



Trading as:

# NEW ENGLAND WEEDS AUTHORITY

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6th June 2017

Dear Councillors,

You are requested to attend the Ordinary Meeting of the New England Tablelands (Noxious Plants) County Council to be held in the Armidale Office of the Authority at 129 Rusden Street, Armidale on

**Tuesday, 20 June 2017 at 8:30 am**

Yours sincerely

Wayne Deer  
GENERAL MANAGER

# AGENDA

## ORDINARY MEETING – Commencing at 8:00 am

<b>NEXT MEETING: TUESDAY, 22ND AUGUST 2017 AT 8:30 AM.</b>	<b>3</b>
<b>1 PRESENT</b>	<b>4</b>
<b>2 APOLOGIES</b>	<b>4</b>
<b>3 DECLARATION OF INTEREST</b>	<b>4</b>
<b>4 CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING HELD ON WEDNESDAY 26 APRIL 2017</b>	<b>4</b>
<b>5 MATTERS ARISING FROM THE MINUTES OF THE ORDINARY MEETING HELD ON WEDNESDAY 26 APRIL 2017</b>	<b>4</b>
<b>6 CHAIRMAN’S REPORT</b>	<b>4</b>
<b>7. GENERAL MANAGER’S REPORT</b>	<b>8</b>
<b>7.1 ORGANISATIONAL MATTERS</b>	<b>8</b>
7.1.1 NEW ENGLAND WEEDS AUTHORITY BUSINESS ACTIVITY STRATEGIC PLAN 2017 – 2027, 4 YEAR DELIVERY PLAN 2017 – 2021 AND ANNUAL OPERATIONAL PLAN 2017-2018	8
7.1.2 LOCAL GOVERNMENT REMUNERATION TRIBUNAL	10
7.1.3 AUDIT OFFICE OF NSW – AUDIT FOR YEAR ENDING 30 JUNE 2017	13
7.1.4 PUBLIC INTEREST DISCLOSURES REPORT	14
7.1.5 GOVERNMENT INFORMATION (PUBLIC ACCESS) ACT 2009 (GIPA) – PUBLICATION GUIDE REVIEW	16
7.1.6 REVIEW OF COUNCIL POLICIES	17
7.1.7 RELATED PARTY DISCLOSURES	19
7.1.8 REVIEW OF DELEGATIONS OF AUTHORITY	22
7.1.9 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2017	24
7.1.10 NSW WEEDS ACTION PROGRAM 2015-2020 AMENDED GUIDELINES	25
<b>8. FINANCIAL MATTERS</b>	<b>27</b>
8.1.1 INVESTED FUNDS REPORT	27
<b>9 WEED CONTROL MATTERS</b>	<b>30</b>
9.1.1 2015/2016 WEEDS ACTION PROGRAM	30

**MATTERS OF URGENCY** **34**

**NEXT MEETING: TUESDAY, 22ND AUGUST 2017 AT 8:30 AM.** **34**

**ATTACHMENTS** **34**

- 1 NEWA DRAFT BUSINESS ACTIVITY STRATEGIC PLAN 2017-2027, DRAFT 4 YEAR DELIVERY PLA PLAN 2017-2021, DRAFT ANNUAL OPERATIONAL PLAN 2016-2017 34
- 2 LOCAL GOVERNMENT RENUMERATION TRIBUNAL DETERMINATION 34
- 3 AUDIT OFFICE OF NSW CLIENT SERVICES PLAN 34
- 4 NEWA GOVERNMENT INFORMATION (PUBLIC ACCESS) INFORMATION GUIDE 34
- 5 POLICY REVIEW 34
  - Investment Policy No: 01/11
  - Drug and Alcohol Policy No: 03/11
  - Engagement of Contractors Policy No: 04/11
  - Procurement of Goods and Services Policy No: 05/11
  - Annual Leave Policy No: 02/12
  - Gifts and Benefits Policy No: 03/12
  - Enforcement Policy No: 01/10
  - Records Management Policy No: 01/13
- 6 NEWA RELATED PARTY DISCLOSURES POLICY 02/17 34
- 7 DELEGATION OF AUTHORITY REGISTER 34

**NEXT MEETING: Tuesday, 22nd August 2017 at 8:30 am.**

**1 PRESENT**

**2 APOLOGIES**

**3 DECLARATION OF INTEREST**

**4 CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING HELD ON WEDNESDAY 26 APRIL 2017**

**5 MATTERS ARISING FROM THE MINUTES OF THE ORDINARY MEETING HELD ON WEDNESDAY 26 APRIL 2017**

**6 CHAIRMAN'S REPORT**

**MINUTES OF THE ORDINARY MEETING OF THE NEW ENGLAND TABLELANDS (NOXIOUS PLANTS) COUNTY COUNCIL HELD IN THE ARMIDALE OFFICE, 129 RUSDEN STREET, ARMIDALE ON WEDNESDAY, 26 APRIL 2017 COMMENCING AT 8.30 AM**

**PRESENT:** Councillor M Dusting - Chairperson, Councillor S Kermode and Armidale Regional Council Administrator, Dr I Tiley.

**IN ATTENDANCE:** General Manager Mr W. Deer and Senior Weeds Officer Mr J Browning.

**APOLOGIES:** Nil

**DECLARATIONS OF INTEREST**

There were no declarations of interest.

**CONFIRMATION OF MINUTES OF THE ORDINARY MEETING HELD ON TUESDAY 7<sup>th</sup> FEBRUARY 2017.**

**13/17 RESOLVED** on the motion of Councillors Kermode and Tiley that the Minutes of the Ordinary Meeting of the New England Tablelands (Noxious Plants) County Council held on 7<sup>th</sup> February 2017, copies of which have been distributed to all members, are taken as read and confirmed a true record.

**BUSINESS ARISING FROM THE MINUTES OF THE ORDINARY MEETING HELD ON WEDNESDAY 7<sup>th</sup> FEBRUARY 2017.**

There were no matters arising.

**CHAIRMAN'S REPORT**

The Chair advised of the following:

- Attendance at the recent meeting of the organizing Committee for the forthcoming 19<sup>th</sup> NSW State Weeds Conference to be held in Armidale from the 16 -19 October 2017 and was pleased to report that preparations are on schedule with a good response to the call for papers for the Conference as well sponsorship targets are on track with budget expectations. The next meeting of the Committee will be held on 29 May 2017.
- Will be attending the Northern Tablelands Regional Weeds Committee, April meeting on the 26<sup>th</sup> April 2017 as Council's representative along with Council officers where the responses to the recent call for submissions on the draft Regional Strategic Weeds Management Plan will be discussed prior to the document being considered by the Board of the Northern Tableland Local Land Services for endorsement and forwarding to the Minister for Primary Industries.
- Mentioned the response from the Office of Local Government regarding the representation of Councillors from Armidale Regional Council on our County Council following the local government elections scheduled for September 2017, which is the subject of a report in the Business Paper.

