting of Council to be held on Thursday, 25 May 2023, I intend to move the following motion:

THAT Council:

1. *Writes to the Treasurer, the Minister for Emergency Services, the Minister for Local Government and the local State Member:*
 - a) *Expressing Council's strong opposition to the NSW Government's last minute decision to impose an enormous Emergency Services Levy (ESL) cost increase on councils for 2023/24 by scrapping the ESL subsidy for councils and at a time after Council has publicly advertised its Operational Plan and annual budget to the community.*
 - b) *Noting that as a consequence of the unannounced 73% increase in the State Emergency Service budget and an 18% increase in the Fire and Rescue NSW budget, Council's <3.7% rate increase to provide essential community services and infrastructure has been significantly eroded.*
 - c) *Advising that the Government's decision may/will lead to a reduction in important local services and/or the cancellation of necessary infrastructure projects.*
 - d) *Calling on the NSW Government to take immediate action to:*
 - i. *restore the ESL subsidy in 2023/24.*
 - ii. *urgently introduce legislation to decouple the ESL from the rate peg to enable councils to recover the full cost.*
 - iii. *develop a fairer, more transparent and financially sustainable method of funding critically important emergency services in consultation with local government.*
2. *Writes to the Chair of the Independent Pricing and Regulatory Tribunal (IPART) advising that Council's forced emergency services contribution is manifestly disproportionate to the 2023/24 rate cap, which has resulted in additional financial stress.*
3. *Writes to the President of LGNSW seeking the Association's ongoing advocacy to bring about a relief in the burden of Council's emergency services contribution.*

RATIONALE

I am calling on Councillors to support representations to the NSW Government in response to the highly damaging increase in the **Emergency Services Levy (ESL)** imposed on all councils without warning for the 2023/24 financial year.

The ESL is a cost imposed on councils and insurance policy holders to fund the emergency services budget in NSW. The majority is paid as part of insurance premiums, with a further 11.7% funded by councils and 14.6% by the NSW Government. The ESL represents cost shifting at its worse, as it is imposed on councils without any mechanism for councils to recover costs.

The levy increase for the State's 128 councils in 2023/24 amounts to almost \$77 million, with the total cost imposed on the local government sector increasing from \$143 million in the current financial year to \$219 million next year. This represents a 53.1% increase, completely dwarfing the IPART baseline rate peg of 3.7% for 2023/24, and Council's rate increase of 3.7%.

Reporting suggests that the increase in costs this year reflects a 73% increase in the State Emergency Service budget and an 18.5% funding increase to Fire and Rescue NSW. The impact of these large increases on councils' finances will be particularly severe in 2023/24 as a result of the NSW Government deciding to scrap the subsidy for council ESL payments.

For many councils, the unexpected cost hit will absorb almost all of their IPART-approved rate rise for this year and in some cases absorb more than 100%. This is placing local government budgets under enormous pressure as they struggle from the combined impact of the pandemic, extreme weather events, high inflation and wage increases.

IPART-approved rate rises are intended to compensate for the impacts of inflation and increases in council costs. Instead, the rate increase will have to be largely diverted to the significantly higher ESL payments this year. NSW councils will have no option other than to make cuts to infrastructure and services expenditure.

For Council, the ESL has increased by \$121,878 for 2023/24, bringing the total Council contribution to \$675,870. This amounts to 38.6% of the expected increase in rate income for 2023/24. If the NSW Government's decision is not reversed, it will impact on Council's services, infrastructure maintenance and delivery.

The timing of this development is particularly challenging for councils as it comes so late in the local government budgeting cycle, well after IPART's rate determination for the coming financial year.

All councils strongly support a well-funded emergency services sector and the critical contribution of emergency services workers and volunteers (many of whom are councillors and council staff). However, it is essential that these services be supported through an equitable, transparent and sustainable funding model.

Local Government NSW has raised the serious concerns of the local government sector with the NSW Government and is seeking the support of councils across NSW in amplifying this advocacy.

This Mayoral Minute recommends that Council call on the NSW Government to take immediate action to:

- a. restore the ESL subsidy;
- b. decouple the ESL from the rate peg to enable councils to recover the full cost; and
- c. develop a fairer, more transparent and financially sustainable method of funding critically important emergency services.

The Mayoral Minute also recommends that Council write to IPART advising of the financial sustainability impacts on of the ESL.

I commend this Mayoral Minute to Council.

Cr Rob Banham
Councillor
Date: 9 May 2023

ATTACHMENTS

There are no annexures to this report.

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 14 Council Resolutions currently outstanding at Thursday, 18 May 2023.

There were 11 Council Resolutions outstanding in the report that went to the Thursday, 27 April 2023 Ordinary Council Meeting.

A further nine outstanding actions were added after the 27 April 2023 Ordinary Council Meeting.

Therefore, six outstanding actions have now been completed since the last Ordinary Council Meeting (workings: $11 + 9 = 20 - 14 = 6$).

The 14 outstanding resolutions are broken up as follows:

<u>YEARS</u>	<u>OUTSTANDING ACTIONS</u>		
2020	1	(1	Apr 2023)
2021	0	(0	Apr 2023)
2022	7	(7	Apr 2023)
2023	6	(3	Apr 2023)
TOTAL	<u>14</u>	(11	Apr 2023)

The outstanding resolutions relate to the following Directorates:

<u>DIRECTORATE</u>	<u>OUTSTANDING ACTIONS</u>		
General Manager	0	(0	Apr 2023)
Corporate and Community Services	2	(2	Apr 2023)
Place and Growth	5	(4	Apr 2023)
Infrastructure Services	7	(5	Apr 2023)
TOTAL	<u>14</u>	(11	Apr 2023)

It is important 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, 18 May 2023.

Staff will continue to focus and prioritise completing the one (1) remaining outstanding action from the 2020 year. Please note that there is a separate report relating to this matter included in this Business Paper.

(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 Draft Outstanding Actions Report as at 18 May 2023

REPORT TITLE: 7.2 MEMBERSHIP OF THE COUNTRY MAYORS ASSOCIATION AND ATTENDANCE OF THE MAYOR AT COUNTRY MAYOR ASSOCIATION MEETINGS

ECM INDEXES:

Subject Index: CORPORATE MANAGEMENT: Meetings – Other Organisations

Customer Index: Country Mayors Association

Property Index: NIL

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

PURPOSE

The purpose of this report is for Council to consider its continued membership of the **Country Mayors Association (CMA)** and for the Council to approve the attendance of the Mayor and the General Manager at all CMA meetings which are proposed to be held during the 2023/2024 Financial Year.

RECOMMENDATION

THAT Council:

- 1. Renews its membership of the Country Mayors Association for the 2023/2024 membership period and approves the attendance of the Mayor and the General Manager at all Country Mayor Association meetings held during the 2023/2024 Financial Year.***
- 2. Reviews its continued membership of the Country Mayors Association as part of the deliberations on the Draft Operational Plan and Budget for the 2024/2025 Financial Year.***

REPORT

(a) Background

Council resolved the following at the 24 March 2022 Ordinary Council Meeting:

5.03/22 RESOLUTION

THAT Council:

- 1. Renews its membership of the Country Mayors Association for the 2022/2023 membership period and approves the attendance of the Mayor and the General Manager at all Country Mayor Association meetings held during the 2022/2023 Financial Year.**

2. Reviews its continued membership of the Country Mayors Association as part of the deliberations on the Draft Operational Plan and Budget for the 2023/2024 Financial Year.

CARRIED

(b) Discussion

The objective of the CMA is to further the interests of the country councils by being an advocate on state-wide issues and to act as an information sharing forum.

The CMA meets in Sydney quarterly basis.

High calibre guest speakers such as Ministers and senior bureaucrats are invited to attend each meeting, which allows members to be kept informed on the current issues facing Local Government and provides members with the opportunity to make informal contact and to make appointments with Ministers or senior staff.

Attending these meetings also provides the opportunities for Country Mayors to network with other Country Mayors. Most country councils also send their General Managers to the meetings. If Council resolves to remain a member, it would be appropriate for the Mayor and the General Manager to attend these quarterly meetings.

(c) Options

Option 1

THAT Council:

1. Renews its membership of the Country Mayors Association for the 2023/2024 membership period and approves the attendance of the Mayor and the General Manager at all Country Mayor Association meetings held during the 2023/2024 Financial Year.
2. Reviews its continued membership of the Country Mayors Association as part of the deliberations on the Draft Operational Plan and Budget for the 2024/2025 Financial Year

THIS IS THE RECOMMENDED OPTION.

Option 2

That Council does not renew its membership of the Country Mayors Association for the 2023/2024 membership period.

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

The annual Membership fee of the CMA is currently \$562.50 for those councils with a population of less than 10,000. Glen Innes Severn's current population is approximately 8,931.

In addition to the membership fee of \$562.50 per annum, it is estimated that approximately \$8,000 would be required to cover the costs of airfares, accommodation, meals and other incidental expenses such as taxi fares to and from the airport for the Mayor and the General Manager to attend the four (4) meetings of the CMA that are proposed to be held during the 2023/2024 Financial Year.

The expenses are broken up as follows:

Expense	Cost per Meeting (Per Person)	Annual Cost of Attending Four Meetings (Per Person)
Flights	\$450 (return)	\$1,800
Accommodation	\$350 (one night)	\$1,400
Taxi, Meals etc.	\$200	\$ 800
TOTAL	<u>\$1,000</u>	<u>\$4,000</u>

This report relates to meetings of the Country Mayors Association which will be held during the 2023/2024 Financial Year. If Council resolves to renew its membership and approve for the Mayor and the General Manager to attend the quarterly meetings, sufficient funds for travelling expenses will need to be included in the Operational Plan and Budget for the 2023/2024 Financial Year.

(b) Governance/Policy

The payment of expenses for the Mayor to attend the CMA Meetings will be in accordance with Council's "Payment of Expenses and Provision of Facilities to the Mayor and Councillors Policy", and the payment of expenses for the General Manager will be in accordance with Council's Human Resources Policy Statement Register.

(c) Legislative/Statutory

Nil.

(d) Risk

Nil.

(e) Social

Nil.

(f) Environmental

Nil.

(g) Economic

Nil.

(h) Asset Management

Nil.

CONSULTATION

(a) External

Nil.

(b) Internal

The Mayor and the General Manager were consulted during the preparation of this report.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN

This report has no relevance to the Integrated Planning and Reporting Framework, however, some of the policy matters discussed may influence Council's future strategic planning.

CONCLUSION

CMA Meetings are held in Sydney on a quarterly basis.

The continued membership to this Association and subsequent attendance of the Mayor and the General Manager at these meetings will allow for networking with other Country Mayors, provide the Mayor and the General Manager with an opportunity to make informal contact with State Ministers and their senior staff, as well as assisting Council to be kept informed on all of the current issues facing Local Government.

ATTACHMENTS

There are no annexures to this report.

REPORT TITLE: 7.3 COMMUNITY SATISFACTION SURVEY REPORT FOR 2023

ECM INDEXES:

Subject Index: **COMMUNITY RELATIONS: Community Engagement**

Customer Index: **Taverner Research Group**

Property Index: **NIL**

AUTHOR: Anna Watt - Director of Corporate and Community Services

PURPOSE

The purpose of this report is to provide Council with the results of the Community Satisfaction Survey, which was completed in May 2023 (**Annexure A**). The survey measured the community's satisfaction and priorities regarding Council-managed facilities and services.

This report also provides a comparison of similar surveys completed in June 2020.

RECOMMENDATION

THAT:

- 1. Council notes the findings in the 2023 Community Satisfaction Survey Report produced by Taverner Research Group.***
- 2. A further report be brought to Council regarding the identified priority areas of low satisfaction.***

REPORT

(a) Background

Council has commissioned community satisfaction surveys in 2016, 2018 and 2020, with the first two surveys being conducted by Jetty Research (now Taverner Research Group) and the 2020 survey conducted by Micromex Research.

Each survey aimed to gauge community satisfaction with Council services and facilities and determine community priorities in terms of the delivery of such services. Community feedback was sought on a range of issues including frontline service levels, perception of Council priorities, and aspects of the community and region most valued by respondents.

Data from the 2020 survey assisted in developing the current 2022-2025 Delivery Program, from which the annual Operational Plan and Budget is created.

(b) Discussion

The results from the 2023 survey are attached as Annexure A with the full survey included as Appendix 1 in the report (pages 45 to 52 of the annexure). Major findings and comparisons with the 2020 survey results are provided in the commentary section of the report.

Based on the number of households within the Glen Innes Severn **Local Government Area (LGA)**, a random sample of 392 adult residents implies a margin for error of +/- 4.8% at the 95% confidence level

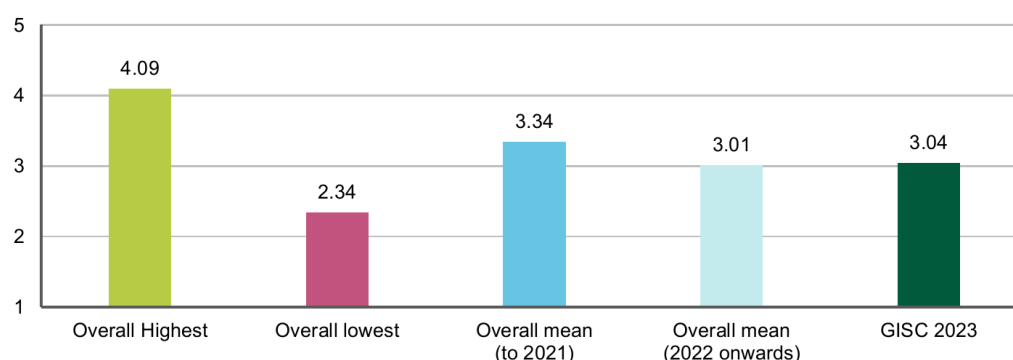
This essentially means that if a similar poll was conducted 20 times, results should reflect the views and behaviour of the overall survey population – in this case “all Glen Innes Severn LGA adult residents excluding Council employees and Councillors” to within a +/- 4.8% margin in 19 of those 20 surveys.

For further information on survey methodology refer to page eight of Annexure A and for more detailed information on the demographic breakdown of survey respondents, refer to Appendix 2 of Annexure A (pages 53 to 54).

The net overall satisfaction rating for the 2023 survey was down compared with the previous survey, with an overall mean score of 3.04 (scored +7 compared to +19 in 2020).

