



NEW ENGLAND COUNTY COUNCIL

ABN 35 514 070 354

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9 August 2023

Dear Members,

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 15 August 2023 at 1:00pm

Yours sincerely

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

Tim Weeks
GENERAL MANAGER

AGENDA

Ordinary Meeting of Council commencing at 01:00pm on Tuesday 15 August 2023

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ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL
TUESDAY 15 AUGUST 2023 IN NEWA OFFICES AT 01:00PM

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BUSINESS PAPER

Ordinary Meeting of Council commencing at 01:00pm on Tuesday 15 August 2023

Statement in relation to Audio Recording of Council Meetings

The Council and Public are to be advised that the Meeting is not being live streamed, however, an audio recording of the meeting will be available on the Council's website.

1.0 PRESENT

2.0 APOLOGIES

3.0 DECLARATION OF INTEREST

**4.0 MINUTES OF THE ORDINARY MEETING OF THE NEW ENGLAND
COUNTY COUNCIL HELD ON TUESDAY 27 JUNE 2023**

STATEMENT IN RELATION TO RECORDING OF COUNCIL MEETINGS

Cr. Kermode advised that the Meeting was *not* being live streamed, however, a video recording of the meeting will be available on the County Council's website.

PRESENT: Councillor Scott Kermode (Chair), Councillor Tim Bower (Deputy Chair), Councillor Margaret O'Connor (01:15pm), Councillor Paul Packham and Councillor Dorothy Robinson

IN ATTENDANCE:

General Manager – Tim Weeks
Chief Financial Officer – Laurie Knight

APOLOGIES:

Councillor Lara Gresham

16/23 Approval of leave:

Moved: Councillor Robinson Seconded Councillor Bower
The motion put to the **Vote** was passed UNANIMOUSLY.

ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL
TUESDAY 15 AUGUST 2023 IN NEWA OFFICES AT 01:00PM

DECLARATION OF INTEREST - NIL

MINUTES OF THE ORDINARY MEETING OF THE NEW ENGLAND COUNTY COUNCIL HELD ON TUESDAY 7 MARCH 2023

17/23 Resolved:

That the Minutes of the Ordinary Meeting of the New England County Council held on 7 March 2023 commencing at 1:00pm, copies of which have been distributed to all members, are taken as read and confirmed as a true record.

Moved Councillor Robinson

Seconded: Councillor Bower

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

MATTERS ARISING FROM MINUTES OF THE ORDINARY MEETING OF THE NEW ENGLAND COUNTY COUNCIL HELD ON 7 MARCH 2023

There were no matters arising.

MINUTES OF THE EXTRAORDINARY MEETING OF THE NEW ENGLAND COUNTY COUNCIL HELD ON TUESDAY 17 APRIL 2023

18/23 Resolution:

That the Minutes of the Extraordinary Meeting of the New England County Council held on Tuesday 17 April 2023, be *deferred* to the next Ordinary Meeting.

Moved Councillor Robinson

Seconded: Councillor Packham

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

There were no matters arising from the meeting as the adoption of the minutes was deferred.

**MINUTES OF THE ORDINARY MEETING OF THE NEW ENGLAND COUNTY
COUNCIL HELD ON TUESDAY 2 MAY 2023**

19/23 Resolved:

That the Minutes of the Ordinary Meeting of the New England County Council held on Tuesday 2 May 2023, copies of which have been distributed to all members, are taken as read and confirmed as a true record.

Moved Councillor Packham **Seconded:** Councillor Robinson

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

**MATTERS ARISING FROM MINUTES OF THE ORDINARY MEETING OF NEW
ENGLAND COUNTY COUNCIL HELD ON 2 MAY 2023**

There were no matters arising.

ADOPTION OF OPERATIONAL PLAN AND ANNUAL BUDGET FOR 2023-2024

20/23 Resolved:

That the Annual Operational Plan and Budget, 10-year Financial Plan and Revenue Policy for the 2023-2024 Financial Year, as previously advertised for public exhibition, be now formally adopted.

