



NEW ENGLAND COUNTY COUNCIL

ABN 35 514 070 354

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28 September 2022

Dear Councillors,

You are requested to attend an *Ordinary Meeting* of the New England County Council, to be held in the offices of the New England Weeds Authority, 2/129 Rusden Street, Armidale NSW 2350 on,

Tuesday 4th October at 12:30pm

Yours sincerely

A handwritten signature in black ink, appearing to read "Tim Weeks".

Tim Weeks
GENERAL MANAGER

- Sandwiches will be provided for lunch.

AGENDA

Ordinary Meeting of Council commencing at 12:30 on Tuesday 4th October 2022

Statement in relation to Video Recording of Council Meetings

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ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL TUESDAY 4TH
OCTOBER 2022 in NEWA OFFICES AT 12:30pm

Ordinary Meeting of Council commencing at 12:30 noon on Tuesday 4th October 2022

Statement in relation to Video Recording of Council Meetings

- 1.0 PRESENT
- 2.0 APOLOGIES
- 3.0 DECLARATION OF INTEREST
- 4.0 MINUTES OF THE EXTRAORDINARY MEETING OF THE NEW ENGLAND
WEED AUTHORITY HELD ON 16 August 2022

**Minutes of Extraordinary Meeting of Council commencing at 3:00pm on
Tuesday 16th August 2022 held in NEWA Offices**

Statement in relation to Video Recording of Council Meetings was read.

PRESENT – Cr Kermode (Chair), Cr Bower, Cr O'Connor, Cr Packham, Cr. Robinson

APOLOGIES – Clr. Gresham

DECLARATION OF INTEREST - Nil

CHAIRMAN'S REPORT

**NEW ENGLAND WEEDS AUTHORITY ANNUAL OPERATING PLAN
2022-23 AND ANNUAL BUDGET**

26/22 Resolved:

*That the adoption of the Operating Plan and Annual Budget 2022-2023 for Public
Exhibition, be deferred until the next meeting of Council.*

Moved Cr. O'Connor

Seconded: Cr. Robinson

The **Motion** on being put to the **Vote** was CARRIED unanimously.

NEXT MEETING – 4 October 2022

**5.0 MATTERS ARISING FROM MINUTES OF THE EXTRAORDINARY
MEETING OF NEW ENGLAND WEED AUTHORITY HELD ON 16 August 2022**

6.0 ADOPTION OF DRAFT ANNUAL ACCOUNTS FOR FY 2021 to 2022

Recommendation:

That Council receive and note the draft general purpose financial statements for the year ending 30 June 2022, that the Chair and Deputy Chair be authorised to sign the Councillors certificate, and that the statements be referred to Council's auditor for audit review

PURPOSE OF REPORT

To receive the Draft General Purpose and Special Purpose Annual Financial Statements for 2021/2022, that have been referred to the Audit Risk and Improvement Committee and endorsed for submission to the audit.

REPORT

The Draft General Purpose and Special Purpose Financial Statements 2021/2022 have been completed and indicate a negative financial result for the year ended 30th June 2022. Subject to final audit the Council has achieved a combined operating result after allowing for capital grants and contributions of (\$m) . The result also allows for the operating depreciation on assets of \$m to be funded from member contributions, grant income and private works. The result reflects increased operational expenditure due to termination costs, consultant costs and one off expenses. In addition, the Council has maintained a healthy unrestricted working funds balance of \$m with future reserves for plant and infrastructure.

The Draft Statements will be provided to the ARIC committee for consideration and will be referred to the external auditors. Section 413 of the Local Government Act 1993 (NSW) (the Act) requires Council to prepare its year end Annual Financial Statements as soon as practicable after year end and to refer those statements to audit. In preparing the annual financial statements the Act requires Council to comply with the:

- (i) Local Government Act 1993 (NSW)
- (ii) Local Government (General) Regulations 2005 (NSW)
- (iii) Australian Accounting Standards and other relevant publications issued by the Australian Accounting Board
- (iv) Local Government Code of Accounting Practice and Financial Reporting

To the best of our knowledge and belief, these statements present fairly the Council's operating result and financial position for the 2021/2022 financial year. They also concur with Council's accounting and other records. Council is not aware of any matter that would render these Statements false or misleading in any way.

ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL TUESDAY 4TH
OCTOBER 2022 in NEWA OFFICES AT 12:30pm

The draft statements are now ready for submission to audit. Council's CFO will provide a briefing on the draft statements during the meeting and will be available to take any questions.

ATTACHMENTS

Nil

New England Weeds Authority

GENERAL PURPOSE FINANCIAL STATEMENTS

for the year ended 30 June 2022

General Purpose Financial Statements

for the year ended 30 June 2022

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ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL TUESDAY 4TH OCTOBER 2022 in NEWA OFFICES AT 12:30pm

New England Weeds Authority

General Purpose Financial Statements

for the year ended 30 June 2022

Understanding Council's Financial Statements

Introduction

Each year NSW local governments are required to present audited financial statements to their council and community.

What you will find in the Statements

The financial statements set out the financial performance, financial position and cash flows of Council for the financial year ended 30 June 2022.

The format of the financial statements is standard across all NSW Councils and complies with both the accounting and reporting requirements of Australian Accounting Standards and requirements as set down by the Office of Local Government.

About the Councillor/Management Statement

The financial statements must be certified by senior staff as 'presenting fairly' the Council's financial results for the year and are required to be adopted by Council – ensuring both responsibility for and ownership of the financial statements.

About the Primary Financial Statements

The financial statements incorporate five "primary" financial statements:

1. The Income Statement

Summarises Council's financial performance for the year, listing all income and expenses. This statement also displays Council's original adopted budget to provide a comparison between what was projected and what actually occurred.

2. The Statement of Comprehensive Income

Primarily records changes in the fair value of Council's Infrastructure, property, plant and equipment.

3. The Statement of Financial Position

A 30 June snapshot of Council's financial position indicating its assets, liabilities and "net wealth".

4. The Statement of Changes in Equity

The overall change for the year (in dollars) of Council's "net wealth".

5. The Statement of Cash Flows

Indicates where Council's cash came from and where it was spent. This statement also displays Council's original adopted budget to provide a comparison between what was projected and what actually occurred.

About the Notes to the Financial Statements

The Notes to the Financial Statements provide greater detail and additional information on the five primary financial statements.

About the Auditor's Reports

Council's financial statements are required to be audited by the NSW Audit Office.

In NSW the auditor provides 2 audit reports:

1. an opinion on whether the financial statements present fairly the Council's financial performance and position, and
2. their observations on the conduct of the audit, including commentary on the Council's financial performance and financial position.

Who uses the Financial Statements?

The financial statements are publicly available documents and must be presented at a Council meeting between seven days and five weeks after the date of the audit report.

The public can make submissions to Council up to seven days subsequent to the public presentation of the financial statements.

Council is required to forward an audited set of financial statements to the Office of Local Government.

ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL TUESDAY 4TH
OCTOBER 2022 in NEWA OFFICES AT 12:30pm

New England Weeds Authority

General Purpose Financial Statements

for the year ended 30 June 2022

Statement by Councillors and Management made pursuant to Section 413 (2c) of the *Local Government Act 1993* (NSW)

The attached general purpose financial statements have been prepared in accordance with:

- the *Local Government Act 1993* and the regulations made thereunder,
- the Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board
- the Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, these statements:

- present fairly the Council's operating result and financial position for the year
- accord with Council's accounting and other records.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed in accordance with a resolution of Council made on 04 October 2022.

Clr Scott Kermode
Chairperson
04 October 2022

Clr Tim Bower
Deputy Chairperson
04 October 2022

Tim Weeks
General Manager
04 October 2022

Tim Weeks
Responsible Accounting Officer
04 October 2022

ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL TUESDAY 4TH
OCTOBER 2022 in NEWA OFFICES AT 12:30pm

New England Weeds Authority

Statement of Comprehensive Income

for the year ended 30 June 2022

| \$ '000 | 2022 | 2021 |
|--|---------------------|--------------------|
| Net operating result for the year – from Income Statement | (143) | (73) |
| Total comprehensive income for the year attributable to Council | <u>(143)</u> | <u>(73)</u> |

The above Statement of Comprehensive Income should be read in conjunction with the accompanying notes.

ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL TUESDAY 4TH
OCTOBER 2022 in NEWA OFFICES AT 12:30pm

New England Weeds Authority

Statement of Financial Position

as at 30 June 2022

| \$ '000 | Notes | 2022 | 2021 |
|--|-------|--------------|--------------|
| ASSETS | | | |
| Current assets | | | |
| Cash and cash equivalents | C1-1 | 1,468 | 701 |
| Investments | C1-2 | 501 | 1,301 |
| Receivables | C1-4 | 63 | 5 |
| Inventories | C1-5 | 40 | 19 |
| Total current assets | | 2,072 | 2,026 |
| Non-current assets | | | |
| Infrastructure, property, plant and equipment (IPPE) | C1-6 | 584 | 394 |
| Total non-current assets | | 584 | 394 |
| Total assets | | 2,656 | 2,420 |
| LIABILITIES | | | |
| Current liabilities | | | |
| Payables | C3-1 | 258 | 181 |
| Contract liabilities | C3-2 | 682 | 372 |
| Employee benefit provisions | C3-4 | 108 | 116 |
| Total current liabilities | | 1,048 | 669 |
| Total liabilities | | 1,048 | 669 |
| Net assets | | 1,608 | 1,751 |
| EQUITY | | | |
| Accumulated surplus | | 1,608 | 1,751 |
| Council equity interest | | 1,608 | 1,751 |
| Total equity | | 1,608 | 1,751 |

The above Statement of Financial Position should be read in conjunction with the accompanying notes.

ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL TUESDAY 4TH
OCTOBER 2022 in NEWA OFFICES AT 12:30pm

New England Weeds Authority

Statement of Cash Flows

for the year ended 30 June 2022

| Original unaudited budget 2022 | \$ '000 | Notes | Actual 2022 | Actual 2021 |
|---|---|-------|----------------|----------------|
| Cash flows from operating activities | | | | |
| <i>Receipts:</i> | | | | |
| 486 | User charges and fees | | 415 | 300 |
| 11 | Interest received | | 4 | 7 |
| 1,024 | Grants and contributions | | 1,441 | 1,222 |
| 3 | Other | | (47) | 16 |
| <i>Payments:</i> | | | | |
| (974) | Payments to employees | | (927) | (791) |
| (363) | Payments for materials and services | | (597) | (411) |
| (11) | Borrowing costs | | - | - |
| - | Other | | (40) | (46) |
| <u>176</u> | Net cash flows from operating activities | G1-1 | <u>249</u> | <u>297</u> |
| Cash flows from investing activities | | | | |
| <i>Receipts:</i> | | | | |
| - | Sale of investments | | 1,301 | - |
| 53 | Proceeds from sale of IPPE | | 15 | 50 |
| <i>Payments:</i> | | | | |
| - | Purchase of investments | | (501) | (301) |
| (1,122) | Payments for IPPE | | (297) | (119) |
| <u>(1,069)</u> | Net cash flows from investing activities | | <u>518</u> | <u>(370)</u> |
| Cash flows from financing activities | | | | |
| <i>Receipts:</i> | | | | |
| 1,000 | Proceeds from borrowings | | - | - |
| <i>Payments:</i> | | | | |
| (70) | Repayment of borrowings | | - | - |
| <u>930</u> | Net cash flows from financing activities | | <u>-</u> | <u>-</u> |
| <u>37</u> | Net change in cash and cash equivalents | | <u>767</u> | <u>(73)</u> |
| - | Cash and cash equivalents at beginning of year | | 701 | 774 |
| <u>37</u> | Cash and cash equivalents at end of year | C1-1 | <u>1,468</u> | <u>701</u> |
| - | plus: Investments on hand at end of year | C1-2 | 501 | 1,301 |
| <u>37</u> | Total cash, cash equivalents and investments | | <u>1,969</u> | <u>2,002</u> |

The above Statement of Cash Flows should be read in conjunction with the accompanying notes.

ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL TUESDAY 4TH
OCTOBER 2022 in NEWA OFFICES AT 12:30pm

7.0 ADOPTION OF ORDINARY MEETING DATES FOR THE 2022 – 2023 FY

Recommendation:

That Council adopt the meeting dates as follows:

Tuesday 4th October 2022

Tuesday 28th November 2022

Tuesday 17th January 2023

Tuesday 25th April 2023

Tuesday 25th July 2023

Tuesday 17th October 2023

PURPOSE

To set the Council meeting dates.