The main factor in the decline in overall satisfaction appears to be due to the significant fall in satisfaction with sealed roads (82% dissatisfied falling to 1.69 in 2023 compared to 2.33 in 2020); however, lower satisfaction ratings were common amongst all NSW regional councils surveyed since the start of 2022, as reflected in Figure 3.

Figure 3: Benchmarking of regional Councils to 2021 vs. 2022 & 2023



Other major findings from the 2023 survey are:

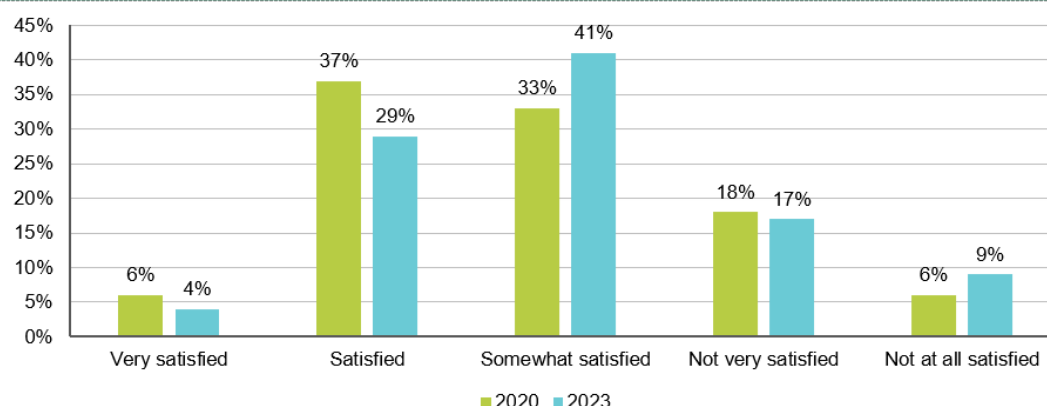
- Seventeen out of 36 services and facilities (47%) were below a neutral mean score of 3.0 in 2023;
- The five services and facilities with the strongest relationship to Glen Innes Severn Council's 2023 overall performance (correlation coefficients) were:
 - Consultation with the community (0.575);
 - Financial management (0.539);
 - Council provision of information (0.534);
 - Long term economic planning for the future (0.482); and
 - Condition / maintenance of sealed roads (0.462).
- Council was above the regional NSW benchmark averages for:
 - Tourism;
 - Events and festivals;
 - Protecting the natural environment;
 - Public toilets; and
 - Protecting heritage values and buildings.
- Eleven out of 25 quality of life statements (44%) had mean scores significantly lower in 2023 compared to 2020. Affordable housing and cost of living pressures appeared to be two major factors in this decline.

The 2023 mean score of 3.04 for Satisfaction with Performance of Council (Figure 1) was significantly lower than 2020 (3.34).

Figure 1 Satisfaction with Performance of Council

Q6. Overall, for the last 12 months, how satisfied are you with the performance of Council, not just on one or two issues, but across all responsibility areas?

Base: All respondents 2020/2023



The following are the survey findings (quadrant analysis) for priorities identified:

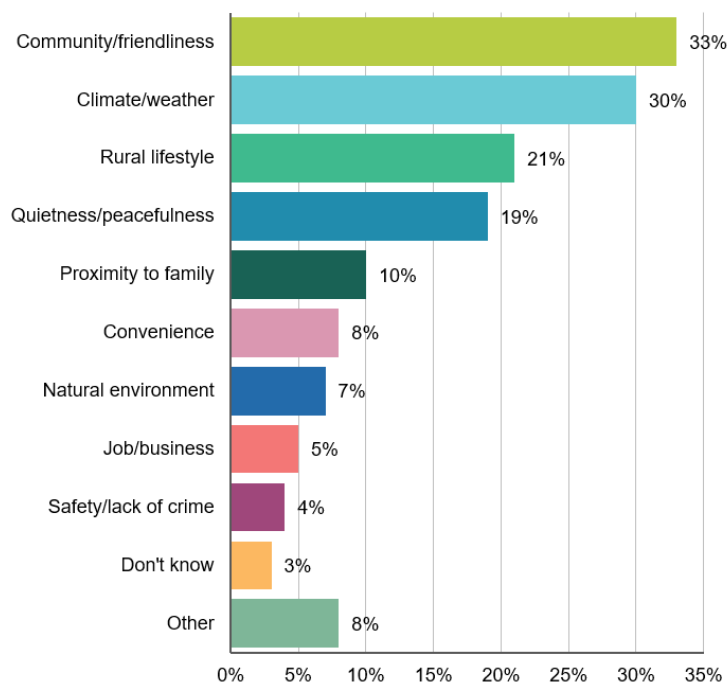
- Council provision of information (low satisfaction plus high importance);
- Environmental protection and enforcement (building site inspections, rubbish dumping, etc);
- Environmental and sustainability initiatives;
- Enhancing town/village centres;
- Condition/maintenance of bridges;
- Consultation with the community (lowest satisfaction plus high importance);
- Facilities and services for youth;
- Footpaths;
- Supporting local business and jobs;
- Long term economic planning for the future;
- Financial management (second lowest satisfaction plus high importance);
- Attracting new businesses to the area;
- Condition/maintenance of unsealed roads; and
- Condition/maintenance of sealed roads.

Details of what respondents valued most about the Glen Innes Severn region are set out in Figure 19 below, with community/friendliness rating highest (33%), followed by the climate/weather (30%).

Figure 19 Value most about Glen Innes Severn region

Q1. What do you value most about living in the Glen Innes Severn region?

Base: All respondents 2023 (n=392)

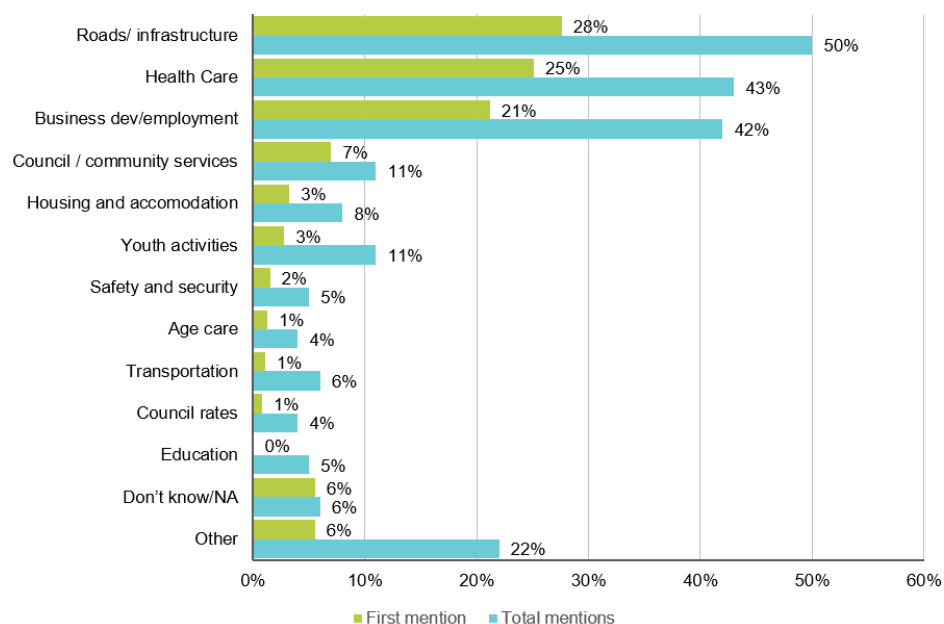


The top three priority issues for the next 10 years were roads/infrastructure, health care and business development/employment, with these three issues mentioned first by around a quarter of respondents. Refer to Figure 20 for details of all responses.

Figure 20 Highest Priority Issues

Q2. Thinking of the next 10 years, what do you believe will be the highest priority issues within the Glen Innes Severn area?

Base: All respondents 2023 (n=392)

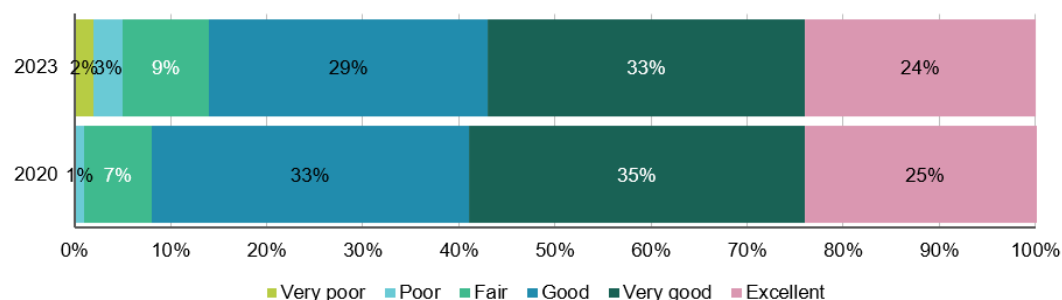


The results for quality of life rating were quite stable from 2020 to 2023 (mostly good, very good or excellent) (refer Figure 21).

Figure 21 Quality of Life

Q3. Overall, how would you rate the quality of life you have living in the Glen Innes Severn area?

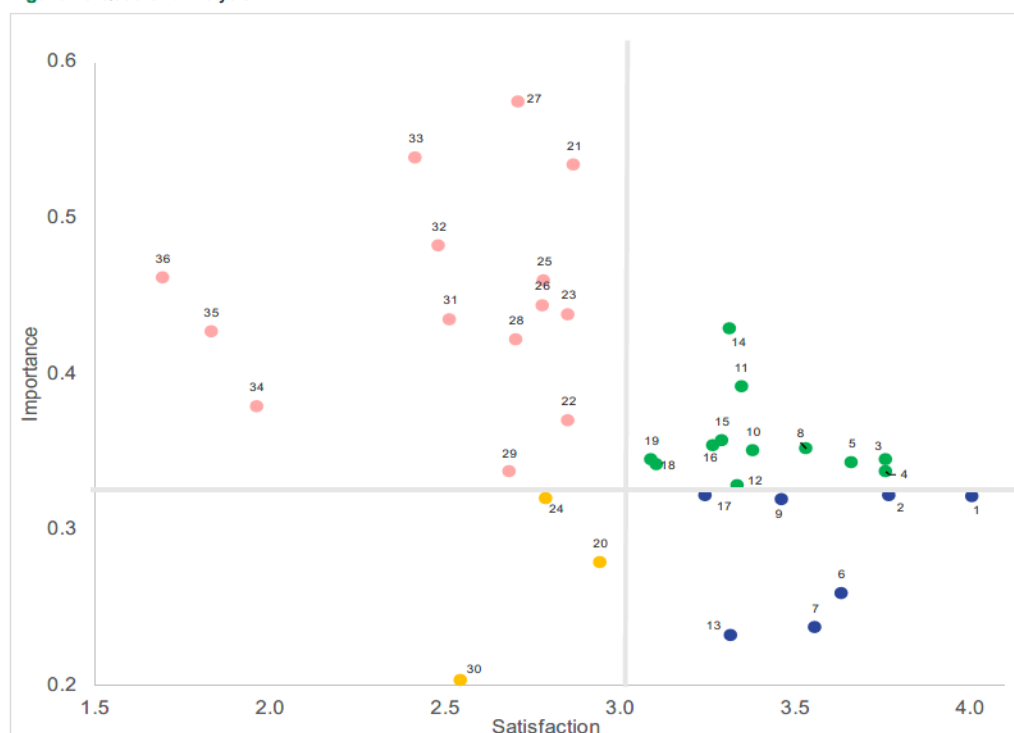
Base: All respondents 2020 (n=402) and 2023 (n=392)



The survey report also provides a deeper analysis of the relationship between satisfaction and the importance of services and facilities to respondents. This is done via a quadrant analysis, where mean satisfaction scores are plotted against importance for each Council service, depicted in Figure 18 below. The full methodology is explained in the report on page 28.

Essentially, the quadrant analysis provides Council with a quick way of determining where best to place its priorities and resources, with the highest priorities placed in the upper left quadrant (high importance but low satisfaction). Again, the full definitions are provided in the report on pages 28 and 29. The quadrant analysis can be used to determine and prioritise any actions arising out of the survey.

Figure 18 Quadrant Analysis



It is important to note when looking at the results that in the past three and a half years the Glen Innes Community has been dealing with several major events, including drought, fires, a global pandemic, multiple flood disaster events and increasing costs of living. Residents may have responded more positively in the survey had these events not occurred.

James Parker, National Research Director of Taverner Research Group, will be present at Council's Ordinary Council Meeting on 25 May 2023 to provide a presentation of the survey results to Council.

(c) Options

Nil.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

The 2023 Community Satisfaction Survey was completed at a cost of \$27,500 (excluding GST). An amount of \$25,000 (excluding GST) was budgeted for in the 2022/2023 Operational Plan and Budget.

(b) Governance/Policy

A **Request for Quotation (RFQ)** process was conducted in accordance with the Procurement Policy.

(c) Legislative/Statutory

Nil.

(d) Risk

There are no risks associated with this report as the survey results are statistically valid results to provide Council with information on trends and to benchmark Council's performance.

(e) Social

The survey provides a means to gather feedback from the community. The results have highlighted areas for improvement and will assist Council when developing plans and budgets.

(f) Environmental

Nil.

(g) Economic

Nil.

(h) Asset Management

Nil.

CONSULTATION

(a) External

Taverner Research Group.

(b) Internal

The Management Executive Team (MANEX).

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN

This report links to the Community Strategic Plan (CSP) action STC 5.5 Enhance an ethos of customer service "To enhance a customer service ethos across all of Council's internal and external service functions, by establishing a range of customer satisfaction measures, to be used for service improvement and performance assessment methodology".

CONCLUSION

Council has commissioned Taverner Research Group to conduct a survey of 392 randomly selected residents living within the LGA. The survey was concluded in May 2023 and the resulting report is attached as Annexure A. A presentation of the results will also be made at Council's May 2023 Ordinary Meeting.

It is appropriate that a further report be brought back to Council outlining possible actions which could be taken regarding the priorities for Council outlined on page 29 of the survey report.

ATTACHMENTS

Annexure A Community Satisfaction Survey 2023

REPORT TITLE: 7.4 DRAFT STRATEGIC INTERNAL AUDIT PLAN

ECM INDEXES:

Subject Index: **RISK MANAGEMENT: Internal Audit**

Customer Index: **NIL**

Property Index: **NIL**

AUTHOR: Anna Watt - Director of Corporate and Community Services

PURPOSE

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

RECOMMENDATION

That Council adopts the revised Internal Audits to be undertaken from 1 January 2023 until 30 June 2025 as part of the Strategic Internal Audit Work Plan.