**MINUTES OF THE ORDINARY MEETING OF THE NEW ENGLAND TABLELANDS (NOXIOUS PLANTS) COUNTY COUNCIL HELD IN THE ARMIDALE OFFICE, 129 RUSDEN STREET, ARMIDALE ON WEDNESDAY, 26 APRIL 2017 COMMENCING AT 8.30 AM**

**1. NEW ENGLAND WEEDS AUTHORITY DRAFT BUSINESS ACTIVITY STRATEGIC PLAN 2017-2027, DRAFT 4 YEAR DELIVERY PROGRAM 2017-2021 AND DRAFT ANNUAL OPERATIONAL PLAN 2017-2018 (ITEM 7.1.1)**

**14/17 RESOLVED** on the motion of Councillors Kermode and Tiley that:

- 1 That the Draft New England Weeds Authority Business Activity Strategic Plan 2017-2027 and Resourcing Strategy, the Draft 4 Year Delivery Program 2017-2021 and Draft Annual Operational Plan 2017-2018 be placed on public exhibition for a period of at least 28 days in accordance with the provisions of the Local Government Act 1993.
- 2 That following the conclusion of the public exhibition period a further report be presented to Council on submissions received on the Draft New England Weeds Authority Business Activity Strategic Plan 2017 – 2027 and Resourcing Strategy, Draft 4 Year Delivery Program 2017-2021 and Draft Annual Operational Plan 2017-2018, prior to adoption of the plans by Council.
- 3 That the constituent member Councils of Armidale Regional, Walcha and Uralla be provided with a copy of the Draft New England Weeds Authority Business Activity Strategic Plan 2017 – 2027 and Resourcing Strategy, Draft 4 Year Delivery Program 2017-2021 and Draft Annual Operational Plan 2017-2018 for comment.

**2. HIGH RISK WEEDS STUDY TOUR (ITEM 7.1.2)**

**15/17 RESOLVED** on the motion of Councillors Tiley and Kermode the report on the Macquarie Valley Weeds Advisory Tour be received and noted.

**3. ARMIDALE REGIONAL COUNCIL REPRESENTATION ON NEW ENGLAND WEEDS AUTHORITY (ITEM 7.1.3)**

**16/17 RESOLVED** on the motion of Councillors Kermode and Tiley that the report on the advice from the NSW Office of Local Government regarding Armidale Regional Council's representation on the New England Weeds Authority following the 2017 Local Government elections be received and noted.

**4. WRITE OFF DEBT TO COUNCIL (ITEM 7.1.4)**

**17/17 RESOLVED** on the motion of Councillors Tiley and Kermode:

1. That in accordance with the provisions of Clause 213 (3) of the Local Government (General) Regulation 2005, Council write off the debt of \$200.00 in respect of the advertisement placed in the Weed Management Guide for North West NSW in 2015, as identified in Council's Tax Invoice No 74:14/15 dated 11/05/2015.
2. That in accordance with the provisions of Clause 213 (2) of the Local Government (General) Regulation 2005 that Council fix the total of \$1,000.00 as the amount above which debts to Council may be written off only by resolution of Council.

**MINUTES OF THE ORDINARY MEETING OF THE NEW ENGLAND  
TABLELANDS (NOXIOUS PLANTS) COUNTY COUNCIL HELD IN THE  
ARMIDALE OFFICE, 129 RUSDEN STREET, ARMIDALE ON WEDNESDAY,  
26 APRIL 2017 COMMENCING AT 8.30 AM**

**5. INVESTED FUNDS REPORT (ITEM 7.1.5)**

**18/17 RESOLVED** on the motion of Councillors Kermode and Tiley that:

1. The report indicating Council's Fund Management position be received and noted.
2. The Certificate of the Responsible Accounting Officer be noted and the report adopted.

**6. MARCH 2017 QUARTERLY BUDGET REVIEW (ITEM 7.1.6)**

**19/17 RESOLVED** on the motion of Councillors Tiley and Kermode that Council adopt the March 2017 Quarterly Budget Review and approve the Budget variations.

**7. 2016/2017 WEEDS ACTION PROGRAM (ITEM 7.2.1)**

**20/17 RESOLVED** on the motion of Councillors Kermode and Tiley that the report on the 2016/2017 Weeds Action Program be received and noted.

**8. MATTERS OF URGENCY**

There were no matters of urgency.

**NEXT MEETING:**

The next meeting will be held on Tuesday, 20<sup>th</sup> June 2017 at 8.30 am.

**THERE BEING NO FURTHER BUSINESS THE CHAIR DECLARED THE  
MEETING CLOSED AT 9:20 AM.**

## **GENERAL MANAGER'S REPORT**

### **7.1 ORGANISATIONAL MATTERS**

#### **7.1.1 NEW ENGLAND WEEDS AUTHORITY BUSINESS ACTIVITY STRATEGIC PLAN 2017 – 2027, 4 YEAR DELIVERY PLAN 2017 – 2021 AND ANNUAL OPERATIONAL PLAN 2017-2018**

##### **Introduction**

Council at its April 2017 meeting considered a report regarding the New England Weeds Authority Draft Business Activity Strategic Plan 2017 - 2027, Draft 4 Year Delivery Plan 2017 – 2021 and Draft Annual Operational Plan 2017 - 2018. The Plans identify Council's and the communities' main priorities and aspirations for the future. They detail the objectives Council will pursue over its term and the actions to achieve these objectives on an annual basis that address scheduled priority and invasive weeds on behalf of its member Councils to improve agricultural sustainability, primary industry productivity and to deliver broad environmental outcomes for the New England region.

The Plans have been prepared in accordance with the provisions of the Local Government Act 1993 and associated Regulations. Copies of the Plans are attached to the report for the consideration and adoption of Councillors. The Annual Operational Plan is to be adopted before the beginning of each financial year and must include the Statement of Revenue Policy detailing the Budget, Fees and Charges.

##### **Report**

Council at its April 2017 meeting resolved in accordance with the provisions of the Local Government Act 1993, to place the Plans on public exhibition and to forward a copy, together with an invitation for the Chair and General Manager to make a presentation on the Plans, to each constituent member Council.

The Plans have been advertised in local newspapers circulating in the area commencing on 3 May 2017, seeking public comment. A letter and copies of the Plans have also been forwarded to the General Manager of each member Council on 1 May 2017.

At the time of writing this report Council has not received any submissions as a result of the public exhibition of the draft Plans. Once adopted the Plans will become operational from 1 July 2017.

Copies of the Plans will be forwarded to the Division of Local Government in accordance with their requirements and will be placed on Council's website.



**REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF  
COUNCIL TO BE HELD ON 20 JUNE 2017**

**Attachment:**

**New England Weeds Authority 10 Year Business Activity Strategic Plan 2017 – 2027 and Resourcing Strategy, 4 Year Delivery Plan 2017 - 2021 and Annual Operational Plan 2017- 2018.**

**RECOMMENDATION:**

**That Council in accordance with the provisions of the Local Government Act 1993 and Regulations thereunder, adopt the New England Weeds Authority Business Activity Strategic Plan 2017- 2027and Resourcing Strategy, the 4 Year Delivery Plan 2017 - 2021 and the Annual Operational Plan 2017 – 2018, as attached to the report.**

# **REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF COUNCIL TO BE HELD ON 20 JUNE 2017**

## **7.1.2 LOCAL GOVERNMENT REMUNERATION TRIBUNAL**

### **Introduction**

The Local Government Remuneration Tribunal is required to report to the Minister for Local Government by 1 May each year as to its determination of categories and the maximum and minimum of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

The Local Government Remuneration Tribunal has handed down its latest determination of annual remuneration fees for councillors and mayors. This report advises Council of the findings of the Tribunal and asks Council to fix their annual fees for 2017/18.

