

GLEN INNES SEVERN COUNCIL

BUSINESS PAPER



**FOR THE ORDINARY
EXTRAORDINARY COUNCIL
MEETING**

**TO BE HELD ON
MONDAY, 9 MAY 2022**

COMMUNITY CONSULTATION SESSION GUIDELINES

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. 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 about 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 more 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. 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 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.

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.

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.

20. If the Chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 19, the Chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the Chairperson's request, the Chairperson may immediately require the person to stop speaking.
21. Clause 20 does not limit the ability of the Chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of the Code of Meeting Practice.
22. Where a speaker engages in conduct of the type referred to in clause 19, the General Manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the General Manager or their delegate considers appropriate.
23. Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a Council meeting. The Council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the Councillor who made the declaration.

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
EXTRAORDINARY MEETING

That will be held at the Glen Innes Severn Learning Centre,
William Gardner Conference Room, Grey Street, Glen Innes on:
Monday, 9 May 2022 at 9.00am

ORDER OF BUSINESS

1	ACKNOWLEDGEMENT TO COUNTRY.....	4
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	4.1 Endorsement of the Draft Long Term Financial Plan 2022-2032 for Public Exhibition.....	5

Craig Bennett
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 TO 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 APOLOGIES

3 DISCLOSURE OF CONFLICT OF INTERESTS / PECUNIARY AND NON-PECUNIARY INTERESTS

4 REPORTS TO COUNCIL

REPORT TITLE: 4.1 ENDORSEMENT OF THE DRAFT LONG TERM FINANCIAL PLAN 2022-2032 FOR PUBLIC EXHIBITION

ECM INDEXES:

Subject Index: CORPORATE MANAGEMENT: Planning
GOVERNANCE: Planning
FINANCIAL MANAGEMENT: Budgeting

Customer Index: NIL

Property Index: NIL

AUTHOR: Ann Newsome - Chief Financial Officer

APPROVER/S: Anna Watt - Director of Corporate and Community Services

PURPOSE

The purpose of this report is to present Council with the Draft Long Term Financial Plan 2022-2032 (**Annexure A**) for its review and its endorsement for it to be placed on public exhibition for 28 days and to invite public submissions.

RECOMMENDATION

THAT Council:

1. **Endorses the Draft Long Term Financial Plan 2022-2032 to be placed on public exhibition for 28 days from Tuesday, 10 May 2022 until Monday, 6 June 2022.**
2. **Displays the Draft Long Term Financial Plan 2022-2032 on Council's website, and that it be made available for viewing at the following locations:**
 - **Council's Town Hall Office;**
 - **Council's Church Street Office; and**
 - **The Village Post Offices at Deepwater, Emmaville and Glencoe.**
3. **Requests the Director of Corporate and Community Services to prepare a further report to Council after the exhibition period in the event of Council receiving any significant submissions regarding the Draft Long Term Financial Plan 2022-2032; otherwise, that the Long Term Financial Plan 2022-2032 be adopted by Council.**

REPORT

(a) Background

In line with the provisions of the *Local Government Act 1993* and requirements of the **Integrated Planning and Reporting (IP&R)** framework, Council is required to develop a **Community Strategic Plan (CSP)** a **Delivery Program (DP)** and an Annual Operational Plan and Budget along with the associated Resourcing Strategy documents which comprise of various Asset Management Plans, a Work Force Plan, and a **Long Term Financial Plan (LTFP)**.

The LTFP must be used to inform decision making during the preparation and finalisation of the CSP and the development of the DP.

In developing the LTFP, due regard must be given to promoting the financial sustainability of Council through:

- the progressive elimination of operating deficits;
- the establishment of a clear revenue path for all rates linked to specific expenditure proposals;
- ensuring that any proposed increase in services and/or assets is within the financial means of the council including a proposed special rate variation;
- ensuring the adequate funding of infrastructure maintenance and renewal;
- the use of borrowing, where appropriate and financially responsible; and
- the fair and equitable distribution of the rate burden across all rate payers.

The LTFP is a tool to aid decision making, priority setting and problem solving. It is a guide for future action, to be reviewed and updated annually, and addresses the following:

- how Council will survive future financial pressures;
- opportunities for future income and economic growth;
- whether Council can afford what the community requests; and
- how Council can achieve outcomes agreed with the community.