REPORT

(a) Background

The Office of Local Government Draft Guidelines for Risk Management and Internal Audit for local councils in NSW advises the Internal Audit function to be guided by a strategic four-year workplan developed by the ARIC.

A report was submitted by Council's Shared Internal Auditor to Council's Management Executive Team (MANEX) on Tuesday, 13 December 2022 where MANEX resolved the following:

THAT MANEX:

- 1. Recommends the Internal Audits to be undertaken from 1 January 2023 until 30 June 2025; and*
- 2. Authorises the Audit to be included in the Strategic Internal Audit Work Plan and presented to the Audit, Risk and Improvement Committee for approval.*

The Plan was presented to the **Audit, Risk and Improvement Committee (ARIC)** on Friday, 10 March 2023 where the following was resolved:

That the Audit, Risk and Improvement Committee approves the Internal Audits to be undertaken from 1 January 2023 until 30 June 2025 as part of the Strategic Internal Audit Work Plan.

The Plan has been reviewed by Council's MANEX and ARIC and is now recommended for Council's review and adoption.

(b) Discussion

The Plan must ensure that all matters listed in section 428A(2) of the **Local Government Act 1993 (NSW) (the Act)** are reviewed by the ARIC and Internal Audit over each Council term.

The Draft Guidelines for Risk Management and Internal Audit for Local Government in NSW states the following:

“The Plan must be developed by the ARIC in consultation with the governing body, general manager, the head of the internal audit function and senior managers (where appropriate) and adopted by the governing body of the council at the start of the Council term”.

As the Council election will be held in September 2024, the Plan will run through to 30 June 2025, and a new Plan will be developed with the new Council for commencement in July 2025.

There should be sufficient flexibility in the Plan to accommodate the need for additional audits on emerging risks and the Workplan will be reviewed annually to ensure that scheduled audits for the coming year reflect the needs of the Council.

There are 10 potential audits to be undertaken between now and 30 June 2025 and the Plan contains a list of audits. The recommended audits are included, with the audits recommended by the ARIC, for approval.

(c) Options

Nil.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

Internal Audit costs are covered under the Internal Audit shared arrangement with Tamworth Regional Council. The Internal Audit Agreement with Tamworth Regional Council totals \$43,312 (inc. GST) for the period 1 October 2022 until 30 September 2023.

(b) Governance/Policy

The Office of Local Government has issued the *Draft Guidelines on Risk Management and Internal Audit for local councils in NSW* with the final Guidelines to be released imminently.

(c) Legislative/Statutory

Council is required to comply with section 428A of the *Local Government Act 1993* and the *Local Government (General) Regulations 2021* (NSW) and Guidelines developed therefrom by the OLG Commissioner.

s 428A Audit, Risk and Improvement Committee

- (1) *A council must appoint an Audit, Risk and Improvement Committee.*
- (2) *The Committee must keep under review the following aspects of the council's operations—*
 - (a) *compliance,*
 - (b) *risk management,*
 - (c) *fraud control,*
 - (d) *financial management,*
 - (e) *governance,*
 - (f) *implementation of the strategic plan, delivery program and strategies,*
 - (g) *service reviews,*
 - (h) *collection of performance measurement data by the council,*
 - (i) *any other matters prescribed by the regulations.*
- (3) *The Committee is also to provide information to the council for the purpose of improving the council's performance of its functions.*

(d) Risk

Internal Audit provides independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. It helps an organisation accomplish its objective by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

There is a risk that the benefits of the prescribed internal audit function and the prescribed ARIC do not obtain for Council benefits greater to or equal than the cost incurred by Council. This can be mitigated by conducting cost benefit analysis and adjusting resourcing accordingly.

(e) Social

Internal Audit provides another level of assurance to the community that Council is proactive in ensuring that its internal controls and policies are being followed by staff via this process.

(f) Environmental

Nil.

(g) Economic

Nil.

(h) Asset Management

Nil.

CONSULTATION

(a) External

Nil.

(b) Internal

MANEX, the ARIC 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 5.3.7: 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 Plan has been created and includes suggested audits to be undertaken between now and 30 June 2025. MANEX have reviewed the Plan in December 2022 and the ARIC have approved the Plan at its meeting in March 2023.

The Plan is now presented to Council for its review and adoption.

ATTACHMENTS

Annexure A Draft Strategic Internal Audit Work Plan

REPORT TITLE: 7.5 ANNUAL DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS

ECM INDEXES:

Subject Index: **GOVERNANCE: Disclosures by Councillors and Designated Persons Return Register Pecuniary Interest**

Customer Index: **NIL**

Property Index: **NIL**

AUTHORS: **Dennis McIntyre - Manager of Governance, Risk and Corporate Planning**
Simone Murray - Governance Administration Officer

PURPOSE

The purpose of this report is to:

- Ensure that all Councillors, Senior Staff and “Designated Persons” complete a Disclosure of Interests Return for the 2022/2023 Financial Year;
- Formally identify those members of committees of Council who exercise Council’s functions (such as regulatory or contractual functions), and delegates of Council to be declared “Designated Persons” as defined in part 4.8 of the Code of Conduct for Council Committee Members, Delegates of Council and Council Advisors, for the 2022/2023 Financial Year; and
- Formally identify those staff positions within the current Organisational Structure to be declared “Designated Persons” as defined in part 4.8 of the Code of Conduct for Council Staff, for the 2022/2023 Financial Year.

RECOMMENDATION

THAT Council:

- 1. Notes that all Councillors and Senior Staff are required to complete a Disclosure of Interests Return for the Financial Year 1 July 2022 until 30 June 2023 and lodge it with the General Manager by 30 September 2023.***
- 2. Resolves that the staff and delegates who occupy the positions below be formally declared Designated Persons by Council in accordance with the Code of Conduct for Council Staff and be required to lodge a Disclosure of Interests Return for the Financial Year 1 July 2022 to 30 June 2023 with the General Manager by 30 September 2023:***
 - ***Determined by the Local Government Act, 1993:***
 - ***General Manager***

- ***Deemed to exercise designated persons function:***
 - ***Director of Corporate and Community Services***
 - ***Manager of Administration and Human Resources***
 - ***Manager of Community Services***
 - ***Manager of Library/Learning Centre***
 - ***Chief Financial Officer***
 - ***Management Accountant***
 - ***Financial Accountant***
 - ***Purchasing and Supply Officer***
 - ***Manager of Governance, Risk and Corporate Planning***
 - ***Internal Auditor***
 - ***Director of Place and Growth***
 - ***Manager of Economic Development***
 - ***Manager of Recreation and Open Spaces***
 - ***Manager of Saleyards***
 - ***Manager of Regulatory and Planning Services***
 - ***Building and Environmental Health Officer***
 - ***Town Planner***
 - ***Director of Infrastructure Services***
 - ***Manager of Infrastructure Delivery***
 - ***Quarry Manager***
 - ***Manager of Asset Services***
 - ***Manager of Integrated Water Services***
 - ***Works Coordinator***
 - ***Audit, Risk and Improvement Committee Chairperson***
 - ***Audit, Risk and Improvement Committee Independent Members***

REPORT

(a) Background

The Model Code of Conduct sets the minimum standards of conduct for Council officials. It is prescribed by regulation to assist Council officials to:

- Understand and comply with the standards of conduct that are expected of them;
- Enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439 of the ***Local Government Act 1993 (The Act)***); and
- Act in a way that enhances public confidence in Local Government.

Provisions to complete Disclosure of Interests Returns by Councillors are made in Council's Code of Conduct for Councillors and provisions for 'Designated Persons' to complete Disclosure of Interests Returns are made in Council's Code of Conduct for Council Staff, and Code of Conduct for Committees of Council, Council Delegates and Council Advisors.

Further, definitions for what is a designated person are included in the Code of Conduct for Council Staff and the Code of Conduct for Committees of Council, Delegates of Council and Council Advisors.

On 26 September 2019, the **Office of Local Government (OLG)** released a Circular to councils - **Circular No 19-21 / 26 September 2019 / A664471 (the Circular)** providing information on the release of the **Information and Privacy Commission's (IPC) Guideline 1 – Returns of Interests (the Guideline)**.

The Guideline informs councils that Disclosure of Interests Returns are deemed *open access information* under the **Government Information (Public Access) Act 2009 (GIPA Act)** and must be made available on Councils' website unless there is an overriding public interest against disclosure or to do so would impose unreasonable costs on Council. If Council decides that there is an overriding public interest against the disclosure of some of the information contained in a return, consideration should be given to releasing an edited copy of the return (for example redacting the individual's signature and residential address).

Further, the Circular advises that Council should be mindful when identifying a position as a position of a designated person or a committee as a committee whose members are designated persons, that the consequence of this is that Council will be required to publish information contained in those persons' returns of interest on their websites.

(b) Discussion

The Disclosure of Interests Return for the period 1 July 2022 until 30 June 2023 is required to be submitted by designated persons by 30 September 2023. The form in which the disclosure is to be made as determined by the Model Code of Conduct, will be provided to all Councillors and designated persons to enable their completion in due time. Once completed the returns are to be lodged with the General Manager and the returns will be tabled at the October 2023 Ordinary Meeting of Council and then displayed on Council's website.

If any Councillor or designated person has reason for any information within the disclosure to be redacted, then this must be requested in writing to the General Manager prior to 10 October 2023.

(c) Options

Nil.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

Nil.

(b) Governance/Policy**The Code of Conduct for Council Staff**

Clause 4.8 defines “designated persons” as:

- *The general manager;*
- *Other senior staff of council;*
- *A person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions under this or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person’s duty as a member of staff or delegate and the person’s private interest; and*
- *A person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are delegated persons because the functions of the committee involve the exercise of the council’s functions under this or any other Act (such as regulatory functions or contractual function) that, in their exercise could give rise to a conflict between the member’s duty as a member of the committee and the member’s private interest.*

Clause 4.18 states that:

A designated person must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the designated person’s interests as specified in schedule 1 to this code within 3 months after:

- (a) becoming a designated person, and*
- (b) 30 June of each year, and*
- (c) the designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).*

Exceptions are detailed at clause 4.19.

The Code of Conduct for Councillors

Clause 4.9 states that a Councillor:

- *must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the councillor’s interests as specified in schedule 1 to this code within 3 months after:*
 - (a) becoming a councillor, and*
 - (b) 30 June of each year, and*
 - (c) the councillor becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).*

The Code of Conduct for Council Committee members, Delegates of Council and Council Advisers

Clause 4.8 defines a designated person as:

- *a person who is a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a delegate and the person's private interest; and*
- *a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.*

Clause 4.15 states that:

A designated person must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the designated person's interests as specified in schedule 1 to this code within 3 months after:

- (a) becoming a designated person, and*
- (b) 30 June of each year, and*
- (c) the designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).*

Exceptions are detailed at clause 4.16.

(c) Legislative/Statutory

Disclosure of information contained in the returns of the interests of Councillors and Designated Persons is an important public accountability measure. Open access information should be treated as a special class of information when determining information access. Accordingly, the threshold to displace Parliament's intent that it is open access is set at a high level.

The requirement in clause 1(2)(a) of Schedule 1 of the GIPA Regulation that returns of Councillors and Designated Persons be released as part of local councils' open access information should be interpreted as follows:

- The returns should be made publicly available on the Council's website unless there is an overriding public interest against release or to do so would impose unreasonable additional costs on Council;
- The fact that a return of interests is open access information is a factor in favour of disclosure in balancing the public interest;

- In the circumstances where Council decides that there is an overriding public interest against disclosure, consideration should then be given to whether it is practicable to release an edited copy of the record (for example redacting the individual's signature or residential address) in accordance with section 6(4) of the GIPA Act;
- If it is practicable to do so, then the information should be deleted from a copy of the record and the remainder of the return made available on Council's website;
- Where information is deleted from a return, Council should keep a record indicating, in general terms, the nature of the information redacted; and
- Copies of publicly available information about returns may be made in accordance with clause 5(1)(b) of the GIPA Regulation.

Releasing the information contained in the returns of Councillors and Designated Persons in this manner facilitates the legitimate public interest in having access to the information, while respecting other considerations against disclosure including privacy.

Further, any breach of the Pecuniary Interest sections of the Code of Conduct must be reported to the Office of Local Government as per the Procedures for the Administration of the Code of Conduct.

(d) Risk

Non-compliance with Council's Code of Conduct and the GIPA Act are significant risks that this report aims to mitigate.

(e) Social

The requirements to lodge disclosure of interests returns and the mandatory proactive release of such information gives confidence to the community that the Councillors, General Manager, Senior staff and identified Designated Persons are being transparent regarding their interests and any potential conflicts that may arise thereof. This process acts to improve transparency and accountability in Local Government.

(f) Environmental

Nil.

(g) Economic

Nil.

(h) Asset Management

Nil.

CONSULTATION

(a) External

Nil.

(b) Internal

The Management Executive Team (MANEX) were provided the opportunity to review the list of Designated Persons.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN

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

Councillors, Senior Staff and 'Designated Persons' are to lodge (with the General Manager) Disclosure of Interests returns prior to 30 September 2023. Once completed, the returns will be tabled at the Ordinary Council Meeting to be held on Thursday, 26 October 2023 and they will be displayed on Council's website.

ATTACHMENTS

There are no annexures to this report.

REPORT TITLE: 7.6 REVIEW OF THE PROCUREMENT POLICY

ECM INDEXES:

Subject Index: **CORPORATE MANAGEMENT: Policy**

Customer Index: **NIL**

Property Index: **NIL**

AUTHOR: Shageer Mohammed - Chief Financial Officer

PURPOSE

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

RECOMMENDATION

That Council adopts the revised Sustainable Procurement and Contracts Policy.