A copy of the full Report and Determination of The Local Government Remuneration Tribunal under Section 239 and 241 of the Local Government Act 1993 dated 12 April 2017 is attached to the report for the information of Councillors.

### **Report**

Section 241 (1) of the Local Government Act 1993 (LG Act) requires that:

*The Remuneration Tribunal must, not later than 1 May in each year, determine, in each of the categories determined under section 239, the maximum and minimum amounts of fees to be paid during the following year to councillors (other than mayors) and mayors.*

Section 239 (1) provides that:

*The Remuneration Tribunal must, at least once every 3 years:*

- *determine categories for councils and mayoral offices; and*
- *place each council and mayoral office into one of the categories it has determined.*

The tribunal last reviewed the categories during the 2015 annual review. Since the making of the 2016 determination a number of councils have been amalgamated resulting in the creation of 20 new councils. The impact of those structural changes is an overall reduction in the number of councils in NSW from 152 to 128. This significant change has prompted a review of existing categories and the allocation of councils into each of these categories.

In undertaking the review the Tribunal examined the existing categories, a range of statistical and demographic data and considered the views of councils and Local Government NSW. Having regard to that information the Tribunal has determined a categorisation model which differentiates councils primarily on the basis of their geographic location. Other factors which differentiate councils for the

**REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF COUNCIL TO BE HELD ON 20 JUNE 2017**

purpose of categorisation include population, the sphere of council’s economic influence and the degree of regional servicing.

In accordance with Section 239 of the LG Act the categories of general purpose councils has been determined as follows.

<b>Metropolitan</b>	<b>Non- metropolitan</b>
Principal CBD	Regional City
Major CBD	Regional Strategic Area
Metropolitan Large	Regional Rural
Metropolitan Medium	Rural
Metropolitan Small	

There have been no changes to the categorisation of County Councils and they will retain the existing categories of Water and Other. This means that our Council will remain in the “County Councils - Other” category.

The Tribunal has reviewed the key economic indicators, including the Consumer Price Index and Wage Price Index, and had regard to the budgetary limitations imposed by the State Government’s policy of rate pegging determined that an increase of 2.5% is warranted. This increase will apply to the minimum and the maximum of the ranges of all existing categories for the fees for Councillors and Mayors/Chairpersons.

A summary of the Determination Pursuant to Section 239 of Categories of Councils and County Councils Effective from 1 July 2017 are detailed in the following Tables.

<b>Metropolitan</b>	<b>No</b>	<b>Non- metropolitan</b>	<b>No</b>
Principal CBD	1	Regional City	2
Major CBD	1	Regional Strategic Area	2
Metropolitan Large	8	Regional Rural	37
Metropolitan Medium	9	Rural	57
Metropolitan Small	11		

<b>County Councils</b>	<b>No</b>
Water	5
Other	7

Sections 248, 248A, 249, 250 and 251 of the Act generally provide that:

- A Council may fix an annual fee to be paid to each councillor and to the mayor. The fee paid to the mayor is additional to the councillor fee. The fees paid must be in accordance with the determination made by the Remuneration Tribunal.
- The annual fee so paid must be the same for each councillor.
- A Council that does not fix the annual fees (both councillor and mayoral) must pay the minimum fee as determined by the Remuneration Tribunal.
- Fees are to be paid monthly in arrears.

**REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF COUNCIL TO BE HELD ON 20 JUNE 2017**

- A suspended councillor does not receive the fee during the period of the suspension.  
A Council may pay a deputy mayor a fee determined by the Council for such time as the deputy mayor acts as mayor however, the fee so paid must be deducted from the mayor's annual fee.
- The payment of these fees does not mean that councillors are Council employees nor does the fee constitute a salary for the purposes of any Act.

**Financial Implications**

The Tribunal has determined that the annual fees for Councillors and Chairpersons of County Councils to be effective from 1<sup>st</sup> July 2017 will be:

<b>Councillor/Member Annual Fee</b>		<b>Mayor/Chairperson Additional Fee*</b>	
<b>Minimum</b>	<b>Maximum</b>	<b>Minimum</b>	<b>Maximum</b>
\$1,740	\$5,770	\$3,730	\$10,5300

*\* This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).*

The current Chairperson and Councillors fees for 2016/17 are set at \$2,319 for Councillors and \$5,797 for the Chairperson. Should Council decide to increase the annual fees by 2.5% then the new fees for the 2017/18 financial year would be \$2,377 and \$5,942 respectively. Provisions have been provided for in the Budget for the annual remuneration fees for Councillors and the Chairperson.

**Attachment: The Local Government Remuneration Tribunal Determination.**

**RECOMMENDATION: That Council determine their annual fees for 2017/18.**

## **REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF COUNCIL TO BE HELD ON 20 JUNE 2017**

### **7.1.3 AUDIT OFFICE OF NSW – AUDIT FOR YEAR ENDING 30 JUNE 2017**

#### **INTRODUCTION**

Council at its April 2016 meeting appointed the NSW Auditor General as Council's Auditor. The Auditor General will be responsible for the Independent Auditors Report in accordance with Section 417 of the Local Government Act 1993 of Council's general purpose financial statements for the financial year ending 30 June 2017. The Auditor General will be responsible for ensuring the audit is performed in accordance with the Australian Accounting Standards.

This report details the audit process to be undertaken for the financial year 2016/17.

#### **REPORT**

Discussions have been held with the Director Financial Audit Services of the Audit Office of NSW, Mr J Sugamar, Mr P Cornall of Forsyths Chartered Accountants, Armidale, Mr J Duggan Senior Financial Accountant, Armidale Regional Council and officers of Council.

As a result of these discussions a Client Services Plan and Agreement of Terms has been entered into with the Audit Office of NSW for the audit of Council's financial statements ending the 30 June 2017. A copy of the Plan is attached for the information of Councillors.

It is noted that the Auditor General has engaged Council's previous Auditors, Forsyths Chartered Accountants to provide the financial services for this engagement.

The Client Services Plan details the key issues and risks that may impact the audit, the audit approach, the audit timetable, financial reporting issues and developments, as well as general matters and audit fees.

The auditing process for this year is underway with the preliminary audit being undertaken by Forsyths Chartered Accountants in April 2017.

The cost of the audit is \$9,300 comprised of the Audit Office of NSW fee of \$2,200, Related Party Transactions of \$600 and the Contract Audit fee of \$6,500. Provisions have been made in the budget for annual audit fees. The new fee relating to Related Party Transactions is the subject of a separate report contained in the Business Paper regarding Related Party Disclosures.

#### **Attachment: Client Services Plan**

#### **RECOMMENDATION:**

**That the report on the Audit process of Council's financial statements for the year ending 30 June 2017 be received and noted.**

**REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF COUNCIL TO BE HELD ON 20 JUNE 2017**

**7.1.4 PUBLIC INTEREST DISCLOSURES REPORT**

**Introduction**

Councils are required to provide the NSW Ombudsman with statistical information regarding their compliance with their obligations under the Public Interest Disclosures Act 1994 (PID Act) on a six monthly basis. This requirement is the subject of this report.