Moved Councillor O'Connor **Seconded:** Councillor Robinson

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

**SETTING OF REVISED COUNCILLOR FEES AND CHARGES FOR THE
2023-24 FINANCIAL YEAR.**

21/23 Resolved:

1. That Members note the contents of the Office of Local Government Circular No 23-03 in relation to the setting of fees for elected members, as determined by the Remuneration Tribunal for 2023-24 financial year, and
2. That in accordance with Sections 248 and 249 of the Local Government Act. 1993, the annual fees payable to the Chair and Members for the 2023-2024 financial year, be increased by 3%, with effect from 1 July 2023.

Moved Councillor O'Connor

Seconded: Councillor Packham

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

**CONFIRMATION OF EMPLOYEE WAGE INCREASE FOR THE 2023-2024 to 2025-
2026 FINANCIAL YEARS.**

22/23 Resolved:

That Members note the in-principal details of the Local Government State Award increases as determined for the financial years 2023-2024 to 2025-2026 inclusive, noting that these increases are generally in line with the forecast wage increases outlined in Council's Annual Budget and 10-year Financial Plan.

Moved Councillor Packham

Seconded: Councillor Robinson

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

PROPOSED MEETING DATES FOR THE 2023-24 FINANCIAL YEAR.

23/23 Resolved:

That the schedule of proposed meeting dates for the 2023-24 financial year, be endorsed and advertised for public information.

Moved Councillor Bower

Seconded: Councillor Robinson

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

REPORT ON CASH POSITION (TERM DEPOSITS) AND CONSTRUCTION CASH FLOW (T-CORP)

24/23 Resolved:

That the report on the current cash flow position and projected cash flow for financing of building construction be noted.

Moved Councillor Robinson

Seconded: Councillor Packham

The **Motion** on being put to the **Vote** was CARRIED in the MAJORITY by 4 votes to 1.

Councillor Bower voted against the motion.

UPDATE ON PROGRESS OF OFFICE, WASH-DOWN BAY AND DEPOT CONSTRUCTION

The report to Council on the progress of the Office and Wash-down Bay was noted.

MATTERS OF URGENCY

Councillor Bower requested that a more detailed, month by month, cash forecast be made available to Members as part of the Quarterly Financial Reporting (QBR) process.

ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL
TUESDAY 15 AUGUST 2023 IN NEWA OFFICES AT 01:00PM

**NEXT MEETING - TUESDAY 15 AUGUST 2023 at 1:00pm (refer
Resolution 22/23 Meeting dates, above)**

MEETING CLOSED – 01:55pm

**5.0 MATTERS ARISING FROM MINUTES OF THE ORDINARY MEETING
OF NEW ENGLAND COUNTY COUNCIL HELD ON 27 JUNE 2023**

6.0 ANNUAL FINANCIAL STATEMENTS FOR YEAR ENDING 30 JUNE 2023

Recommendation:

1. That Council note the completion of the Draft Annual Financial Statements for the year ending 30 June 2023, and the details contained in this report;
2. That the Chair, Deputy Chair, or approved delegate, and the General Manager/Responsible Accounting Officer be authorised to sign the Councillor and Management Statement, and;
3. That the Draft Financial Statements be referred for audit in accordance with Section 413 and 416 of the Local Government Act 1993.

PURPOSE OF REPORT

This report provides Members with an overview of the completed [Draft Annual Financial Statements](#) for the year ending 30 June 2023, ahead of the final audit process, and requests authorisation for signing of the Councillor and Management Statement in accordance with Sec 413 (2) of the Local Government Act 1993, and referral of the Draft Statements for audit.

ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL
TUESDAY 15 AUGUST 2023 IN NEWA OFFICES AT 01:00PM

REPORT

The contract CFO has completed the Draft Annual Financial Statements for the year ending 30 June 2023 and these are now ready for referral to audit.

Members will recall that completion of last year's Financial Statements were delayed significantly, and Council was required to seek an extension for submission from the Office of Local Government (OLG), with audited statements finally being submitted to OLG in late February 2023.

I am pleased to report that no such extension will be required for the current year, with the audit schedule likely to be completed prior to the end of September, which should result in statements for this year being submitted to OLG well before the required deadline of 31 October 2023.