BACKGROUND

It has been Council's practice that Council meetings be held on the third Tuesday of the meeting month commencing at 12:00noon.

REPORT

The proposed dates for Council meetings are as follows:

Tuesday 4th October 2022

Tuesday 29th November 2022

Tuesday 17th January 2023

Tuesday 25th April 2023

Tuesday 25th July 2023

Tuesday 17th October 2023

However, such dates can be altered when:

- An ordinary meeting for good and sufficient reason may be altered by resolution by Council at any preceding ordinary meeting.
- The provisions of the Local Government Act 1993 require.

FINANCIAL AND RESOURCE IMPLICATIONS

No impact to Council's finances or resources.

LEGAL IMPLICATIONS

The Local Government Act 1993 requires County Councils to meet a minimum of 4 times per year. This recommendation complies with the Act.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

Promote timely and quality dissemination of information to the community, and timely and accurate reporting for efficient management and accountability.

RISK IMPLICATIONS

No risks are identified. The set dates do not clash with known events or activities.

STAKEHOLDER CONSULTATION

Meeting dates will be advertised in the local newspaper and on Council's website.

OPTIONS

Council may alter the proposed dates, times and meeting locations.

CONCLUSION

This report establishes the meeting dates for the next 14 month period.

8.0 CHAIRMANS REPORT

9.0 MAYORAL MINUTE

10.0 COUNCILLOR REMUNERATION

Recommendation:

That Councillors' and the Chair's remuneration be increased by an amount of 2,0% with effect from 1 July 2022.

PURPOSE OF REPORT

In accordance with the findings of the Local Government Review Tribunal (April 2022), to revise the Chair and Councillors' remuneration in accordance with the LGRT recommendations.

REPORT

The Local Government Act 1993 (LG Act) requires the Local Government Remuneration Tribunal ("the Tribunal") to report to the Minister for Local Government by 1 May each year on its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

Section 239 of the LG Act provides that the Tribunal determine the categories of councils and mayoral offices and to place each council and mayoral office into one of those categories. The Tribunal found the allocation of councils into the current categories appropriate. Criteria for each category is published in Appendix 1 of the report. These categories have not changed further to the extensive review undertaken as part of the 2020 review.

Section 241 of the LG Act provides that the Tribunal determine the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils for each of the categories determined under section 239. The Tribunal determined a **2%** per annum increase in the minimum and maximum fees applicable to each category to be appropriate and take effect from 1 July each year.

LEGISLATIVE IMPLICATION

Remuneration changes are made in accordance with the recommendations of the Local Government Remuneration Tribunal (LGRT) findings.

POLICY IMPLICATION - Nil

RISK RATING - Nil

ATTACHMENTS – Local Government Review Tribunal Annual Report and Determination

11.0 GENERAL MANAGERS REPORTS

11.1 WEED CONTROL MATTERS – OPERATIONAL UPDATE

The Weed Action Plan has been provided as a separate attachment for review and consideration.

Recommendation:

That the report on outcomes of the 2022/2023 Weeds Action Program, including schedules, tables and charts, be received and noted.

11.2 DISCLOSURES OF INTEREST

Recommendation:

1. That Council notes the disclosure of interest register as tabled at this meeting.
2. That Council's website be updated to display Members' Disclosures of Interest.

PURPOSE OF REPORT

In accordance with the Model Code of Conduct for Local Council in NSW, Clause 4.21 and Part 4 it is a requirement to disclose pecuniary interests and other matters by designated personnel.

REPORT

Pecuniary interest returns for the period 1 July 2021 to 30 June 2022 were due for submission to Council by 30 September 2022 for the Members and relevant staff that held office at 30 June 2022. The disclosure of interest forms have been provided to the Members and relevant staff and Pecuniary Interest forms are available on NEWA's website for public viewing. Under Clause 4.21, Part 4 of the Model Code of Conduct for Local Councils in NSW, designated persons holding that position as at 30 June in any year must complete and lodge with the General Manager within 3 months after that date (30 September) a return in the form prescribed in the regulations.