**Report**

The report is to be provided to the NSW Ombudsman within 30 days after the end of the relevant six month period or by such later time as the Ombudsman may approve. The information to be provided in the six monthly (and annual) reports is outlined in the Public Interest Disclosures Regulation 2011 (PID Reg).

Table 1 below details the six-monthly report information to 30<sup>th</sup> June 2017 required under section 4 of the Regulation to be provided to the NSW Ombudsman under section 6CA of the PID Act.

**Table 1**

<b>Relevant Section</b>	<b>Requirement</b>	<b>Report</b>
PID Reg – sect 2(a)	the number of public officials who have made public interest disclosure to the public authority,	Nil
PID Reg – sect 2(b)	the number of public interest disclosures received by the public authority in total and the number of public interest disclosures received by the public authority relating to each of the following: corrupt conduct, maladministration, serious and substantial waste of public money or local government money (as appropriate), government information contraventions, local government pecuniary interest contraventions,	Nil  Nil Nil  Nil  Nil Nil
PID Reg – sect 2(c)	the number of public interest disclosures finalized by the public authority,	Nil
PID Reg – sect 2(d)	whether the public authority has a public interest disclosures policy in place,	Yes
PID Reg – sect 2(e)	what actions the head of the public authority has taken to ensure that his or her staff awareness responsibilities under 6E(1)(b) of the Act have been met.	Circulation of PID Policy to all staff & awareness training at staff meetings.

**REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF  
COUNCIL TO BE HELD ON 20 JUNE 2017**

**RECOMMENDATION:**

1. That the six- monthly report on Council's compliance with their obligations under the Public Interest Disclosures Act 1994 be received and noted.
2. That a copy of the report be forwarded to the NSW Ombudsman.

## **REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF COUNCIL TO BE HELD ON 20 JUNE 2017**

### **7.1.5 GOVERNMENT INFORMATION (PUBLIC ACCESS) ACT 2009 (GIPA) – PUBLICATION GUIDE REVIEW**

#### **Introduction.**

Under the provisions of Section 21 of the Government Information (Public Access) Act 2009, Council must review its publication guide and adopt a new publication guide at intervals of not more than 12 months. In addition, the Information Commissioner of the Information Commission of NSW has stipulated that the 31<sup>st</sup> July of each year has been nominated as the date when all agencies are to have reviewed their publication guide, published the updated guide on their website and provided the update to the Commissioner.

#### **Report.**

The guide is essentially a summary of what Council does, how it does it, and what type of information it holds and generates through the exercise of its functions, with a particular focus on how those functions affect members of the public.

The document aims to make it easier for people to identify and locate information held by Council, and know whether the information can be obtained on the website, at the Council offices, upon request or under a formal access application.

The document has been reviewed by staff with minor amendments referencing Council's review of adopted policies and details relating to the proclamation on 12<sup>th</sup> May 2016, resulting in the amalgamation of Armidale Dumaresq Council and Guyra Shire Council to form the new Armidale Regional Council.

It is considered that the document meets the requirements of the GIPA Act and is submitted for Council's consideration and adoption. Council's revised Publication Guide is attached to the report for the information of Councillors.

**Attachment: New England Tablelands (Noxious Plants) County Council Publication Guide.**

#### **RECOMMENDATION:**

**That under the provisions of Section 21 of the Government Information (Public Access) Act 2009, Council adopts the revised New England Tablelands (Noxious Plants) County Council Publication Guide, as attached to the report.**



# REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF COUNCIL TO BE HELD ON 20 JUNE 2017

## 7.1.6 REVIEW OF COUNCIL POLICIES

### Introduction

As previously reported to Council a review of Council's Policies and Procedures is an ongoing exercise. A number of Council's already adopted policies have a requirement that they must be reviewed at least every twelve months from their date of adoption. These policies are the subject of this report.

### Report

The following provides a summary of each of the Policies with any proposed amendments, changes or updates detailed. Copies of each of the Policies are attached in full to the report.

- **Investment Policy 01/11** – this policy provides the framework for the investment of Council's funds at the most favourable rate of interest whilst having due consideration of risk and security for that investment type.  
**Comment:** No changes are proposed to this policy.
- **Drug and Alcohol Policy No: 03/11** – this policy prohibits the use of drugs and alcohol in the workplace.  
**Comment:** No changes are proposed to this policy.
- **Engagement of Contractors Policy No: 04/11** – this policy is to ensure that systems are established to assist contractors/sole traders comply with Work Health & Safety standards and other statutory requirements, when engaged by Council.  
**Comment:** No changes are proposed to this policy other than minor updates.
- **Procurement of Goods & Services Policy No: 05/11** – this policy is to ensure that Council receives the best price when staff procure goods and services, and that their actions are transparent, accountable and follow probity requirements.  
**Comment:** No changes are proposed to this policy.
- **Annual Leave Policy 02/12** – this policy outlines the way in which employees' annual leave entitlements are managed in order to both ensure that employees take their annual leave regularly each year and that Council's annual leave liability is minimised.  
**Comment:** No changes are proposed to this policy.
- **Gifts and Benefits Policy 03/12** – this policy addresses specific requirements regarding the management of gifts and benefits offered to Councillors and Council employees.  
**Comment:** No changes are proposed to this policy.
- **Records Management Policy 03/12** – this policy establishes the

## **REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF COUNCIL TO BE HELD ON 20 JUNE 2017**

framework for the management of Council records that is consistent with legislative requirements.

**Comment:** No changes are proposed to this policy.

The abovementioned policies have been discussed with staff who have provided comment and input.

Normally Council's Enforcement Policy 01/10 that addresses specific requirements that govern the regulatory functions and the obligations placed upon the Authority by the Noxious Weeds Act 1993, its Regulations and Orders would also be presented to Council for endorsement. With the implementation of the new Biosecurity Act 2015 and Biosecurity Regulation 2017 on 1 July 2017 replacing the previous Noxious Weeds Act 1993 there will need to be a comprehensive review with officers of Council and from the NSW Department of Primary Industries in developing a completely new Compliance/ Enforcement Policy. This review will take place in the near future and a further report will be presented to Council for its consideration.

The review of Council's policies, procedures and management practices is an ongoing process and further reports will be provided to Council as the need arises.

### **Attachments:**

- **Investment Policy No: 01/11**
- **Drug and Alcohol Policy No: 03/11**
- **Engagement of Contractors Policy No: 04/11**
- **Procurement of Goods and Services Policy No: 05/11**
- **Annual Leave Policy No: 02/12**
- **Gifts and Benefits Policy No: 03/12**
- **Records Management Policy No: 01/13**

**RECOMMENDATION:** That Council reaffirm the adoption of the following Policies, as attached to the report.

- **Investment Policy No: 01/11**
- **Drug and Alcohol Policy No: 03/11**
- **Engagement of Contractors Policy No: 04/11**
- **Procurement of Goods and Services Policy No: 05/11**
- **Annual Leave Policy No: 02/12**
- **Gifts and Benefits Policy No: 03/12**
- **Records Management Policy No: 01/13**

# **REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF COUNCIL TO BE HELD ON 20 JUNE 2017**

## **7.1.7 RELATED PARTY DISCLOSURES**

### **Introduction**

NSW Treasury Circular TC16-12 (21 December 2016) provided information on the related party and key management personnel concept, and related party requirements to be applied by all public sector entities financial statements for financial years beginning on or after 1 July 2016. The exemption within Australian Accounting Standard AASB 124 Related Party Disclosures to exclude not-for-profit public sector entities such as Councils has been removed. This means that local government now has to comply with all requirements including the nomination of Key Management Personnel (KMP) and the disclosure by KMP of related parties and related party transactions. The purpose of this report is to provide Council with information on the requirements associated with Accounting Standard AASB 124 Related Party Disclosures, and for Council to adopt the required policy together with nominating the key management personnel.