REPORT

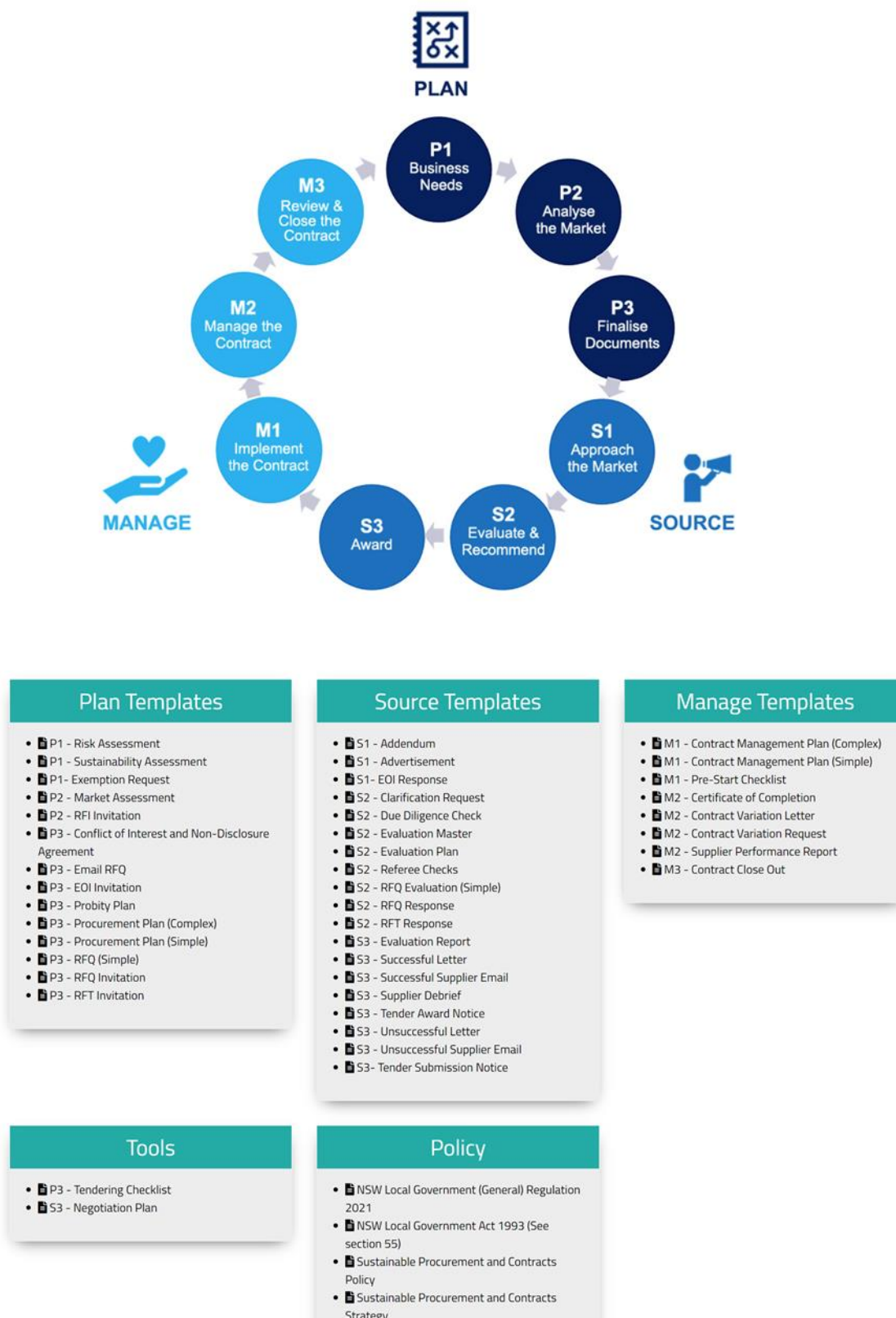
(a) Background

The Sustainable Procurement and Contracts Policy was last adopted by Council on 28 November 2019 and is due for review every three years. The document has been reviewed by Council's **Management Executive Team (MANEX)** and is now recommended for Council's review and adoption.

(b) Discussion

The revised Sustainable Procurement and Contracts Policy has been extensively revised in accordance with the Best Industry Practice Guidelines in conjunction within the Arc Blue Framework under the MyBuy LGNSW Procurement and Contract Management Framework. Therefore, the changes in the revised and renamed Policy are not noted in red, however the current Procurement Policy is attached for reference (**Annexure B**).

The revised policy is part of a framework that covers the following areas, and the Arc Blue portal will have access to online tools to assist in managing the procurement process to the required standards and guidelines:



(c) Options

Nil.

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

The proposed financial controls are specified in the table below:

Contract Spend (including GST)	Requirement	Additional Information
All Spend Thresholds	<p>Review Common Use Arrangements (CUA) and access where possible.</p> <p>Consider any opportunity to incorporate Quadruple Bottom Line (QBL) initiatives.</p> <p>For purchases over \$250,000, a detailed statement as to how value for money is to be achieved must be recorded on the file.</p>	<p>CUA includes Local Government Procurement Contracts, existing internal panel contracts (originally procured under this policy).</p> <p>Local Government Procurement (LGP) has been prescribed under s55 of the <i>Local Government Act 1993</i> (NSW), allowing councils to utilise supply arrangements coordinated by LGP without the need to go to tender in their own right. LGP therefore has the same status as NSW Procurement in having this legislative requirement.</p> <p>A purchase order must be approved and appropriately documented in Council's finance system by a person with appropriate financial delegation prior to acceptance or commitment to purchase.</p>
Up to \$5,000	One quote, preferably written. Credit / Purchase cards to be utilised where possible.	Credit card reconciliation is the process of maintaining receipts, ensuring that the transactions made match the transactions, are complete, correct, and valid. Council officers must reconcile credit cards as directed.
\$5,000 - \$50,000	Three written quotes based on a common specification or documented evidence on how value for money is to be achieved.	<p>It isn't always practical to obtain quotes. If, for any reason the required quotes cannot be obtained, a detailed statement as to how value for money is to be achieved must be recorded on file.</p> <p>A purchase order must be approved and appropriately documented in Council's finance system by a person with appropriate financial delegation prior to acceptance or commitment to purchase.</p>

Contract Spend (including GST)	Requirement	Additional Information
\$50,000 - \$250,000	<p>Either three written quotes or Request for Quote (RFQ) process (both based on a common specification) including a detailed evaluation and award process.</p> <p>Consideration of QBL.</p> <p>An independent panel member (Manager level from another directorate) is to be appointed in the evaluation process.</p>	<p>A purchase order must be approved and appropriately documented in Council's finance system by a person with appropriate financial delegation prior to acceptance or commitment to purchase.</p>
Greater than \$250,000	<p>Public Request for Tender (RFT) including Consideration of QBL.</p>	<p>As per legislative requirements and the Council Framework guidance using the Tenderlink portal.</p> <p>A purchase order must be approved and appropriately documented in Council's finance system by a person with appropriate financial delegation prior to acceptance or commitment to purchase.</p>

(b) Governance/Policy

Once adopted by Council, the revised Sustainable Procurement and Contracts Policy will become policy of Council.

(c) Legislative/Statutory

Relevant Legislation, Regulations and Industry Standards include:

- *NSW Local Government Act 1993 (Division 1 Tendering, Section 55); and*
- *NSW Local Government (General) Regulations 2021 (Part 7 Tendering).*

Relevant Council Policies and Procedures include:

- Codes of Conduct for Council Staff;
- Glen Innes Severn Council Procurement Guidelines;
- Local Business and Industry Policy; and
- Statement of Business Ethics.

(d) Risk

To ensure compliance of the revised Sustainable Procurement and Contracts Policy, the Chief Financial Officer is to ensure that adequate training and communication of this policy is effectively communicated to all relevant stakeholders. The Chief Financial Officer is to ensure that the Financial System is set and aligned as per the limits of authority and approval is work flowed as specified in the spend threshold table.

The Chief Financial Officer must ensure that adequate training sessions and workshops are held to sufficiently educate all relevant stakeholders of the requirements and standards of the adopted Sustainable Procurement and Contracts Policy.

(e) Social

Nil.

(f) Environmental

Nil.

(g) Economic

Nil.

(h) Asset Management

Nil.

(i) Exemptions

The only exemptions that will apply to this policy will be in accordance with Section 55 (sub section 3) of the *Local Government Act 1993* and must be approved by the General Manager.

CONSULTATION

(a) External

MyBuy LGNSW Procurement and Contract Management Framework (Arc Blue).

(b) Internal

MANEX and the Manager of Governance, Risk and Corporate Planning.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN

This report links to Council's Delivery Program Council Sustainability, Transparency and Communication Principal Activity STC 5.4.3: Provide a centralised, standardised and regulated Procurement service across Council to adopted customer service levels, with procurement policies and guidelines in compliance with the Fraud Control Plan.

CONCLUSION

Council's Sustainable Procurement and Contracts Policy has been revised to include changes that have occurred since the current Policy was adopted in November 2019. Changes are major and the revised Policy is now presented to Council for its review and adoption.

ATTACHMENTS

Annexure A	Current Procurement Policy
Annexure B	Draft Procurement Policy

REPORT TITLE: 7.7 CHILD SAFE STANDARDS

ECM INDEXES:

Subject Index: **CORPORATE MANAGEMENT: Policy**

Customer Index: **NIL**

Property Index: **NIL**

AUTHOR: Anthony Williams - Manager of Community Services

PURPOSE

The purpose of this report is to present Council with the draft Glen Innes Severn Council Child Safe Policy (***Annexure A***) for its review and adoption.

RECOMMENDATION

That Council adopts the Glen Innes Severn Council Child Safe Policy.

REPORT

(a) Background

There were several recommendations, reforms and corresponding new pieces of legislation arising from the findings of the National Royal Commission into Institutional Responses to Child Sexual Abuse. The findings were first handed down in 2017.

Essentially, the legislation stipulates that certain organisations, including all NSW councils, are required to implement the 10 Child Safe Standards and become 'Child-Safe' organisations. The draft Glen Innes Severn Council Child Safe Policy represents the first step in complying with the new legislative framework.

(b) Discussion

A key outcome of the reforms in NSW has been the adoption of the 10 Child Safe Standards and subsequent legislation. *The Children's Guardian Amendment (Child Safe Scheme) Bill 2021* passed through Parliament on 10 November 2021. This legislation mandates that councils encompass the Child Safe Standards within their everyday operations and governance.

As leaders and providers of spaces and services which children and young people have access to in the community, councils throughout NSW have a responsibility to ensure they are Child Safe Institutions. The Child Safe Standards apply to all Council functional areas and not just those which may appear obvious, such as the Aquatic Centre, Library and Learning Centre and Community Services team.

Section 3 of the *Children and Young Persons (Care and Protection) Act 1988* (NSW) defines a child as a person who is under the age of 16 years and a young person as a person who is aged 16 years or above but who is under the age of 18 years.

With consideration to the above definition of a child and young person, it is incumbent on Council to consider that all areas of its business operations are required to meet the Child Safe Standards and have relevant Child Safe practices, education, and training in place. Consultation regarding the standards with children, young people and their families is also an essential part of the process.

The **Office of the Children's Guardian (OCG)** has been given new compliance powers under the *Children's Guardian Act 2019*, which allow the OCG to take action to ensure organisations comply with the Child Safe Standards. The new powers came into effect on 1 February 2023.

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

(c) Options

Nil.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

The legislation mandates that Council be a Child Safe Organisation; however, there is no funding to assist in achieving this. There will be some direct and indirect costs associated with compliance, such as staff time and wages, training costs, and other expenses; however, these should not be substantial.

(b) Governance/Policy

Once adopted by Council, Glen Innes Severn Council Child Safe Policy will become a policy of Council.

(c) Legislative/Statutory

- *Children and Young Persons (Care and Protection) Act 1988* (NSW);
- *Children's Guardian Act 2019*; and
- *Children's Guardian Amendment (Child Safe Scheme) Bill 2021*.

(d) Risk

Councils which do not take reasonable steps to prevent child abuse of children in their care, may be held liable in a negligence action.

(e) Social

Council is a leading organisation within the community and can demonstrate leadership in Child Safe practices that will encourage and assist other businesses, organisations, and groups to review and improve their own Child Safe practices.

(f) Environmental

Nil.

(g) Economic

Nil.

(h) Asset Management

Nil.

CONSULTATION

(a) External

Local Government NSW and the OCG.

(b) Internal

- MANEX;
- Manager of Library and Learning Centre;
- Manager of Recreation and Open Spaces; and
- Manager of Governance, Risk and Corporate Planning.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN

This report does not directly link to Council's current Delivery Program / Operational Plan.

CONCLUSION

The Glen Innes Severn Council Child Safe Policy is a 'starting point' for Council's compliance with the Child Safe Standards. Moving forwards, the Glen Innes Severn Council Child Safe Policy and each of the 10 Child Safe Standards will need be supported by organisational governance that provides a framework of education, training, procedures, and processes for staff, in relation to child safety.

The draft Glen Innes Severn Council Child Safe Policy is now presented to Council for its review and adoption.

ATTACHMENTS

Annexure A Draft Glen Innes Severn Council Child Safe Policy

REPORT TITLE: 7.8 ABORIGINAL CONSULTATIVE COMMITTEE - ELECTION OF COMMITTEE

ECM INDEXES:

Subject Index: **GOVERNANCE: Committees of Council**

Customer Index: **Aboriginal Consultative Committee**

Property Index: **NIL**

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

PURPOSE

The purpose of this report is for Council to consider endorsing recommendations made at the Aboriginal Consultative Committee meeting held on Monday, 27 February 2023, and a subsequent meeting held on Monday, 17 April 2023.

RECOMMENDATION

THAT Council:

- 1. Endorses the following six community representatives as the elected Aboriginal Consultative Committee:***
 - Jacqueline Byrne - Boorabee Aboriginal Corporation;***
 - Rosemary Curtis - Elder and Pathfinders representative;***
 - Debbie McCowen (alternative Belinda Tully) – Armajun Health Services representative;***
 - Julia Morgillo - Community representative;***
 - Teniah Villiers - Community representative; and***
 - Philip Winzer - Local Aboriginal Lands Council.***
- 2. Endorses Adele Chapman-Burgess to be an additional community representative on the Aboriginal Consultative Committee, on the condition that the Aboriginal Consultative Committee formally accepts her nomination at its next meeting.***

REPORT

(a) Background

The Aboriginal Consultative Committee includes representation from Aboriginal community members. The Committee is required to consider matters and make recommendations to Council.

The **Annual General Meeting (AGM)** of the Aboriginal Consultative Committee was held on Monday, 27 February 2023. Five nominations were received for membership of the committee; however, under the Aboriginal Consultative Committee's Constitution (**Annexure B**) two of these nominations were not valid for membership. Further information is provided in the discussion section below.