DISCLOSURE OF INTEREST IN WRITTEN RETURNS

A councillor or 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 councillor's or designated person's interests as specified in Schedule 1 to this code within 3 months after:

- (a) becoming a councillor or designated person, and
- (b) 30 June of each year, and
- (c) the councillor or 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).

LEGISLATIVE IMPLICATION

Code of Conduct

POLICY IMPLICATION - Nil

RISK RATING

Low

ATTACHMENTS – Nil

11.3 ADOPTION OF MODEL POLICIES

Recommendation

- a) *That Council endorse the 'Model' Policy Documents, as provided by the Office of Local Government, and other policy documents that are listed below.*
- b) *That Council undertake a review of its 'Local Policies' at a future workshop, in accordance with section 165 of the Local Government Act 1993.*
- c) *That Council undertake amendments as may be required to its policies following this workshop; and*
- d) *That Council adopt all existing draft policies until the policy review proposed above [2] has been completed.*

PURPOSE

In accordance with the Local Government Act 1993, a Council is required to review its local policies and other documents following a general election. It is proposed that Council adopt the Model Policies of the OLG and review existing 'local' policies for currency and applicability. Council is required to advertise NEWA's policies and procedures to the public.

BACKGROUND

The operation of Council is subject to regulations that direct how and when Council must act. A review of Councils policies and procedures is required after each general election to identify local policy relevance and updates or at other times a Council wishes to review a local policy. The Local Government Act requires that policies are displayed for public comment and allow for public submissions to be received.

REPORT

A review of Council's policies and procedures has identified that Council is required to update its governance areas to comply with the Local Government Act and Regulations and to ensure that the Councillors, employees and public are aware of the requirements that govern Council. Where available, *Model Policies* will be adopted because of their compliance with the requirements of the Act. The Act requires Council to review its policies within 12 months of a general election or from time to time as required. A list of Model Policies for adoption is:

- Closure of Council Meetings to the Public – 2013
- Council Expenses and Facilities Policy - 2022
- Guide to Webcasting of Council Meetings - 2020
- Model Code of Conduct for Councillors - 2020
- Model code of Conduct, Completing Returns – 2022
- Model Code of Meeting Practice – 2021
- Model Social Media Policy – 2022
- Model Staff and Member Interaction Policy – 2022
- Policy – Delegation of Authority – 2021 [Not a model policy]

FINANCIAL AND RESOURCE IMPLICATIONS

Council staff have prepared policies and procedures in-house and sought support of our insurers and internal auditor to review and provide advice and input.

LEGAL IMPLICATIONS

Many of the policies are requirements of the Local Government Act or Regulations or standards that apply to Council. Council should not dismiss the requirements of the Act.

RISK IMPLICATIONS

Council is required to have many of the local policies listed below. Councils Internal Audit process has been undertaken over the last three years to ensure that Council follows all relevant State Government requirements. The policies listed will assist Council to be in compliance with the Act, regulations or standards expected.

STAKEHOLDER CONSULTATION

All Policies must be publicly displayed as per the Local Government Act 1993. Council will display all finalised policies on its web site.

OPTIONS

There are no options but to develop the policy and procedures required under the Act, the Regulations or Standards applicable to Council. Some operational areas have had policies developed to ensure that staff is aware of issues around employment, bullying and harassment or general use of plant, safety and other items.

CONCLUSION

A list of policy and procedure items have been prioritised to ensure compliance with the laws that govern local councils. Council is required under s165 to review its policies within 12 months of a general election.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

Timely and accurate reporting for efficient management and accountability.

12.0 MATTERS OF URGENCY

13.0 NEXT MEETING - TUESDAY 29 November 2022

14.0 ATTACHMENTS:

- Weeds Action Plan, 1ST Quarter Results 2022-2023
- Business Activity Strategic Plan -2017 to 2027
- Findings of Local Government Remuneration Tribunal – April 2022
- Closure of Council Meetings to the Public - 2013
- Councillor Expenses and Facilities Policy - 2022
- Guide to Webcasting Council Meetings - August 2020
- Model Code of Conduct for Councillors - August 2020
- Completing returns Model Code of Conduct - August 2020
- Model Code of Meeting Practice— 2021
- Model social media Policy - 2022
- Model Staff and Member Interaction Policy – 2022
- Delegation of Authority Policy – October 2021