### **Report**

Related Party relationships are a normal feature of commerce and business. For example, entities frequently carry on parts of their activities through subsidiaries, joint ventures and associates. In those circumstances, there is the possibility of the entity having the ability to affect the financial and operating policies of Council through the presence of control, joint control or significant influence.

A Related Party relationship could influence the normal business operations of Council even if Related Party Transactions do not occur. The mere existence of the relationship may be sufficient to affect the transactions of the Council with other parties. Alternatively, one party may refrain from trading with Council because of the significant influence of another—for example, a local supplier may be instructed by its parent not to engage in supplying goods to Council. For these reasons, knowledge of Council's transactions and outstanding balances (including commitments and relationships with Related Parties) may affect assessments of Council's operations.

AASB 124 provides that Council must disclose all material and significant Related Party Transactions and outstanding balances including commitments, in its Annual Financial Statements. Generally, disclosure will only be made where a transaction has occurred between Council and a related party of Council. In addition the transaction must be material in nature or size, when considered individually or collectively.

When assessing whether such transactions are significant the following factors will be taken into consideration:

- significance in terms of size;
- was it carried out on non-market terms;
- is it outside normal day-to-day council operations;
- was it subject to council approval;

## REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF COUNCIL TO BE HELD ON 20 JUNE 2017

- did it provide a financial benefit not available to the general public;
- was the transaction likely to influence decisions of users of the Annual Financial Statements.

Regard must also be given for transactions that are collectively, but not individually significant.

To comply with these requirements and to assist with clarifying requirements, the Related Party Disclosures Policy 02/17 has been prepared for Council's consideration and adoption, a copy of which is attached for the information of Councillors. It will be noted from the Policy that the KMP for Council are considered to be the Councillors (including the Chairman), the General Manager and Senior Weeds Officer.

The Policy defines the parameters for related party transactions and the level of disclosure and reporting required for Council to achieve compliance with AASB 124. This will safeguard transparency in dealings with related parties and their effect on Council's financial reports.

The following is a summary of some of the key components of the Policy.

- **Related Parties** – A person or entity that is related to the entity that is preparing its financial statements. For the purpose of this Policy, related parties are entities related to Council, key management personnel and close family members of key management personnel.
- **Key Management Personnel (KMP)** – Those persons having authority and responsibility for planning, directing and controlling the activities of the entity directly or indirectly.
- **Close Family Members** – Are people who can be expected to influence or be influenced by KMP. This includes but not limited to a spouse or partner, children and dependents, children and dependents of the spouse or partner and possibly parents, grandparents and other family members. Other family members who would expect to influence or be influenced by KMP need to be included as close family members. This is carried out on a self-assessment basis by each KMP.
- **Related Party Transaction** – A related party transaction is a transfer of resources, services or obligations between a reporting entity and a related party, regardless of whether a price is charged.
- **Disclosure** – Disclosures will include the nature of the relationship and information about transactions, outstanding balances and commitments. If a KMP is affected by the disclosure they will be given a copy of the disclosure for comment before the external audit is finalized. All comments will be considered however, any deviations from the standard policy will not be included in the final disclosure. The General Manager will give the final approval of what will be contained in the disclosure.
- **Notification of KMP of Related Parties** – KMP are to provide a notification of related parties at the beginning of each financial year. The method of identifying close family members and associated entities will be by KMP self-assessment.
- **Notification of KMP of Related Party Transactions** – All KMP will be required to complete and submit to the General Manager a notification advising of any known related party transactions that have occurred in the past 6 month period and any related party transactions that have the potential of occurring in the next

**REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF COUNCIL TO BE HELD ON 20 JUNE 2017**

6 month period. A Nil notification will be required to be submitted if no transactions are required to be reported. These notifications will be due by 31 January and the 31 July covering the reporting periods from 1 July to 31 December and 1 January to 30 June respectively.

Council is committed to responsible corporate governance, including compliance with laws and regulations governing related party transactions. Changes to the Australian Accounting Standards means Council is now required to comply with the provisions of AASB 124 – Related Party Disclosure from 1 July 2016. To enable Council to comply with AASB 124, Council's KMP, as defined in Section 5 of the attached Policy, it is required to declare full details of any Related Parties and Related Party Transactions. Such information will be retained and reported, where necessary, in Council's Annual Financial Statements.

A notice of intention to collect information should have been provided to KMP prior to now however, information in relation to what is required has not been readily available. This means that the responses will need to be retrospectively applied to 1 July 2016 for all KMP. Steps have been taken to obtain the necessary declarations for this financial year reporting purposes.

**Attachment: New England Weeds Authority Related Party Disclosures Policy 02/17.**

**RECOMMENDATION:**

- 1. That the report on the Related Party Disclosures be received and noted.**
- 2. That Council adopt the Key Management Personnel as being the Councillors (including the Chairman), General Manager and Senior Weeds Officer.**
- 3. That Council adopt the New England Weeds Authority Related Party Disclosures Policy 02/17, as attached to the report.**

# REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF COUNCIL TO BE HELD ON 20 JUNE 2017

## 7.1.8 REVIEW OF DELEGATIONS OF AUTHORITY

### Introduction

Under the provisions of Section 380 of the Local Government Act 1993, Council must review all its delegations during the first 12 months of each term of office. As previously reported to Council it is anticipated that the new Biosecurity Act 2015 and Regulations thereunder will come into force from July 2017, replacing amongst other Acts the Noxious Weeds Act 1993 under which previous delegations were authorised. This report and accompanying Delegations Register reflects these changes.

### Report

In accordance with this requirement the New England Weeds Authority Delegation of Authority Register has been reviewed and updated. The Register is the key document identifying the authority of the Chairperson, Deputy Chairperson, the General Manager and various staff of the New England Weeds Authority. The document details Guiding Principles relating to the functions of Council, authority delegated to the Chairperson, Committees and delegates.

In addition, the authority delegated to the General Manager pursuant to Section 377 of the Local Government Act 1993 (the Act) and Section 372 of the Biosecurity Act 2015 are contained within the Register. As well sub-delegations pursuant to Section 378 of the Act by the General Manager to relevant staff are included, in order to provide for the efficient management of Council's business and responsibilities.

The final section of the document includes staff delegations allowing them to perform on behalf of Council the powers, authorities, duties and functions within the terms of the Biosecurity Act 2015 as authorised officers.