At a committee meeting held on Monday, 17 April 2023, an additional three representative nominations were received and accepted (**Annexure C**).

The representatives who nominated for the Aboriginal 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 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 Aboriginal Consultative Committee (**Annexure A**) include the following recommendations for membership, for consideration by Council.

The following five people submitted nominations:

- Rosemary Curtis – Elder and Pathfinders representative;
- Debbie McCowen (alternative Belinda Tully) – Armajun Health Services representative;
- James Parsons – Glen Innes Police representative;
- Kerry Strong – Healthwise representative; and
- Philip Winzer - Local Aboriginal Lands Council.

Of the five nominations, the nominations from Rosemary Curtis, Debbie McCowen and Philip Winzer are recommended for endorsement. The nominations from Inspector James Parsons and Kerry Strong are not recommended for endorsement as the Constitution states representatives from the Glen Innes Police and Healthwise will not act as formal delegates of the Committee, meaning they cannot vote.

It should be noted that Section 2.1.2 Committee Membership in the Manual states *“Committee membership will not number less than four unless approved by Council”*. Furthermore, following the AGM, nominations had not been received for the following positions listed in the Aboriginal Consultative Committee’s Constitution:

- One executive member from Glen Innes Local Aboriginal Lands Council;
- One member from Cooramah Aboriginal Corporation;
- One member for Boorabee Aboriginal Corporation;
- Three other Aboriginal Community representatives; and
- Two youth representatives.

Letters were sent on Thursday, 13 April 2023 to the organisations that did not have nominated representatives, to encourage participation at these meetings.

At the next meeting of the Committee held on Monday, 17 April 2023, an additional three nominations for membership were put forward for endorsement by Council, from:

- Jacqueline Byrne – Boorabee Aboriginal Corporation;
- Julia Morgillo – community representative; and
- Teniah Villiers – community representative.

Additionally, on Friday, 21 April 2023, Council’s Director of Corporate and Community Services received an email from Julia Morgillo advising Wabbii Adele Chapman-Burgess would also like to be a member on this Committee. Unfortunately, Mrs Chapman-Burgess was away during the week in which the April Committee meeting was held and therefore was unable to attend the meeting or submit her nomination.

At the time of writing this report, Mrs Chapman-Burgess has not been formally accepted by the Committee; however, Council’s endorsement is being sought for Mrs Chapman-Burgess to be an additional community representative on the condition the Aboriginal Consultative Committee accepts her nomination at its next Committee meeting. Otherwise, Mrs Chapman-Burgess’ nomination will have to wait until a Council meeting after the next scheduled Committee meeting, likely being July or even August 2023, before being officially endorsed.

With the additional four nominations (three accepted nominations and one late nomination awaiting the Committee's formal acceptance), along with the original three nominations received at the AGM, the total number of representatives being put forward for Council endorsement is seven, which complies with the Manual and Committee Constitution.

In accordance with Council's resolution 15.09/22 dated Friday, 23 September 2022, Council's representatives on this Committee are the Mayor (Councillor Rob Banham), Councillor Carol Sparks, the Director of Corporate and Community Services and the Manager of Community Services.

The Mayor (or Deputy Mayor in the Mayor's absence) performs the function of Chairperson with the secretary role performed by Council administration staff.

(c) Options

Nil.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

As this is an advisory Committee of Council, the Aboriginal Consultative Committee has no financial delegations. Its purpose is to discuss key issues and make recommendations to Council.

(b) Governance/Policy

The AGM has not been conducted in accordance with the Manual due to the additional Constitution for the Committee stating which organisations are to be representatives at these meetings. Therefore, the minimum number of members, being four, have not been filled in accordance with the Manual and the Committee's Constitution.

At the April Committee meeting, three additional nominations were received along with a late nomination received by Council prior to this report being prepared (awaiting formal acceptance by the Committee) to bring the total number of community representatives on this Committee to seven.

All community representatives who nominated for the Aboriginal Consultative Committee are aware of the conditions as outlined in the Manual.

The Aboriginal 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 Aboriginal Consultative 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

Nil.

(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 implications of the report.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN

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 Aboriginal Consultative Committee has duly considered the matters brought before it and the recommendations arising from the AGM and subsequent meeting now require endorsement by Council.

The Aboriginal Consultative Committee has elected five members, however only three are eligible. An additional three nominations were received at the April Committee meeting, which are also being put forward for endorsement for the coming year. A late nomination was received from an interested community member, which is also being put forward for endorsement on the condition the Committee formally accepts the nomination at its next Committee meeting.

The members 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	Aboriginal Consultative Committee - AGM Minutes 27/2/23
Annexure B	Aboriginal Consultative Committee Constitution
Annexure C	Aboriginal Consultative Committee Minutes - 17/4/23

REPORT TITLE: 7.9 COMMUNITY ACCESS COMMITTEE - ELECTION OF COMMITTEE

ECM INDEXES:

Subject Index: **GOVERNANCE: COMMITTEES OF COUNCIL**

Customer Index: **Community Access Committee**

Property Index: **NIL**

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

PURPOSE

The purpose of this report is for Council to consider endorsing recommendations made at the Community Access Committee meeting held on Monday, 1 May 2023.

RECOMMENDATION

THAT Council:

- 1. Endorses the following six community representatives as the elected Community Access Committee:***
 - ***Lyn Cregan;***
 - ***Joan Jones;***
 - ***Leonie Lee;***
 - ***Kerrie Sturtridge;***
 - ***Julie Teal; and***
 - ***David Thomas.***
- 2. Endorses the election of office bearers within the newly elected Community Access Committee as follows:***
 - ***Chairperson - Kerrie Sturtridge; and***
 - ***Vice Chairperson - David Thomas.***

REPORT

(a) Background

The Community Access Committee includes representation from interested community representatives. The Committee is required to consider matters and make recommendations to Council.

The **Annual General Meeting (AGM)** of the Community Access Committee was held on Monday, 1 May 2023. Six nominations were received for membership of the committee. The representatives who nominated for the Community Access 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 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 Community Access Committee (**Annexure A**) include the following recommendations for membership, for consideration by Council:

The following six people submitted nominations, with all being recommended for appointment to the Committee:

- Lyn Cregan;
- Joan Jones;
- Leonie Lee;
- Kerrie Sturtridge;
- Julie Teal; and
- David Thomas.

The election of office bearers was also held, with Kerrie Sturtridge re-elected as Chairperson and David Thomas re-elected as Vice Chairperson. It is to be noted that the secretarial role of this committee is performed by a Council staff member.

In accordance with Council's resolution 15.09/22 dated Friday, 23 September 2022, Council's representatives on this Committee are the Mayor (Councillor Rob Banham) and Councillor Carol Sparks. The Director of Infrastructure Services / or delegate and the Manager of Community Services also attend these meetings as management representatives.

(c) **Options**

Nil.

IMPLICATIONS TO BE ADDRESSED

(a) **Financial**

As this is an advisory Committee of Council, the Community Access Committee has no financial delegations, however, its purpose is to discuss key access issues, consult with users of the **Glen Innes Central Business District (CBD)**, 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 Community Access Committee are aware of the conditions as outlined in the Manual.

The Community Access 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 Community Access 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 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 Community Access Committee provides valuable input towards improving access for community members and visitors around the CBD.

(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

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 Community Access Committee has duly considered the matters brought before it, and the recommendations arising from its AGM now require endorsement from Council. The Committee has elected six members and two office bearers 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 Community Access Committee - AGM Minutes 1/5/23

REPORT TITLE: 7.10 GLEN INNES SALEYARDS ADVISORY COMMITTEE - ELECTION OF COMMITTEE

ECM INDEXES:

Subject Index: **GOVERNANCE: Committees of Council**

Customer Index: **Glen Innes Saleyards Advisory Committee**

Property Index: **NIL**

AUTHORS: **Simone Murray - Governance Administration Officer**
Danielle Mephram - 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 Saleyards Advisory Committee meeting held on Wednesday, 5 April 2023.

RECOMMENDATION

That Council endorses the following six representatives as the newly elected Glen Innes Saleyards Advisory Committee:

- *Shad Bailey - Colin Say and Co Pty Ltd (agent representative);*
- *Tony Corcoran (landholder representative);*
- *Nick Lehman - Stocktrans (transport representative);*
- *Lyle Perkins (landholder representative);*
- *Terry te Velde (alternate Barry Newberry) - Newberry te Velde Cariate Agencies (agent representative); and*
- *Peter Trow (landholder representative).*

REPORT

(a) Background

The Glen Innes Saleyards Advisory Committee includes representation from landholders, transport / carriers and selling agents. The Committee is required to consider matters and make recommendations to Council.

The **Annual General Meeting (AGM)** of the Glen Innes Saleyards Advisory Committee was held on Wednesday, 5 April 2023. Six nominations were received for membership of the Committee. The representatives who nominated for the Glen Innes Saleyards Advisory 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 12 committee positions for the coming year.

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

- Three landholder representatives:
 - Peter Trow;
 - Lyle Perkins; and
 - Tony Corcoran.
- One (1) transport / carrier representative:
 - Nick Lehman (Stocktrans).
- Two representatives from each selling Agents who use the Saleyards:
 - Shad Bailey - Colin Say and Co; and
 - Terry te Velde and Barry Newberry (alternative attending agent representatives) - Newberry te Velde Cariate Agencies.

It is noted there was no Agent representative present from Elders or Nutrien.

The election of office bearers was held with Peter Trow elected to perform the duty of Chairperson for this committee. It is to be noted that the secretarial role of this committee is performed by a Council staff member.

In accordance with Council's resolution 15.09/22 dated Friday, 23 September 2022 Council's representatives on this Committee are the Mayor Councillor Rob Banham and Councillor Tim Alt. The General Manager, Director of Place and Growth and the Saleyards Manager also attend these meetings as management representatives of Council. 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 Glen Innes Saleyards Advisory Committee has no financial delegations, however its purpose is to discuss key issues, consult users of the facility 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 Saleyards Advisory Committee are aware of the conditions as outlined in the Manual.

The Glen Innes Saleyards Advisory Committee does not have any delegated Council powers or responsibilities but provides a forum to provide input into Council policies and strategies as they are formulated and reviewed.

(c) Legislative/Statutory

The Glen Innes Saleyards Advisory 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 Saleyards Advisory Committee provides input into the strategic direction of the Saleyards within the Local Government Area; as well as taking into consideration the requirements of all users including buyers, vendors, agents, suppliers and staff to monitor areas of improvement.

(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

This report links to Council's Delivery Program Economic Development Principal Activity ED 2.6.1: Deliver the Glen Innes Saleyards Services to a break-even or profitable level.

This report links to Council's Delivery Program Economic Development Principal Activity ED 2.6.2: If Item ED 2.6.1 is not being delivered, determine the ongoing viability of and strategy for the Glen Innes Saleyards.

This item links to Council's Delivery Program Community Service Strategy CS 5.1 "Promote partnerships between the community and Council in achieving this objective".

CONCLUSION

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

The Glen Innes Saleyards Advisory Committee has elected six representatives 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 seven nominations for membership.

ATTACHMENTS

Annexure A Glen Innes Saleyards Advisory Committee - AGM Minutes 5/4/23

**REPORT TITLE: 7.11 CAPITAL WORKS PROGRAM PROGRESS REPORT
AS AT 30 APRIL 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 2021/2022 Financial Year (Annexure C):

New Finance System and Implementation

The Rates, Water and Community Receipting modules are still experiencing technical difficulties. The proposal that was put to the Open Office team to commence a focused hyper care plan is in place now, to resolve all major support tickets that are causing hindrance in the expected performance of the Rates and Water modules. The Water Billing and the Rates Differential report are the priority so that Council is ready to process Rates Notices on 1 July 2023 and issue water bills as soon as possible.

Council's external consultant, Laurie Knight, is preparing the opening balances for the Financial Year 2023 to be imported into the new system and the work of Balance Sheet reconciliations can begin including Grants reconciliations.

Yarrow Creek Bridge Renewal

Installation of the pre-cast headstocks and abutment units were completed in April with components and craneage procured through local contractor, Weir Built. Council's internal bridge team has also completed grout pads for the plank bearings, with plank installation scheduled for May.



Image 1: Weir Built installing precast headstocks at Yarrow Creek Bridge

Local Roads and Community Infrastructure (LRCI) Phase 3 Bitumen re-seal program

Council has completed one of its larger bitumen reseal programs in recent years, with 62,000 square metres of rural road reseals and 57,000 square metres of urban re-seals during April. Council was fortunate with warm April weather resulting in compliant pavement temperatures to ensure a quality result.

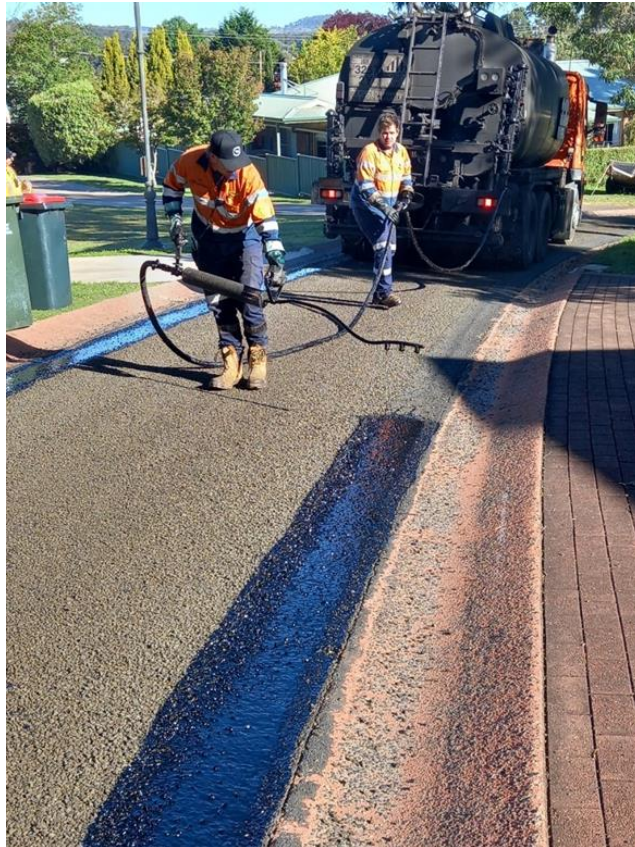


Image 2 – Bitumen reseal of Gaffney Bealach during the urban reseal program

Projects of Significance from the 2022/2023 Financial Year (Annexure E):

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. Further consultation with the Australian Standing Stones Management Board regarding the vision for the new infrastructure has been undertaken.