The LTFP must include:

- projected income and expenditure, balance sheet and cash flow statement;
- planning assumptions;
- sensitivity analysis, highlighting factors and assumptions most likely to impact the LTFP; and
- methods of monitoring financial performance.

(b) Discussion

The LTFP is currently being redeveloped to incorporate the new chart of accounts designed for Open Office (Council's new financial software system).

Open Office is due to go live in June 2022. Council will take this opportunity to redevelop and refine the LTFP using the LG Solutions Software platform.

It is important to note that external factors have a significant impact on Council's financial position. The Annual Operational Plan and Budget is the best indicator of the immediate performance of Council.

The LTFP can help identify issues that may need to be addressed by looking at expected trends. Current economic volatility reinforces the need for review of the LTFP and its underlying assumptions on a regular basis.

The LTFP estimates that Council will return a small positive surplus each year over the next 10 years, which is identified in the table below:

Year	Estimated Surplus
2022-23	\$34,911
2023-24	\$14,663
2024-25	\$52,735
2025-26	\$6,081
2026-27	\$33,754
2027-28	\$95,537
2028-29	\$100,429
2029-30	\$136,415
2030-31	\$57,298
2031-32	\$98,429

Borrowings of \$2M have been included in 2022/2023 and \$1M in each subsequent year. This is to address the deficiency in funds available to meet required reserves and to fund infrastructure backlogs. The previous LTFP included similar borrowings. During the 2021/2022 Financial Year the anticipated new loan has not been drawn down, hence the \$2M in 2022/2023.

The Draft Long Term Financial Plan 2022-2032 is attached as Annexure A.

(c) Options

Nil.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

The Draft Long Term Financial Plan 2022-2032 contains the projected operational and capital revenue and expenditure for the 2022/2023 to 2031/2032 Financial Years.

(b) Governance/Policy

Once adopted by Council, the Draft Long Term Financial Plan 2022-2032 will guide the overarching direction for Council for the next 10 financial years.

(c) Legislative/Statutory

The *Local Government Act 1993* and the *Local Government (General) Regulation 2021* require Council to have a CSP, which is supported by a DP and Resourcing Strategy. The Long Term Financial Plan forms a key part of the Resourcing Strategy.

(d) Risk

External factors have a significant impact on Council's financial position. The current financial environment has significant external issues that may impact on Council's future financial position.

The preparation of the Annual Operational Plan and Budget, which flows into the LTFP, required considerable cost reduction in all areas to cover uncontrollable increases in expenses in areas such as fuel, insurance cost, wages, and depreciation. The rates increase was not of a sufficient level to offset these cost increases.

Due to the reduction of budgeted expenditure, there is a risk that unforeseen cost increases may negatively impact Council's ability to achieve a balanced operating position at year end.

(e) Social

This Draft Long Term Financial Plan 2022-2032 forms part of the direction that the community communicated to Council through the extensive community engagement that took place for the development of the Draft CSP and Draft DP. This document forms an integral part in the journey to achieve the outcomes of the aforementioned documents.

(f) Environmental

Council's Draft Long Term Financial Plan 2022-2032 identifies a number of environmental strategic objectives, strategies and actions.

(g) Economic

All Council officials have been mindful of the economic implications in the preparation of Council's Draft Long Term Financial Plan 2022-2032.

(h) Asset Management

All Council officials have been mindful of the asset management implications in the preparation of Council's Draft Long Term Financial Plan 2022-2032. Whole of life asset and depreciation cost considerations are important drivers in Council's future financial direction.

CONSULTATION

(a) External

Nil.

(b) Internal

The budget has been prepared with full collaboration and input from all Managers and the Management Executive Team.

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

The Draft Long Term Financial Plan 2022-2032 is required to be prepared in accordance with the Integrated Planning and Reporting Framework. Accordingly, it provides a direct link to the one (1) year Operational Plan and Budget, three (3) year DP and the 10 year CSP.

CONCLUSION

Council's Draft Long Term Financial Plan 2022-2032 demonstrates a balanced operating position after excluding capital and grants contributions over the 10 year period of the Plan.

Borrowings of \$2M have been included in 2022/2023 and \$1M in each subsequent year. This is to address the deficiency in funds available to meet required reserves and to fund infrastructure backlogs.

ATTACHMENTS

Annexure A Draft Long Term Financial Plan 2022-2032 (*under separate cover*)