For the information of Councillors Section 372 of the Biosecurity Act 2015 provides as follows:

#### **372 Local authorities to appoint authorised officers to control weeds**

- (1) A local control authority has the same power as the Secretary to appoint authorised officers in relation to land for which it is the local control authority.*
- (2) A person appointed by a local control authority as an authorised officer may exercise the functions of an authorised officer:*
  - (a) in relation to weeds only, and*
  - (b) subject to this Division, only in relation to land for which that local control authority is the local control authority.*
- (3) Division 1 applies in relation to the appointment of an authorised officer by a local control authority in the same way as it applies in relation to the appointment of an authorised officer by the Secretary.*

**REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF COUNCIL TO BE HELD ON 20 JUNE 2017**

*(4) A local control authority has the same functions as the Secretary with respect to:*

*(a) any biosecurity direction given by an authorised officer appointed by the local control authority, or*

*(b) any biosecurity undertaking executed by an authorised officer appointed by the local control authority.*

*(5) A reference in this Act to an authorised officer acting on behalf of the Secretary includes a reference to an authorised officer acting on behalf of a local control authority.*

It is noted that Council in delegating to the General Manager the power to appoint Authorised Officers under Section 372 of the Biosecurity Act 2015, is with the exception of the power to appoint the person in the role of General Manager as an Authorised Officer. It is considered appropriate that Council appoint the General Manager, Mr W. Deer as an Authorised Officer, so that he has the power to administer and review decisions made by other Authorised Officers employed by the Council.

A copy of the Delegations of Authority Register is attached to the report for Council's consideration and review.

**Attachment: Delegation of Authority Register**

**RECOMMENDATION:**

- 1. That Council make and endorse the delegations of authority to the Chairperson, Deputy Chairperson, General Manager and various staff as contained within the New England Weeds Authority Delegation of Authority Register attached to the report, in accordance with the provisions of Section 377 of the Local Government Act 1993 and Section 372 of the Biosecurity Act 2015.**
- 2. That Council appoint the General Manager, Mr W Deer as an Authorised Officer for the purpose of administering the relevant provisions of the Biosecurity Act 2015. This authorisation shall extend to the service of penalty notices and instigation of legal action in relation to the Biosecurity Act 2015.**

# **REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF COUNCIL TO BE HELD ON 20 JUNE 2017**

## **7.1.9 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2017**

### **Introduction**

Local Government NSW has advised of arrangements for the 2017 Annual Conference. This report is submitted to enable Council to determine its representation at the Conference.

### **Report**

The Conference is the annual policy-making event for NSW general-purpose Councils, associate members and the NSW Aboriginal Land Council. It is the pre-eminent event of the local government year where local Councillors come together to share ideas and debate issues that shape the way they are governed.

The Local Government Annual Conference will be held at the Hyatt Regency Sydney, 161 Sussex Street, Sydney, from 4 to 6 December 2017.

### **Policy Implications**

Council's policy "Payment of Expenses and the Provision of Facilities for Chairperson, Councillors and Staff" provides for the attendance of the Chairperson as delegate and the General Manager.

### **Financial Implications**

Advice of registration fees for each participant at the Conference have not been received at the time of writing the report. Fees generally cover all conference activities, business papers and include the cost of the conference dinner.

Accommodation, travel and sustenance costs, the exact extent of which are also unknown at this time, will be additional, however all costs associated with attendance at the Conference have been provided for in the Budget.

### **RECOMMENDATION: That Council:**

- 1. Approve the attendance of two representatives at the 2017 Local Government Annual Conference, those representatives being the Chair as Voting Delegate and the General Manager.**
- 2. Approve payment of all expenses associated with the attendance at the Conference in accordance with the Payment of Expenses Policy.**



## **REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF COUNCIL TO BE HELD ON 20 JUNE 2017**

### **7.1.10 NSW WEEDS ACTION PROGRAM 2015-2020 AMENDED GUIDELINES**

#### **Introduction**

In a letter dated 29 May 2017, Mr A Sanger, the Director Invasive Plants and Animals, NSW Department of Primary Industries has advised that on 24 May 2017 the State Weeds Committee endorsed changes to the Guidelines for the NSW Weeds Action Program 2015 – 2020 (WAP 1520) to be effective from 1 July 2017.

The variations have been made to facilitate changes requested by the Minister for Primary Industries, the Hon. Niall Blair, in response to the NSW Weed Review and other governance and legislative reforms made over the past two years.

This report addresses the changes and the impacts they may have upon Council as the current lead organisation for both the North West and Northern Tablelands Local Land Services WAP 1520 programs.

#### **Report**

A summary of the major points that differ from the previous Guidelines are as follows:

- Confirmation of WAP1520 as the NSW Government's program for supporting implementation of the NSW Invasive Species Plan and its priorities for the WAP.
- Confirmation of the respective Local Land Services region as the Lead Organisation for each Regional WAP1520 Sub-program.
- Clarification of arrangements for engagement of Regional Weed Coordinators.
- Confirmation and explanation of the role of effective partnerships and community engagement.

The main impacts for Council in regard to the above relate to confirmation of the respective Local Land Services (LLS) as the Lead Organisation for each Regional WAP1520 Sub-program and clarification of arrangements for engagement of Regional Weed Coordinators.

As Councillors are aware Council by way of negotiation and agreement, has in place a formal Participant Agreement with both the North West and Northern Tablelands Local Land Services, and their respective Regional Weed Committees to act as Lead Organisation for WAP1520 which commenced on 1 July 2015. The changes to the amended Guidelines now mean that Local Land Services will be the lead organisation for the regional sub-programs. However, the guidelines also state that this does not prevent the Local Land Services contracting delivery of this function to a third party such as Council under a new Delivery Contract.

WAP1520 provided for the employment of Project Officers to assist regions in the delivery and coordination of programs, for which the lead organisation received

## **REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF COUNCIL TO BE HELD ON 20 JUNE 2017**

10% of project funds. Council as lead organisation employs Mrs H Apps as the Project Officer for both the North West and Northern Tablelands Local Land Services WAP1520 programs. Under the changes to WAP1520 funding will be provided for positions but under changed conditions.

To meet the regional planning obligations of the LLS, Regional Weed Coordinators (previously Project Officers) will now be directly employed or contracted to each LLS. An amount of up to \$100,000 is to be allocated to each LLS, with the ability for the Regional Weed Coordinator to still work for two LLS regions.

The broad roles and functions for Regional Weed Coordinators will be to:

- Function as the Executive Officer for the Regional Weed Committee.
- Coordinate implementation of the WAP 1520 Regional sub-program.
- Administer the WAP budgets and processes.
- Report to the Regional Weed Committee on weed matters within the region.
- Report to the Regional Weed Committee for the purposes of WAP1520.
- Liaise with partners and stakeholders to promote effective cross jurisdictional arrangements.

As can be seen from the above, these changes may have significant impacts on Council and current staff member Mrs H. Apps as the current Project Officer for both the North West and Northern Tablelands Local Land Services. It is possible there could be budget implications and a reduction in employment hours for Mrs Apps should a renegotiated Delivery Contract for services to the North West and Northern Tablelands LLS not be forthcoming.

As a consequence contact has been made with officers of both the North West and Northern Tablelands Local Land Services, as well as writing to each of the General Managers to seek an urgent meeting to discuss the future role of Council as Lead Organisation or otherwise and to clarify the future role of the Regional Weed Coordinator position for both Local Land Services.

It is hoped that further information will be available for the Council meeting and an update will be provided at the meeting.