Glen Innes Outdoor Multi-Purpose Courts (GIOMC)

The GIOMC site has been prepared for the commencement of two new concrete, multi-purpose (basketball / netball) courts, to be installed between the stadium and the new outdoor netball courts. These works are due to commence within six to eight weeks.

Redevelopment of Glen Innes Skate Park

A confidential report was presented to the February 2023 Ordinary Council Meeting regarding the procurement of a contractor for the detailed design and construction of the Skate Park. Council is reviewing the final contract with Convic Pty Ltd for the delivery of the project.

Construction of Centennial Parklands Skywalk

Contractor, Fleetwood Urban, has commenced preliminary works on site installing concrete pier footings for viewing platform three adjacent to the lookout carpark. Works were planned around the Australian Celtic Festival with a site shutdown in place for the week leading up to the festival to minimise disruption caused by construction vehicles through the site preparation area.



Image 3: Construction of Skywalk, Centennial Parklands

New cycleways and shared path construction

Council's concrete team has completed the shared pathway extension on Tregurtha Way at the Australian Standing Stones.



Image 4: Shared pathway construction on Tregurtha Way, Centennial Parklands

(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	\$ 5,960,925	92%
CAPITAL WORKS PROGRAM CARRIED FORWARD FROM 2020/2021	\$ 4,364,065	\$ 4,170,941	\$ 3,051,031	73%
CAPITAL WORKS PROGRAM CARRIED FORWARD FROM 2021/2022	\$ 11,202,214	\$ 15,805,630	\$ 8,710,687	55%
CAPITAL WORKS PROGRAM REVOTES- 2022	\$ 1,298,626	\$ 1,818,626	\$ 504,870	28%
CAPITAL WORKS PROGRAM 2022/2023	\$ 19,534,216	\$ 21,148,477	\$ 3,241,065	15%
CAPITAL WORKS PROGRAM REVOTES- 2023	\$ 943,487	\$ 2,947,014	\$ 633,573	21%
TOTALS	\$ 39,421,862	\$ 52,345,452	\$ 22,102,151	42%

(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 2020-2021 Financial Year
Annexure B	Capital Works Program Revotes 2022
Annexure C	Capital Works Program for the 2021-2022 Financial Year
Annexure D	Capital Works Program for the 2022-2023 Financial Year
Annexure E	Capital Works Program Revotes for the 2022-2023 Financial Year

REPORT TITLE: 7.12 BORROWINGS REPORT AS AT 30 APRIL 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 below, 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 new Finance system from Financial Year 2022 to Financial Year 2023.

(b) Discussion

The tables on the following page detail the interest rate, loan completion date and balance 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	\$ 556,500.00
3	Learning Centre	7.35%	19/06/2009	19/06/2025	\$ 108,486.29
2	GIMC Debt at Amalgamation	6.69%	31/10/2002	1/11/2027	\$ 1,607,468.08
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	\$ -
14	LIRS Loan: Accelerated Road Renewal	3.82%*	6/03/2015	28/05/2025	\$ 231,539.33
15	LIRS Loan: Accelerated Bridge Program	3.82%*	6/03/2015	28/02/2025	\$ 926,157.30
16	Glen Innes and Emmaville Swim Centre: Revitalisation	4.70%	6/03/2015	28/02/2035	\$ 1,060,331.30
Total General Fund Liability					\$ 6,051,433.78

*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	\$ 1,489,300.00
Total Water Supply Fund Liability					\$ 1,489,300.00

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					\$ 8,300,246.32
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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 \$8,300,246.32 as at the end of the reporting month.

(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: 7.13 INVESTMENT REPORT MARCH 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 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 of the total Investment portfolio.

Currently Council has one responsible investment, being one \$1M investment 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 April 2023	\$8,631,863.78
March Movements	-\$149,836.30
Closing Balance 30 April 2023	\$8,482,027.48
Less unprocessed Bank Statement Transactions	\$0.00
Total:	\$8,482,027.48
Balance as per Statement	
	\$8,482,027.48
Less Unpresented Cheques	\$0.00
Plus Unpresented Debits	\$0.00
Less Unpresented Deposits	
Total:	\$8,482,027.48
	
Responsible Accounting Officer	
5 May 2023	

The Summary of Investments set out in the following table details each of Council's investments, where each investment is held, maturity date, interest rate 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/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
A1+/AA-	6/02/2024	4.82%	Westpac Banking Corporation (6)	Yes	1,000,000	44,502.47
A2/BBB	21/02/2024	4.80%	AMP (10)	Yes	700,000	31,022.47
A1+/AA-	24/10/2023	4.36%	Westpac Banking Corporation (1)	Yes	1,000,000	25,562.74
A1/A+	23/05/2023	3.15%	ING (3)	Yes	1,000,000	31,500.00
Expected Average Return 22/23		4.09%	Total Investments		18,000,000.00	732,690.66
Actual Average Return Received YTD		0.87%	Cash on Hand		8,482,027.48	
			Total Cash and Investments		26,482,027.48	

*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:

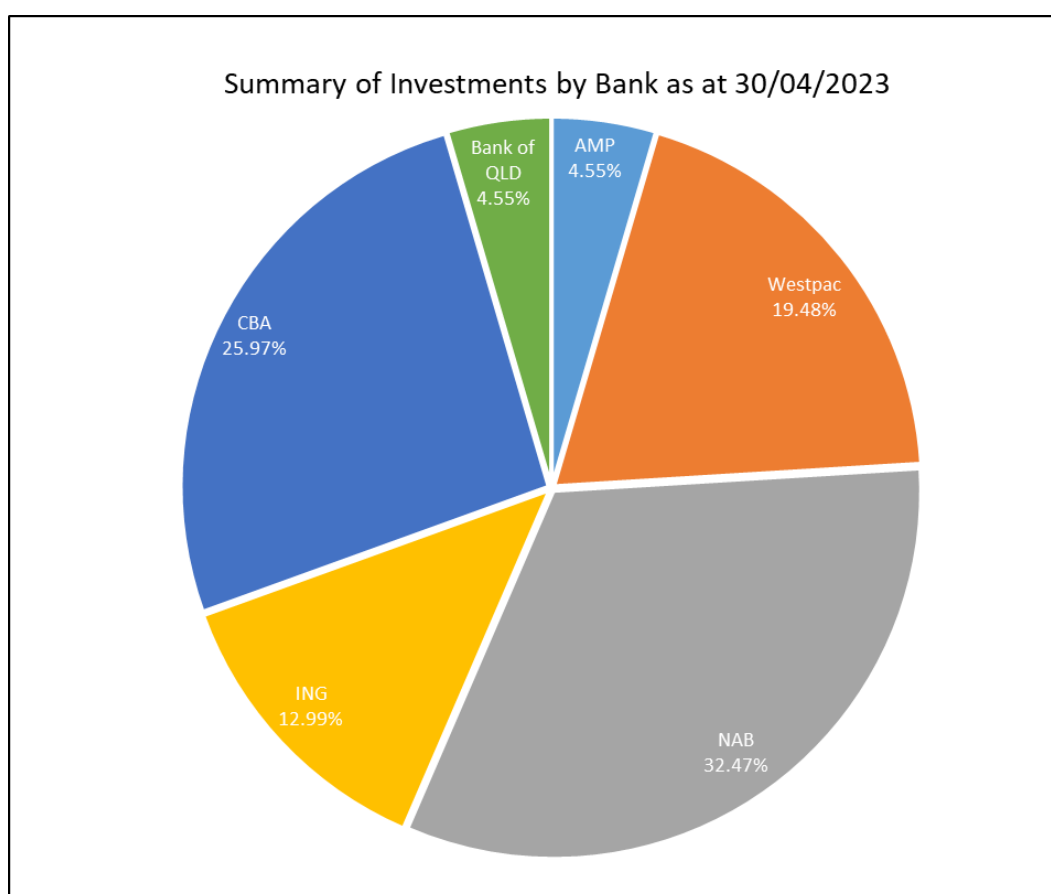
Interest received for year to 30 April 2023	\$204,458.24
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The table below details the monthly movements of investments for the reporting month:

Investment Movements	
Opening Balance as at 1 April 2023	18,000,000
Less:	
Maturities (2)	1,900,000
Subtotal	16,100,000
Plus	
Rollovers (2)	1,900,000
New Investments (0)	-
Current Balance as at 30 April 2023	18,000,000

During the reporting month, there were no redeemed or new investments. There was one maturity with ING Bank that was rolled over.

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 0.65%. The current actual average return for the 2022/2023 Financial Year is 4.19%. This is an increase on the actual average return of 3.54%, 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 2.39%.

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

Investment Balances	This Year	Last Year
Opening Balance 1 April	18,000,000	17,100,000
Closing Balance 30 April	18,000,000	18,000,000

(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;

- 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 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:

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	25.56%	4,600,000	45%	3,500,000
Yes	BBB	7.78%	1,400,000	25%	3,100,000
Yes	Government	0.00%	-	100%	18,000,000
		100.00%	18,000,000		

COUNCILS PORTFOLIO COMPLIANCE

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: 7.14 QUARTERLY BUDGET REVIEW - MARCH 2023

ECM INDEXES:

Subject Index: FINANCIAL MANAGEMENT: Budgeting

Customer Index: NIL

Property Index: NIL

AUTHOR: Shageer Mohammed - Chief Financial Officer

PURPOSE

The purpose of this report is to provide Council with a **Quarterly Budget Review Statement (QBRs)** for the period from 1 July 2022 until 31 March 2023 (**Annexure A**) for its review and adoption.

RECOMMENDATION

That Council notes and adopts the information contained in this report with the estimated annual Operational Deficit (excluding Capital Grants and Contributions) of \$502K being the result of the March 2023 Quarterly Budget Review.

REPORT

(a) Background

Section 203 of the **Local Government (General) Regulation 2021 (the Regulation)** states that:

- (1) Not later than 2 months after the end of each quarter (except the June quarter), the responsible accounting officer of a council must prepare and submit to the council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the statement of the council's revenue policy included in the operational plan for the relevant year, a revised estimate of the income and expenditure for that year.*
- (2) A budget review statement must include or be accompanied by:*
 - (a) a report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the council is satisfactory, having regard to the original estimate of income and expenditure, and*
 - (b) if that position is unsatisfactory, recommendations for remedial action.*

- (3) *A budget review statement must also include any information required by the Code to be included in such a statement.*

The Code referred to above is the **Code of Accounting Practice and Financial Reporting (the Code)**. While earlier versions of the Code had an appendix that listed minimum requirements, these were removed a few years ago as they are of no relevance to the Financial Statements (which is the main purpose of the Code).

In the absence of any instructions in the Code, the QBRS publication issued in 2010 by the then Division of Local Government, NSW Department of Premier and Cabinet, details the minimum requirements and these requirements have been met in the preparation of the QBRS.

The quarterly review should act as a barometer of Council's financial health during the year, and it is also a means by which Councillors can ensure that Council remains on track to meet its objectives, targets and outcomes as set out in its Operational Plan and Budget.

(b) Discussion

The original budget adopted by Council indicated that the Net Operating Surplus at the end of the 2022/2023 Financial Year was expected to be \$19.5K (excluding Capital Grants and Contributions of \$11.2M). This was based on budgeted total operating revenue of \$48.186M and budgeted total operating expenditure of \$36.964M, with \$11.2M expected from Capital Grants and Contributions.

The September Quarterly Budget Review led to an increase to the bottom line from original budget of \$27K, resulting in a projected Net Operating Surplus of \$46K (excluding capital grants and contributions of \$25.7M). The September 2022 Quarterly Budget Review indicated that Council was in a steady position in respect of actual net expenditure when compared to budgeted net expenditure.

The December Quarterly Budget Review led to a decrease to the bottom line from original budget of \$672K, resulting in a projected Net Operating Deficit of \$626K (excluding capital grants and contributions of \$26.0M). The December 2022 Quarterly Budget Review indicated that Council was in a steady position in respect of actual net expenditure when compared to budgeted net expenditure.

The proposed changes outlined in the March 2023 Quarterly Budget Review will lead to a decrease to the bottom line from original budget of \$521K, resulting in a projected Net Operating Deficit of \$502K (excluding capital grants and contributions of \$25.8M).

The March 2023 Quarterly Budget Review does indicate that the Council spend of operational expenses is less than anticipated when compared to the projected total operating expenses, this will be as a result of not yet releasing expenses related to Operational and Capital Grants to the Profit & Loss

Statement due reconciliation not being completed and actual Depreciation not being processed monthly.

The Operating Performance Ratio demonstrates whether Council is making an operating surplus or deficit. The Operating Performance Ratio (excluding Capital income) is defined as:

Total Continuing Operating Revenue (excluding Capital grants and contributions) – Operating Expenses

Total Continuing Operating Revenue

Council originally budgeted for a positive Operating Ratio (surplus) excluding Capital income of 0.05%. The Operating Performance Ratio is expected to be negative because of the current proposed variations and shift to **-0.1%**.

By way of comparison, the Annual Financial Statements reported that this ratio was:

- 1.23% in 2021/2022;
- **-4.81%** in 2020/2021;
- **-1.94%** in 2019/2020;
- 0.72% in 2018/2019;
- 7.75% in 2017/2018; and
- 12.84% in 2016/2017.

The major adjustments recommended for the March 2023 quarterly review recognise:

- 1) An increase in operating result of \$124K for the March 2023 quarter.

An increase in revenue of \$302K for Administration, an increase in revenue for Mining Manufacturing & Construction of \$366K and an increase in revenue for Economic Affairs of \$377K. This has been a result of previous Quarterly Budget Review variations not being flowed through, reported, and taken into account at the September 2022 and December 2022 reviews.

Further details of income and expenditure adjustments are included in Annexure A.

- 2) Major additional expenditure changes included are the increase for Mining Manufacturing & Construction in line with their revenue increase and an increase for Economic Affairs of \$433K. This has been a result of previous Quarterly Budget Review variations not being flowed through, reported, and taken into account at the September 2022 and December 2022 reviews.

Further details of income and expenditure adjustments are included in Annexure A.

Cash and Investment Review

The cash and investment review provides an estimate of the current internal and external restrictions on Council's invested funds. These are not fully determined until the end of the financial year and the completion of the preparation of the Financial Statements for that financial year. The report also includes a reconciliation of Council's cash and investments on hand as at 31 March 2023.

It should be noted that both internally and externally restricted funds must be acquitted for a particular purpose, and therefore are in truth already committed for that purpose. For this reason, the expenditure of these funds is more of a cash flow / working capital issue and will have no effect on the operational surplus or deficit. However, as indicated above, the timing of receipt of income and the expending of this can occur over a number of financial years. This results in a variance in the operational budget between those years; however, the net effect should still be nil over the financial years in which the grant (or reserve) is acquitted.

This report also requires a statement in respect of whether all investments are in accordance with the requirements of Section 625 of the *Local Government Act 1993*, the Regulations and Council's Investments Policy. This statement, in combination with the monthly investment report, ensures that Council is complying with these statutory, regulatory and policy requirements.

Further, a declaration as to the preparation of bank reconciliations is also required. Bank reconciliations occur daily with a full reconciliation performed monthly. The full reconciliation for the March 2023 quarter occurred on Friday, 31 March 2023.

Capital Budget Review

The Capital Budget Review format allows Council to analyse any additional Capital expenditure to be incurred in the current Financial Year and the extent to which monies have already been expended. Importantly, the report also indicates how Council is to fund the Capital expenditure for the year.

This review proposes an increase in the Capital Expenditure Budget of \$208K. Details of capital project adjustments are included in Annexure A.

Contracts

The Reporting Framework requires the identification of contracts entered into in the preceding quarter which exceed specified expenditure limits. The limit for reporting contracts in the QBRS is one percent of revenue from continuing operations, or \$50K, whichever is less.

There were no new contracts entered into Council's contract register for the period of July 2022 to March 2023.

Consultancy and Legal Expenses

The current expenditure to 31 March 2023 on qualifying consultancies and legal fees is identified in the QBRs and this expenditure is budgeted for and given the size and nature of Council's operations, is considered reasonable.

(c) Options

Nil.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

It is important for Council to note that the adoption of this budget review approves the variations identified in the attached report and that the cumulative effect of the budget variations should be considered when reviewing this budget. The original estimated Operating Surplus for the 2022/2023 Financial Year was \$19.5K excluding Capital Grants and Contributions. After quarterly budget review adjustments, the estimated Operating Deficit for the 2022/2023 Financial Year is \$502K.

(b) Governance/Policy

Nil.

(c) Legislative/Statutory

Section 203 of the Regulation requires all councils in NSW to prepare and submit to Council a budget review statement which has a revised estimate of the income and expenditure for that year, within two months of the end of the quarter.

A certification is required to ensure that all investments are made in accordance with the requirements of Section 625 of the *Local Government Act 1993*, the accompanying Regulations and Council's Investments Policy.

This budget review statement must be prepared in accordance with the new Integrated Planning and Reporting Framework introduced under the *Local Government (General) Amendment (Planning and Reporting) Regulation 2009*, the *Local Government Act 1993* (as amended) and the *Local Government Amendment (Planning and Reporting) Act 2009*.

(d) Risk

The Quarterly Budget Review aims to mitigate financial risk by providing a more accurate indication of Council's operating and capital budgets.

(e) Social

Nil.

(f) Environmental

Nil.

(g) Economic

Investment in Capital Works assists in the stimulation of the Local Economy. Additional Capital expenditure has been incorporated into this review and funds required are appropriately provided for the capital works.

(h) Asset Management

Carried forward capital projects from 2019/2020, 2020/2021 and 2021/2022, as well as revotes are included in this report as a separate column.

CONSULTATION

(a) External

Nil.

(b) Internal

This report has been prepared with input from Manex and Managers to ensure that there is up-to-date information regarding income and expenditure.

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 5.3.1: Provide financial and budget compliance reporting to Council and the community.

CONCLUSION

The Original Budget adopted by Council in June 2022 indicated that the Net Operating Surplus at the end of the 2022/2023 Financial Year would be \$19.5K (excluding Capital Grants and Contributions).

The changes approved in the December 2022 Quarterly Budget Review led to a decrease to the bottom line from original budget of \$672K, resulting in a projected Net Operating Deficit of \$626K.

The proposed changes outlined in this March 2023 Quarterly Budget Review will lead to an increase to the bottom line, resulting in a projected Net Operating deficit of \$502K before capital items.

As a result of the new Finance system implementation, Balance Sheet accounts not being reconciled and up to date, Grants & Capital income and expenses not being reflected in the Profit & Loss as yet and Depreciation not reflected in actuals, the projected Net Operating deficit of \$502k might differ considerably against the actual result as at 30 June 2023.

The current review proposes an increase in the Capital Expenditure of \$208K.

ATTACHMENTS

Annexure A QBRs March 2023

**REPORT TITLE: 7.15 BUSINESS CASE AND STRATEGY DEVELOPMENT
FUND - BCSD1 0059 - INDOOR EQUINE AND
LIVESTOCK CENTRE - FUNDING DEED AGREEMENT**

ECM INDEXES:

Subject Index: GOVERNANCE: Policy - Governance
GRANTS AND SUBSIDIES: Programs – Grants and
Subsidies
INFORMATION MANAGEMENT: Legal Documents -
PENDING SIGN AND SEAL

Customer Index: NSW Government – Department of Regional NSW

Property Index: NIL

AUTHOR: Richard Quinn - Grants Officer

PURPOSE

The purpose of this report is to seek Council's authorisation for the Common Seal of the Glen Innes Severn Council to be affixed to the Funding Deed between the Glen Innes Severn Council and The Crown in right of New South Wales as represented by Regional NSW, in relation to its Business Case and Strategy Development Fund grant program (**Annexure A**).

RECOMMENDATION

THAT Council:

- 1. Authorises for the Common Seal of the Glen Innes Severn Council to be affixed to the Regional NSW - Business Case and Strategy Development Fund - BCSD1 0059 – Funding Deed Agreement between the Glen Innes Severn Council and The Crown in right of New South Wales, as represented by Regional NSW.***
- 2. Authorises for the Mayor and the General Manager to execute all documents relating to the Regional NSW - Business Case and Strategy Development Fund - BCSD1 0059 – Funding Deed Agreement between the Glen Innes Severn Council and The Crown in right of New South Wales, as represented by Regional NSW.***

REPORT

(a) Background

Council submitted a Regional NSW Business Case and Strategy Development Fund grant application (**Annexure B**) on 24 August 2022 for a feasibility study in-regard to the establishment of a proposed Equine and Livestock Indoor Centre. The proposed location is the corner of Lang Street and Dumaresq Street, Glen Innes.

(b) Discussion

Council was informed that the Regional NSW Business Case and Strategy Development Fund – Equine and Livestock Indoor Centre grant application was approved on 28 February 2023 for a total allocation of \$106,250 excluding GST, pending signing, affixing of the Council Seal and delivery of the Deed Agreement document to NSW Government – Department of Regional NSW.

This grant stream aims to support planning for projects and development of strategies that reflect a collaborative approach to regional development, will benefit multiple organisations or businesses and that align with NSW Government strategies and plans. The subject of the business case or strategy must have the potential to deliver significant economic or community benefits to residents and businesses in two or more local government areas in regional NSW.

The project concept is to investigate the feasibility of developing a regional equine and livestock precinct in Glen Innes. Council owns land adjoining the existing Council-owned Saleyards and the Glen Innes Jockey Club that could accommodate an equine and livestock indoor centre.

The indoor centre concept would be to cater for large events for equine disciplines, with ideally national-standard arena facilities.

The facility could also provide the potential to host other events including cattle and sheep sales, major trade shows and rodeos.

If the recommendation to this report is approved, grant milestone payments to Council for this project will be eighty percent (80%) of the total funding allocation upon execution of the Funding Deed Agreement, with the final twenty percent (20%) instalment payable upon approved evidence provided to Department of Regional NSW by Council that the project has expended the total allocation on eligible deliverables and completed the project.

(c) Options

Option 1

THAT Council:

1. Authorises for the Common Seal of the Glen Innes Severn Council to be affixed to the Regional NSW - Business Case and Strategy Development Fund - BCSD1 0059 – Funding Deed Agreement between the Glen Innes Severn Council and The Crown in right of New South Wales, as represented by Regional NSW.
2. Authorises for the Mayor and the General Manager to execute the Regional NSW - Business Case and Strategy Development Fund - BCSD1 0059 – Funding Deed Agreement between the Glen Innes Severn Council and The Crown in right of New South Wales, as represented by Regional NSW.

THIS IS THE RECOMMENDED OPTION.

Option 2

That Council does not sign the Funding Deed, meaning that Council would forfeit the opportunity of the monetary grant allocation.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

If approved by Council, 100% of the expenditure for the Equine and Livestock Indoor Centre Business Case and Strategy Development project will be covered by this NSW Government – Department of Regional NSW grant allocation.

(b) Governance/Policy

The Deed Agreement is required to be executed under Council's Common Seal and therefore must go before Council with the wording detailed in the recommendation.

The Execution of Documents Matrix provides the specific wording for the resolution regarding the application of the Common Seal of Council.

(c) Legislative/Statutory

Section 400 of the *Local Government (General) Regulation 2021* sets out the requirements for the use of Council's Seal. It states the following:

400 Council Seal

- (1) The seal of a council must be kept by the mayor or the general manager, as the council determines.
- (2) **The seal of a council may be affixed to a document only in the presence of:**
 - (a) **the mayor and the general manager**, or
 - (b) at least one councillor (other than the mayor) and the general manager, or
 - (c) the mayor and at least one other councillor, or
 - (d) at least 2 councillors other than the mayor.
- (3) The affixing of a council seal to a document has no effect unless the persons who were present when the seal was affixed (being persons referred to in subclause (2)) attest by their signatures that the seal was affixed in their presence.

- (4) **The seal of a council must not be affixed to a document unless the document relates to the business of the council and the council has resolved (by resolution specifically referring to the document) that the seal be so affixed.**
- (5) For the purposes of subclause (4), a document in the nature of a reference or certificate of service for an employee of the council does not relate to the business of the council.

(d) Risk

If Council does not approve the signing of the Deed:

- the funding allocation will be withdrawn, and the Business Case and Strategy Development Fund – Equine and Livestock Indoor Centre activities detailed in the grant application will not be approved for funding; and
- as the NSW Government Member for Northern Tablelands, The Hon. Adam Marshall, MP has already made a public announcement of this approved grant, Glen Innes Severn Council could be the subject of negative reputational implications.

(e) Social

A grant funded business case will determine the feasibility of an indoor facility that would provide improved regional facilities and opportunities for competitive and recreational equestrian related activities and livestock sales for residents, visitors and primary producers.

(f) Environmental

Nil.

(g) Economic

Nil.

(h) Asset Management

Nil.

CONSULTATION

(a) External

NSW Government – Department of Regional NSW

(b) Internal

Management Executive Team (MANEX)
General Manager
Director of Place and Growth
Acting Manager of Economic Development

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN

This report links to Council's Delivery Program Community Service Principal Activity CS 1.1.1: Provide and maintain suitable sporting fields for community use including the delivery of relevant aspects and review of the Glen Innes Sporting facilities Master Plan.

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 3.1.6: Pursue Grant Funding opportunities where viable, considering lifetime costs.

CONCLUSION

A Regional NSW - Business Case and Strategy Development Fund grant application submitted by Council on 24 August 2022 for a feasibility study in-regard to the establishment of a proposed Equine and Livestock Indoor Centre was approved for funding on 28 February 2023 for a total allocation of \$106,250 excluding GST.

NSW Government – Department of Regional NSW requires Council to affix the Common Seal of Glen Innes Severn Council, sign and deliver the Funding Deed Agreement to them, so that it may be executed.

ATTACHMENTS

- | | |
|------------|--|
| Annexure A | Draft Funding Deed Agreement BCSD1 0059 Equestrian and Livestock Indoor Centre |
| Annexure B | GIS BCSD1 0059 Submitted Grant Application |

**REPORT TITLE: 7.16 PROGRESS ON INDUSTRIAL SUBDIVISION
DUMARESQ STREET, GLEN INNES**

ECM INDEXES:

Subject Index: **COUNCIL PROPERTIES: Usage**

Customer Index: **NIL**

Property Index: **00351-3221**

AUTHOR: David Hunt - Manager of Asset Services

PURPOSE

The purpose of this report is to request Council to approve additional budget for outstanding works to be completed for the proposed Industrial Subdivision at 180 Dumaresq Street, Glen Innes.

RECOMMENDATION

That Council approves an expenditure budget of \$198,446 for the completion of outstanding works for the proposed Industrial Subdivision at 180 Dumaresq Street, Glen Innes.

REPORT

(a) Background

At the Ordinary Council Meeting held on 28 May 2020, Council resolved:

19.05/20 RESOLUTION

THAT Council:

1. Lodges a Development Application for a five (5) lot subdivision on Lot 1 DP 500396, Dumaresq Street in accordance with the provisions of the Environmental Planning and Assessment Act 1979.
2. On completion of the subdivision, appoints Liston Legal to undertake a contract of sale with Mr DeJong subject to vendor mortgage as outlined in this report.
3. Initially promotes the sale of the three (3) lots for industrial land in Lot 1 DP 500936 on the Glen Innes Highlands website and other suitable mediums, as identified in the body of this report.
4. Offers the three (3) lots for sale at \$50,000 plus GST and that successful applicants be offered a five (5) year interest free vendor finance mortgage.

5. Requests applicants expressing interest to purchase land to demonstrate the following criteria:
- The capacity of the future development to create local employment;
 - The quality of the Expression of Interest, supporting their proposed future development (for example, a well-developed, clear and realistic action plan, supported by research where appropriate and including an accurate financial plan/budget); and
 - The demonstrated ability of the individual, organisation or company to deliver a development on the site in a timely manner.

CARRIED

While item 1 of the resolution has been undertaken, extended delays have occurred in the completion of the subdivision resulting in item 2 remaining outstanding. Items 3, 4 and 5 were completed.

At the Ordinary Council Meeting held on 24 November 2022, Council resolved:

26.11/22 RESOLUTION

THAT Council:

1. Accepts “in principle” and “without prejudice” the expression of interest submitted by James and Lynn Gillen from Koala Black Garlic Factory to purchase proposed Lot 2 from the subdivision on Lot 1 DP 500396, 180 Dumaresq Street, Glen Innes industrial land;
2. Procures a valuation to be undertaken on the remaining four (4) lots being lots 1, 2, 3 and 5 and delegates the General Manager or his delegate to negotiate a contract for the sale; and
3. Provides landowner consent for lodging applications for the development on the subject lot.