### **RECOMMENDATION:**

**That the report on amendments to the NSW Weeds Action Program 2015 - 2020 Guidelines by received and noted.**

**REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF COUNCIL TO BE HELD ON 20 JUNE 2017**

## **8.1 FINANCIAL MATTERS**

### **8.1.1 INVESTED FUNDS REPORT**

#### **Introduction**

The Local Government (General) Regulation, Clause 212, requires that the Responsible Accounting Officer must provide Council with a written report setting out all money Council has invested under Section 625 of the Local Government Act 1993, up to the last day of the Month immediately preceding the meeting.

#### **Report**

Included in this report are the following items that highlight Council's Investment Portfolio Performance for the period ending 31 May 2017 and an update of the investment environment:

- a) Councils Investments for reporting period 1 April 2017 – 31 May 2017;
- b) Investment Portfolio Performance and
- c) Investment Commentary.

#### **Financial Impact**

The actual interest earned for the April to May 2017 period is \$5,667.47, bringing the year to date total to \$34,254.71.

#### **a) Council's Investments for reporting period 1 April 2017 – 31 May 2017**

##### **Commonwealth Bank Business Online Saver:**

<b>As at</b>	<b>Rate</b>	<b>Balance</b>	<b>Interest</b>
31 <sup>st</sup> May 2017	1.65%	\$122,222.10	\$226.82

##### **Bank Term Deposits:**

##### **Newcastle Permanent Term Deposit:**

<b>Term Deposit</b>	<b>Opened</b>	<b>Due</b>	<b>Rate</b>	<b>Term Deposit</b>	<b>Balance at 31 May 2017</b>	<b>Interest Apr – May 2017</b>
3	5 Sept 2016	5 April 2017	3%	\$350,000	0	\$143.84

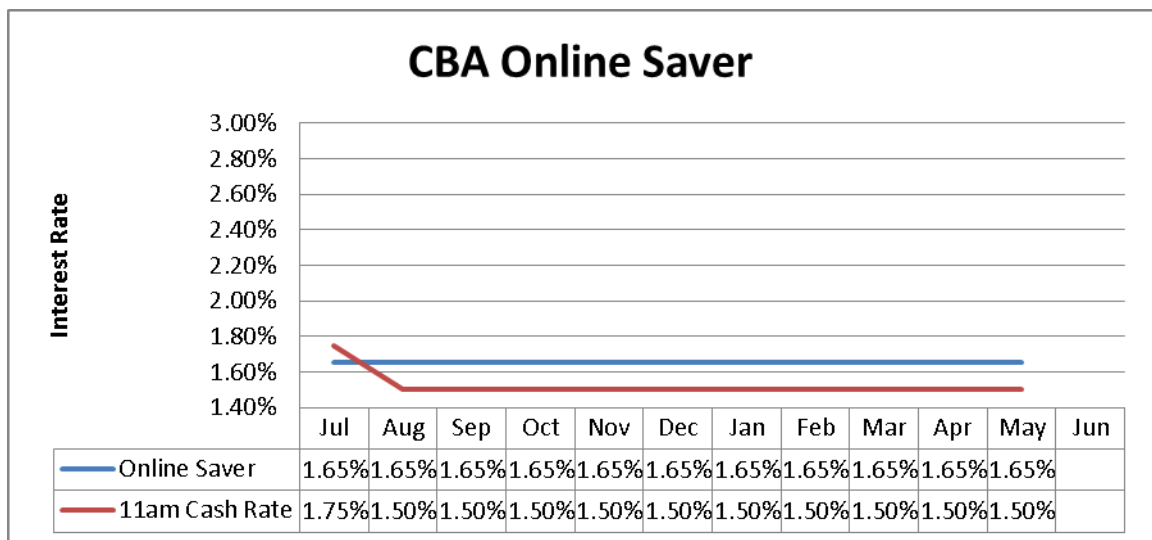
**REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF  
COUNCIL TO BE HELD ON 20 JUNE 2017**

**Commonwealth Bank Term Deposits**

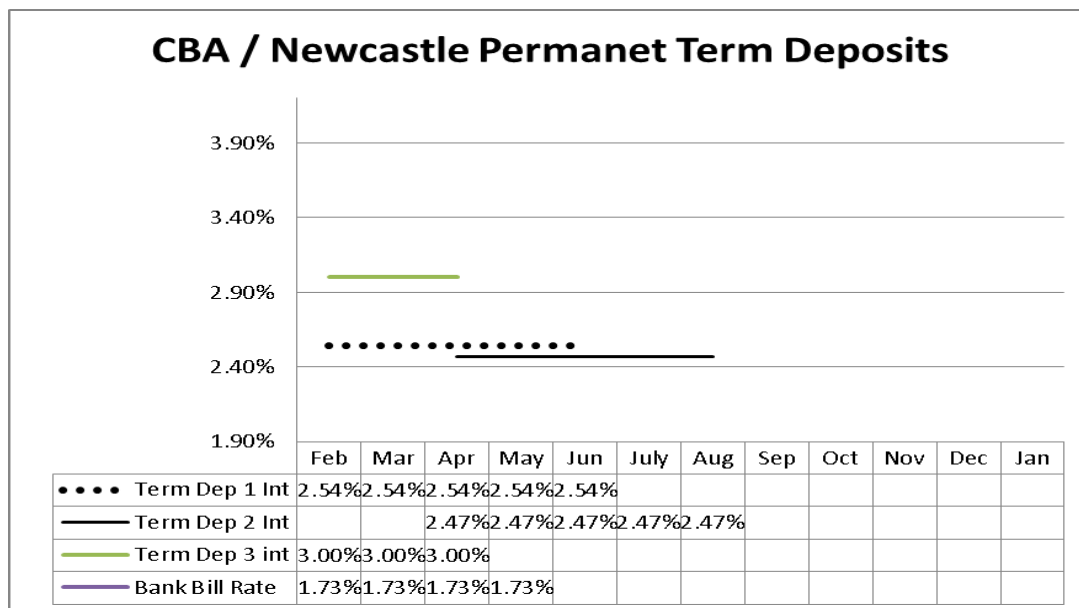
Term Deposit	Opened	Due	Rate	Term Deposit	Balance at 31 May 17	Interest accrued Apr – May 2017
1	21 Feb 2017	21 June 2017	2.54%	\$1,006,679.49	\$1,006,679.49	\$4,273.28
2	11 Apr 2017	9 August 2017	2.47%	\$300,000	\$300,000	1023.53
<b>TOTAL</b>					<b>\$1,306.679.49</b>	<b>\$5,296.81</b>

**b) Investment Portfolio Performance**

Council’s Investment Policy provides for the benchmarking of its investments against the 11am Cash Rate and the Australian Financial Markets Association Bank Bill Rate. The following tables detail Council’s Investment Portfolio Performance.



**REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF COUNCIL TO BE HELD ON 20 JUNE 2017**



**c) Investment Commentary**

The Investment Portfolio continues to reflect the Reserve Bank’s current hold on interest rates at 1.5%.

It is pleasing to report that interest received this financial year has exceeded the budget forecast of \$30,000.