CARRIED

At the Ordinary Council Meeting held on 15 December 2022, Council resolved:

29.12/22 RESOLUTION

THAT Council:

1. Accepts “in principle” and “without prejudice” the expression of interest submitted by Sandra and Stafania Pallotta from The Organic Tshirt Factory to purchase proposed Lot 3 from the subdivision on Lot 1 DP 500396, 180 Dumaresq Street, Glen Innes industrial land;
2. As per Council resolution 26.11/22, procures a valuation to be undertaken on the remaining four (4) undeveloped lots being lots 1, 2, 3 and 5 and delegates the General Manager or his delegate to negotiate a contract for the sale; and

3. Provides landowner consent for lodging applications for the development on the subject lot.

CARRIED

It is noted that the intent of these subsequent resolutions was to effectively negate and rescind part 4 of the original resolution 19.05/20. The initial advertisement for the EOI has been taken down from Council publications.

(b) Discussion

The Conditions of Consent for Development Application Number DA 43/2020, 180 Dumaresq Street, Glen Innes (five Lot Industrial Subdivision) require a substantial amount of infrastructure works to be completed. Council has constructed the extension of Dumaresq Street along the frontage of the development, at a cost of \$350,883 in the 2021/2022 Financial Year.

The following outstanding civil and landscaping works remain to be completed:

- Concrete driveway access to all proposed Lots;
- 1.5-metre-high metal slat fencing to Ferguson Street boundary of proposed Lots 4 and 5;
- 1.5-metre-high Colorbond screen fencing to adjoining boundaries of two Lots;
- Screen plantings to above-mentioned residential boundaries;
- Sewer connections to proposed lots;
- Water connections to proposed lots;
- Inter-allotment drainage system servicing proposed Lots 1,2,3 and 4 and a detention basin in proposed Lot 5; and
- Fourteen street trees to be planted and guarded.

Council developer contributions are also required to be paid, at a total of \$27,970.

The total cost of the above works to be completed and developer contributions is \$198,446 exclusive of GST and a budget line for this amount will need to be created to allow completion of the works.

Funds required to complete the works will come from the future sales of the proposed Lots with estimated income from the sales to be \$590,000. This estimated income has been determined from a valuation completed by an external consultant in December 2022.

Council should note that a budget is already approved to the value of \$85,204 for an upgrade to the electricity and street lighting in the Dumaresq Street Industrial Estate (7030C22). Quotes are currently being obtained to complete these works, however it is envisaged that additional funds will be required. A further report will be completed if, and when, required in this regard.

(c) Options

Option 1

That Council approves an expenditure budget of \$198,446 for the completion of outstanding works for the proposed Industrial Subdivision at 180 Dumaresq Street, Glen Innes.

THIS IS THE RECOMMENDED OPTION.

Option 2

That Council does not approve the creation of a budget and expenditure of \$198,446 exclusive of GST for the commencement and completion of outstanding works for the proposed Industrial Subdivision in Dumaresq Street, Glen Innes.

If Council proceeds with Option 2, the Subdivision cannot be completed.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

The funds required to complete the works will come from future income from the sales of Lots 1, 2, 3, 4 and 5. This future income is estimated to be \$590,000 exclusive of GST. This income is based on a Valuation Report prepared by Cunningham Valuers and Property Advisers on 13 December 2022 and includes the prior commitment to sell lot 4 at an agreed price. This revenue is less than the cost of the development, calculated at approximately \$770,000.

The sale of Lots will also provide Council with rates income from the newly established lots once sold.

(b) Governance/Policy

Council has a Corporate Property Policy of which it's aims are:

1. Facilitate effective and efficient management of Council's property assets;
2. Establish clear principles of equity and transparency in Council's property dealings; and
3. Ensure that all dealings in property matters relating to Council owned property are handled with legislative requirements.

(c) Legislative/Statutory

Nil.

(d) Risk

Council has already exposed itself to reputational damage through the delays in the delivery of this project. There is a strong possibility of further reputational damage if the subdivision is not completed in the very near future.

(e) Social

There are no negative social implications to be considered as part of this report. There will be potential positive implications through the creation of new jobs and future industry development.

(f) Environmental

Nil.

(g) Economic

There will be positive economic benefits to the wider Glen Innes community through the potential creation of new jobs and suitable land for industry development.

(h) Asset Management

The sale of land will not impact on Council's depreciation costs as land is not a depreciable asset.

CONSULTATION

(a) External

- Liston Legal;
- Cunningham Valuers and Property Advisers; and
- Alfa Omega Engineering.

(b) Internal

- Senior Design Officer; and
- Town Planner.

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

This report links to Council's Delivery Program Infrastructure Management Principal Activity IM 3.6.2: Implement the Corporate Property Policy.

This report has no relevance to the Integrated Planning and Reporting Framework.

CONCLUSION

Council Resolutions 19.05/20, 26.11/22 and 29.12/22 provide for the subdivision and sale of land at 180 Dumaresq Street, Glen Innes. For the subdivision certificate and registration of the subdivision to be granted, conditions of consent which are listed in this report must be completed prior to being granted. The proposed budget will allow works to be completed and the newly created Lots to be sold.

ATTACHMENTS

Annexure A Notice of Determination DA43/2020, Dumaresq Street Industrial Estate.

REPORT TITLE: 7.17 REVIEW OF DROUGHT MANAGEMENT PLAN

ECM INDEXES:

Subject Index: **CORPORATE MANAGEMENT: Policy**

Customer Index: **NIL**

Property Index: **NIL**

AUTHOR: Sam Price - Manager of Integrated Water Services

PURPOSE

The purpose of this report is to present Council with the revised Drought Management Plan (**Annexure A**) for its review and adoption.

RECOMMENDATION

That Council adopts the revised Drought Management Plan.

REPORT

(a) Background

The Drought Management Plan was last adopted by Council on 25 June 2020 and is due for review every three years. The document has been reviewed by Council's **Management Executive Team (MANEX)** and is now recommended for Council's review and adoption.

(b) Discussion

Drought is an inevitable event within the Australian climate and poses a risk to town water supplies. A Drought Management Plan outlines the steps that Council will take in the event of drought to manage the risk and ensure that the water supply does not run out. The Drought Management Plan authorises staff to enact predetermined restrictions as trigger points are reached. During the recent drought, the former plan was put aside and the implementation of restrictions by direct decision-making of Council was implemented due to the extreme circumstances not before experienced. This occurred either as a result of Council resolutions or by the Mayor enacting their powers under the Act in between meetings.

Major changes were made to the Drought Management Plan after the last drought as a result of lessons learned. This review is only minor and brings the Plan onto the new template and in line with the format of other plans and policies.

(c) Options

Nil.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

Nil.

(b) Governance/Policy

Once adopted by Council, the revised Drought Management Plan will become a strategic plan of Council.

(c) Legislative/Statutory

Nil.

(d) Risk

The Drought Management Plan addresses the risk to water security posed by drought.

(e) Social

A clear Drought Management Plan provides the community with confidence in the security of the urban water supply. The Drought Management Plan also provides for a staged implementation of water restrictions to balance the desire of the community for constant access to unrestricted water supply against the need to conserve water for periods of extended drought.

(f) Environmental

The implementation of a sound Drought Management Plan is not primarily aimed at providing for environmental outcomes, rather, its sole purpose is to provide for water security for urban residents and businesses in times of the most severe drought.

(g) Economic

The provision of a secure water supply provides confidence for business to invest in the local area.

(h) Asset Management

Nil.

CONSULTATION

(a) External

Earlier versions of the Drought Management Plan have been informed by consultation with NSW Water departments. The current Drought Management Plan has been incorporated into the review of Council's Integrated Water Cycle Management Plan with no feedback arising.

(b) Internal

MANEX has reviewed this Plan.

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN

This report links to Council's Delivery Program Infrastructure Management Principal Activity IM 3.3.3: Implement the Drought Management Plan and review as necessary.

CONCLUSION

Council's Drought Management Plan has been revised to include changes that have occurred since the current Plan was adopted in June 2020. Changes are minor and the revised Plan is now presented to Council for its review and adoption.

ATTACHMENTS

Annexure A Draft Drought Management Plan

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 the month.

RECOMMENDATION

That Council notes the information contained in this report.

Correspondence

- Department of Regional NSW – Cross-Border Community Survey;
- Inside Local Government – newsletters;
- Local Government NSW – newsletters;
- Member for Northern Tablelands, The Hon. Adam Marshall – weekly reports;
- NSW Indigenous Chamber of Commerce – newsletter;
- NSW Rural Women’s Network – BeRural Photography Campaign;
- Pedestrian Council of Australia – Walk Safely to School Day; and
- Weekly Councillor updates from the General Manager.

Press Releases

- Country Mayors Association of NSW;
- Shadow Minister for Veterans’ Affairs, Member for New England, The Hon. Barnaby Joyce;
- Member for Northern Tablelands, The Hon. Adam Marshall; and
- Squadron Energy Grafton to Inverell Cycle Classic.

Publications

- LG Focus – April 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	Australian Standing Stones Management Board - 15/03/23
Annexure B	Emmaville War Memorial Hall Committee - 21/03/23
Annexure C	Glen Elgin Federation Sports Committee - 8/03/23
Annexure D	Minerama Committee - 6/03/23

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:

Glen Innes and District Community Centre Management Committee 27/03/23

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 recent meetings held by the Section 355 Community Committees of Council and to list 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 April 2023:

Name of Committee	Councillor Delegate(s)	Date
Aboriginal Consultative Committee	Cr Banham, Cr Sparks	17/4/23
Australian Standing Stones Management Board	Cr Banham, Cr Gresham	19/4/23
Emmaville Mining Museum Committee	Cr Banham	20/4/23
Glen Elgin Federation Sports Committee	Cr Gresham	26/4/23
Glen Innes Saleyards Advisory Committee	Cr Banham, Cr Alt	5/4/23
Glencoe Hall Committee	Cr Parry, Cr Parsons	29/04/23

Name of Committee	Councillor Delegate(s)	Date
Library Committee	Cr Banham	21/4/23
Minerama Committee	Cr Sparks, Cr Parsons	12/04/23
Open Spaces Committee	Cr Banham, Cr Arandale, Cr Sparks	19/4/23

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

Councillor	Name of Meeting / Function	Date attended
Cr R Banham (Mayor)	Energy Co & Department of Planning Meeting with New England Renewable Energy Zone (NE REZ) in Armidale	4/4/23
	Dinner with Energy Co & Department of Planning	4/4/23
	Saleyards Consultative Committee Meeting	5/4/23
	Glen Innes Infants School Easter Hat Parade	6/4/23
	Emmaville Local Health Committee Meeting	6/4/23
	Tablelands Health Sector Clinical Quality and Patient Care Committee Meeting	11/4/23
	Councillor Workshop	13/4/23
	Deepwater School of Arts Garden Project Official Opening	14/4/23
	Meeting with the General Manager and The Hon. Barnaby Joyce, MP	14/4/23
	Aboriginal Consultative Committee Meeting	17/4/23
	Bring Back the Trains Meeting	18/4/23
	Primary Health Network (PHN) Meeting in Armidale	19/4/23
	Open Spaces Committee Meeting	19/4/23
	Australian Standing Stones Management Board (ASSMB) Meeting	19/4/23
	GLENRAC Producer Update	19/4/23
	Business Chamber Member Meet Up	20/4/23
	Pre-ANZAC Day Dinner	24/4/23
	ANZAC Day Dawn Service Glen Innes	25/4/23
	ANZAC Day March Emmaville	25/4/23
	ANZAC Day Emmaville Luncheon	25/4/23
	Meeting with The Hon. Adam Marshall, MP and funding announcement	26/4/23
	Lunch with The Hon. Adam Marshall, MP and the Deputy Mayor	26/4/23

Item 10.1

Councillor	Name of Meeting / Function	Date attended
	Pre-Meeting Briefing Session	27/4/23
	Ordinary Council Meeting	27/4/23
	GLENRAC Committee of Management Meeting	28/4/23
Cr T Arandale (Deputy Mayor)	Councillor Workshop	13/4/23
	Pre-ANZAC Day Dinner	24/4/23
	ANZAC Day Dawn Service Glen Innes	25/4/23
	ANZAC Day Shotgun Breakfast	25/4/23
	ANZAC Day March Glen Innes	25/4/23
	ANZAC Day Luncheon Glen Innes	25/4/23
	Pre-Meeting Briefing Session	27/4/23
	Ordinary Council Meeting	27/4/23
Cr T Alt	Saleyards Consultative Committee Meeting	5/4/23
	Councillor Workshop	13/4/23
	Bring Back the Trains Meeting	18/4/23
	ANZAC Day Dawn Service Glen Innes	25/4/23
	ANZAC Day March Deepwater	25/4/23
	Pre-Meeting Briefing Session	27/4/23
	Ordinary Council Meeting	27/4/23
Cr L Gresham	Glen Elgin Federation Sports Committee Executive meeting with the Director of Corporate and Community Services and the Manager of Governance, Risk and Corporate Planning	5/4/23
	Councillor Workshop	13/4/23
	Deepwater School of Arts Garden Project Official Opening	14/4/23
	Glen Innes Highlands Visitor Association Meeting	17/4/23
	New England County Council Extraordinary Meeting	17/4/23
	Australian Standing Stones Management Board Meeting	19/4/23
	ANZAC Day Events	25/4/23
	Glen Elgin Federation Sports Committee Meeting	26/4/23
	Pre-meeting Briefing Session	27/4/23
	Ordinary Council Meeting	27/4/23

Councillor	Name of Meeting / Function	Date attended
Cr J Parry	Councillor Workshop	13/4/23
	Bring Back the Trains Meeting	18/4/23
	ANZAC Day Dawn Service Glen Innes	25/4/23
	ANZAC Day March Glen Innes	25/4/23
	ANZAC Day Luncheon Glen Innes	25/4/23
	Pre-meeting Briefing Session	27/4/23
	Ordinary Council Meeting	27/4/23
Cr A Parsons	Councillor Workshop	13/4/23
	Bring Back the Trains Meeting	18/4/23
	Ordinary Council Meeting	27/4/23
	Glen Innes and District Community Centre Meeting	24/4/23
Cr C Sparks	Glen Innes Family Youth and Support Services Committee Meeting	4/4/23
	Attract Connect and Stay Committee Meeting	27/4/23

(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