**Certification – Responsible Accounting Officer.**

I hereby certify that the investments listed in the attached report have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2005 and Council’s Investment Policy

Responsible Accounting Officer: Wayne Deer

**RECOMMENDATION:**

- 1. That the report indicating Council’s Fund Management position be received and noted.**
- 2. That the Certificate of the Responsible Accounting Officer be noted and the report adopted.**

**REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF  
COUNCIL TO BE HELD ON 20 JUNE 2017**

**9 WEED CONTROL MATTERS**

**9.1.1 2015/2016 WEEDS ACTION PROGRAM**

**Private Property Inspections – Nominated Division 2016/2017**

Inspections have been completed in the nominated areas for the 2016/2017 period.

**Private Property Inspections – Other Divisions**

District	Number of Properties Inspected	Number of Properties to be Inspected	Percent Complete
Northern District	25	25	100%
Central District	27	25	102%
Southern District	26	25	105%

**Private Property Inspections – Reinspections**

District	Number of Properties Inspected	Number of Properties to be Inspected	Percent Complete
Northern District	40	25	140%
Central District	48	40	110%
Southern District	31	25	126%

**REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF  
COUNCIL TO BE HELD ON 20 JUNE 2017**

**Specific Inspections**

**Weeds Action Plan Regional Measurable Outcomes, Inspections/ NEWA**

<b>Inspections</b>	<b>WAP Targets</b>	<b>Jul- Sep</b>	<b>Oct- Dec</b>	<b>Jan- Mar</b>	<b>Apr- Jun</b>
Nurseries	10	2	3	2	
Rural Outlets	0	1			
ARTC - No.	3		1		
ARTC - Ha.	0		80		
Weekend Markets	5	2	2	1	
Dept of Lands - No.	4	2	3		1
Dept of Lands - Ha.	0	50	75		10
Nat Parks/Reserves - No.	4	1	1	1	
Nat Parks/Reserves - Ha.	0	10	50	10	
Aquaria/Pet shops	2	1	1		1
LLS Reserves - No.	5	2		2	3
LLS Reserves - Ha.	0	20		80	45
Gravel Quarries	40	10	6		
Machinery Dealers	0				
Grain Handling Sites	0				
Border Crossings	0				
Recreational Areas - No.	10	3	20	4	
Recreational Areas - Ha.	0	10	58	6	
Wetlands	1	3	2	1	1
Saleyards	3	1	1	2	
Machinery Washdown Bays	0				
Roadside Truck Stops	0	16			
Private Property High Risk areas - No.	500	43	66	48	58
Private Property High Risk areas - Ha.	100,000	660	8,117	9,788	8,349
PP HR Re inspections - No.	100	15	33	12	25
PP HR Re inspections - Ha.	20,000	2,850	4,780	2,712	16,221
Roadside Inspections High Risk Pathways - Km.	640		440	250	105
Roadside Inspections High Risk Pathways - Ha.	12,800		880	500	210
Waterways High Risk Pathways - No.	20	2	1	6	1
Waterways High Risk Pathways - Ha.	4,000	1,000	1,000	1,030	20
Private Property Inspections - No.	1,000	231	242	246	189
Private Property Inspections - Ha.	200,000	68,710	75,896	48,728	37,122
Private Property Re Inspections - No.	120	17	30	17	11
Private Property Re Inspections - Ha.	22,000	424	2,114	671	462
Roadside Inspections - Km.	3,489		3,000	136	460
Roadside Inspections - Ha.	69,780		6,000	272	920
Other Council Lands - No.	0		6	24	
Other Council Lands - Ha.	0		60	121	

**REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF COUNCIL TO BE HELD ON 20 JUNE 2017**

**Weed Recording, Mapping, Survey and Reporting Activities**

Date	Activity	Details
Nov 16-Feb 17 June 2017	Weed Survey, Glen Innes Windfarm	M Benham
21/11/2016	Intramap Inspection program	Initial training – all staff
March 2016	Mexican Water Lily Survey	Environmental Trust Mexican Water Lily, Project

**Communication, Education, Extension and Publicity Activities**

Extension Activities this year will be carried out in the following areas:

Extension Activity	Council Area	Date Achieved
Armidale Show	Armidale	10,11 March 2017
Guyra Show	Guyra	17 February 2017
Bundarra Show	Uralla	27 January 2017
Uralla Show	Uralla	3 February 2017
Walcha Show	Walcha	18 March 2017
Landcare Adventure UNE Smartfarm	Armidale	04 May 2017
Landcare Adventure Uralla Township	Uralla	05 May 2017
O'Connor School Presentation	Armidale	06 June 2017
Bald Blair Farmers Field Day	Guyra	13 September
Landcare Field day	Walcha Township	12 August 2016
UNE Student Presentation	Armidale	19 August 2016

Opportunities that become available through our association with Land Care will continue to be utilized. Stands at saleyards, Ag Quip and static displays will also be carried out.

**Weeds Action Plan Regional Measurable Outcomes, Extension/ NEWA**

Extension	Target	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun
School Visits	2	1			1
Field Days	4	1	1		2
Media Releases	6	3	3	3	3
Team Talk Meetings	4	3	3	2	3
Ag Quip	1	1			
Shows/Expos	3			5	
Landcare Events	4	1			2
Other	3				
Landowners contacted	200	50	35		120



**REPORT OF THE GENERAL MANAGER TO THE ORDINARY MEETING OF COUNCIL TO BE HELD ON 20 JUNE 2017**

**Staffing**

Staff training will be carried out during the year in accordance with the Corporate Training Program.

<b>Date</b>	<b>Activity</b>	<b>Details</b>
4 August 2016	Traffic Control at Worksites	All Staff
19 September	White Card	Luke Turner
21 November 2016	Inspection Program Training	All staff
5 December 2016	First Aid Refresher	All Staff
20-24 March 2017	High Risk Weeds Study Tour	Josh Biddle, Luke Turner.
5 April 2017	Work Safely around Aircraft	All Staff
May/June 2017	Biosecurity On Line and Face to Face training	All staff

**Operational Program –**

Roadside control programs have been completed in the 5 Council areas during the period. Operational staff have then progressed to various weed control projects and minor control programs in the Macleay Valley.

**RECOMMENDATION:**

**That Council adopt the quarterly report on the 2016/2017 Weeds Action Program.**

**MATTERS OF URGENCY**

**NEXT MEETING: Tuesday, 22nd August 2017 at 8:30 am.**

**ATTACHMENTS**

- 1 **NEWA DRAFT BUSINESS ACTIVITY STRATEGIC PLAN 2017-2027, DRAFT 4 YEAR DELIVERY PLA PLAN 2017-2021, DRAFT ANNUAL OPERATIONAL PLAN 2016-2017**
- 2 **LOCAL GOVERNMENT RENUMERATION TRIBUNAL DETERMINATION**
- 3 **AUDIT OFFICE OF NSW CLIENT SERVICES PLAN**
- 4 **NEWA GOVERNMENT INFORMATION (PUBLIC ACCESS) INFORMATION GUIDE**
- 5 **POLICY REVIEW**  
  
Investment Policy No: 01/11  
Drug and Alcohol Policy No: 03/11  
Engagement of Contractors Policy No: 04/11  
Procurement of Goods and Services Policy No: 05/11  
Annual Leave Policy No: 02/12  
Gifts and Benefits Policy No: 03/12  
Records Management Policy No: 01/13
- 6 **NEWA RELATED PARTY DISCLOSURES POLICY 02/17**
- 7 **DELEGATION OF AUTHORITY REGISTER**