The completion of the current Draft Statements has been facilitated by both early planning and preparation, together with the transition to the new Xero financial system which has simplified Council's accounting processes to a large extent.

Having noted that, Council staff have also implemented a range of process improvements and more robust accounting practices than those that have existed for some time, with this transition still in progress. There were some challenges in merging system data and identifying historical information from incomplete records, however this has largely been addressed. This is expected to result in a cleaner and more effective audit, certainly in future years.

Summary of Operating Result for the Year

The [Draft Financial Statements](#) are attached to this business paper for the information of Members and reveal that, subject to audit, Council has achieved a modest surplus of \$33K for the year ending 30 June 2023.

Original budget forecasts and subsequent quarterly reviews anticipated a higher surplus for the year of just over \$200K, however several factors have contributed to the outcome as identified below.

A large part of Council's charter is to carryout works and services on behalf of member Councils, at the same time as maintaining revenue and expenditure at manageable levels, to ensure the business of the County Council is a 'going concern' from a constituent and audit perspective. I believe the current operating result is in line with those expectations.

A summary of the key Financial Statements is provided below:

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- On the expenditure side, employee costs were well down on original budget due to reduced staffing levels, however, this is offset by an increase in materials and services expenditure through a greater reliance on contractors as a means of meeting the operational focus on the WAP requirements for the year.
- Depreciation charges, while not a cash item, still impact the bottom line and were higher than the original budget. The original estimate was significantly understated, and the current charges reflect a renewal of fleet and plant items at higher cost over past three to four years.

A commentary on a range of material budget variations, including the above points, is included on pages 23 and 24 of the attached Financial Statements for Members to further review.

The Statement of Financial Performance (Balance Sheet) is presented below for Members' information:

New England Weeds Authority

Statement of Financial Position

as at 30 June 2023

\$ '000	Notes	2023	2022
ASSETS			
Current assets			
Cash and cash equivalents	C1-1	868	1,467
Investments	C1-2	666	502
Receivables	C1-4	72	62
Inventories	C1-5	18	25
Other	C1-11	72	–
Total current assets		1,696	2,056
Non-current assets			
Infrastructure, property, plant and equipment (IPPE)	C1-8	683	590
Total non-current assets		683	590
Total assets		2,379	2,646
LIABILITIES			
Current liabilities			
Payables	C3-1	262	252
Contract liabilities	C3-2	59	380
Employee benefit provisions	C3-4	60	108
Total current liabilities		381	740
Non-current liabilities			
Employee benefit provisions	C3-4	9	–
Total non-current liabilities		9	–
Total liabilities		390	740
Net assets		1,989	1,906
EQUITY			
Accumulated surplus		1,939	1,906
IPPE revaluation reserve	C4-1	50	–
Total equity		1,989	1,906
Total equity		1,989	1,906

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

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Net assets increased to \$1.989M at the end of the period because of the operating result, together with a revaluation of the Land asset at Waller Avenue which increased by \$50,000.

Available cash and investments, as expected, declined from \$1.96M to \$1.53M. The original budget anticipated a significantly greater reduction due to commencement of the construction on Council's new Depot and Office facilities, which of course, were not commenced until very late in the year.

Unrestricted Cash (total cash and investments, less external and internal restrictions) increased slightly over the period from \$871,000 to \$932,000, recognising that some of the unspent grant funds held over from previous years were expended during the year, which reduced the level of restricted cash.

Council's key performance ratios for the year, with prior year comparisons, are presented on pages 45 and 46 of the attached Financial Statements. Members can review the performance indicators in graph form, which shows Council's performance against local government industry benchmarks. A commentary is provided with each of the graphs explaining the current year result, and the comparison with recent past years.

Overall, Council's performance for the year remains sound, however, there will need to be a focus on maintaining that position as the new facilities are completed and repayment of loan funds is commenced in the years ahead.

Apart from the matters mentioned above, there is not much more to remark about the outcome for the year, other than to note that, despite significant operational challenges throughout the year, Council managed to maintain a sound financial position on which to base its planned future activities.

The Draft Financial Statements are now recommended for referral to audit, and a further report will be presented to Council at the completion of the audit process.

ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL
TUESDAY 15 AUGUST 2023 IN NEWA OFFICES AT 01:00PM

7.0 REPORT ON COUNCIL INVESTMENTS HELD ON 31 JULY 2023

Recommendation:

That Council receive and note the report on investments held at 31 July 2023, in accordance with Sec 625 of the Local Government Act 1993, and clause 212 of the Local Government (General) Regulation 2021, and Council's Investment Policy.

PURPOSE OF REPORT

This report provides details of investments held by Council on 31 July 2023.

REPORT

Clause 212 of the Local Government (General) Regulation 2021, requires that a report is prepared for Council's regular meeting, presenting the balance and nature of investments held at the end of the month preceding the meeting.

As Council's Ordinary meeting cycle is *quarterly* rather than monthly, this report will be presented only for the month prior to the meeting, rather than for every month in the calendar year as it not practical to provide a monthly report. This is the first report on investments that has been presented for some time and the purpose is to bring this reporting back into normal routine, in compliance with the Regulation.

Investments Held 31 July 2023

Council's total cash and investments held on 31 July 2023, are summarised below:

Description	Maturity	Interest Rate %	Agency	Balance Held \$
Cash at Bank – Operating Account	At Call	0%	Commonwealth	1,079,221.00
Fixed Term Deposit CDA	18/09/2023	4.26	Commonwealth	152,372.29
Fixed Term Deposit CDA	18/12/2023	5.09	Commonwealth	513,839.78
Total Cash & Investments				1,745,433.07

Compliance with Investment Policy

Council's [Investment Policy](#) provides guidelines for the investment of surplus funds and ensures that all investments undertaken by Council are in compliance with the various instruments and Ministerial Orders under the Local Government Act and Regulation.

The above list of investments is made in accordance with all requirements of the Act, Regulation and Council's investment Policy.

Provided for the information of Members.

8.0 UPDATE ON CONSTRUCTION PROGRESS OF OFFICE AND DEPOT

RECOMMENDATION

That Members note the contents of the Construction Report, the Construction Program and the Financial status of the project.

PURPOSE

The purpose of this report is to provide Members with an understanding of the status of construction of the Office and Depot, and the future program of works.

Additionally, the financial report provides details of Claims paid and Variations approved. The Report sets-out *payments* made to date and the current cost to *complete* the project.

REPORT



Waller Avenue site prior to commencement of construction

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With the granting of a Construction Certificate and appointment of Armidale Regional Council as the PCA [Principal Certifying Authority], we have been able to commence construction, including the provision of services, the supply and connection of electricity, the erection of security/safety fencing and site buildings and storage.

Construction staff are on site daily, together with Rice Project Management staff on most days. The Construction Program shown below, sets-out the planned (6 month) timetable, including occupation by year-end and project completion by February 2024 (subject to weather and other uncontrolled issues). As shown in the program, to date bulk earthworks, site levelling and building set-out have been completed to provide for the initial pouring of concrete slabs.



Site has been cleared of grass, levelled (cut and fill) and the set-out has been completed.

Site buildings (office, 40' storage container and a skip-bin for waste).

A security fence with visual wrapping has been installed.



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FINANCIAL POSITION

The original, fixed price contract value of \$1,676,920 (ex GST) has been increased to \$1,710,118.29, with planned variations totalling \$31,137.40 and provisional sum adjustments totalling \$2,060.89. These adjustments represent a 1.86% increase over the original contract value and within the 5% contingency amount.

These adjustments are made-up as follows:

Variations:

VQ01 – HDG Steel frame in depot building	26,070.50
VQ02 – Cabling for CCTV & WiFi access to Depot	5,066.90
	31,137.40

Provisional Sum Adjustments:

PSQ05 - Tapware	213.9
PSQ06 - Sanitary Hardware (add safety shower/eye wash)	1,846.99
	2,060.89

Payment Claims:

To date, there has only been a *single* payment Claim totalling \$19,528.00 and comprising preliminaries, site establishment and earthwork costs. Now construction is underway, monthly payments/claims will be made.

This report is for the information of Members and their Constituent Councils.

NEW ENGLAND WEEDS AUTHORITY
2/129 RUSDEN STREET
ARMIDALE N SW 2350

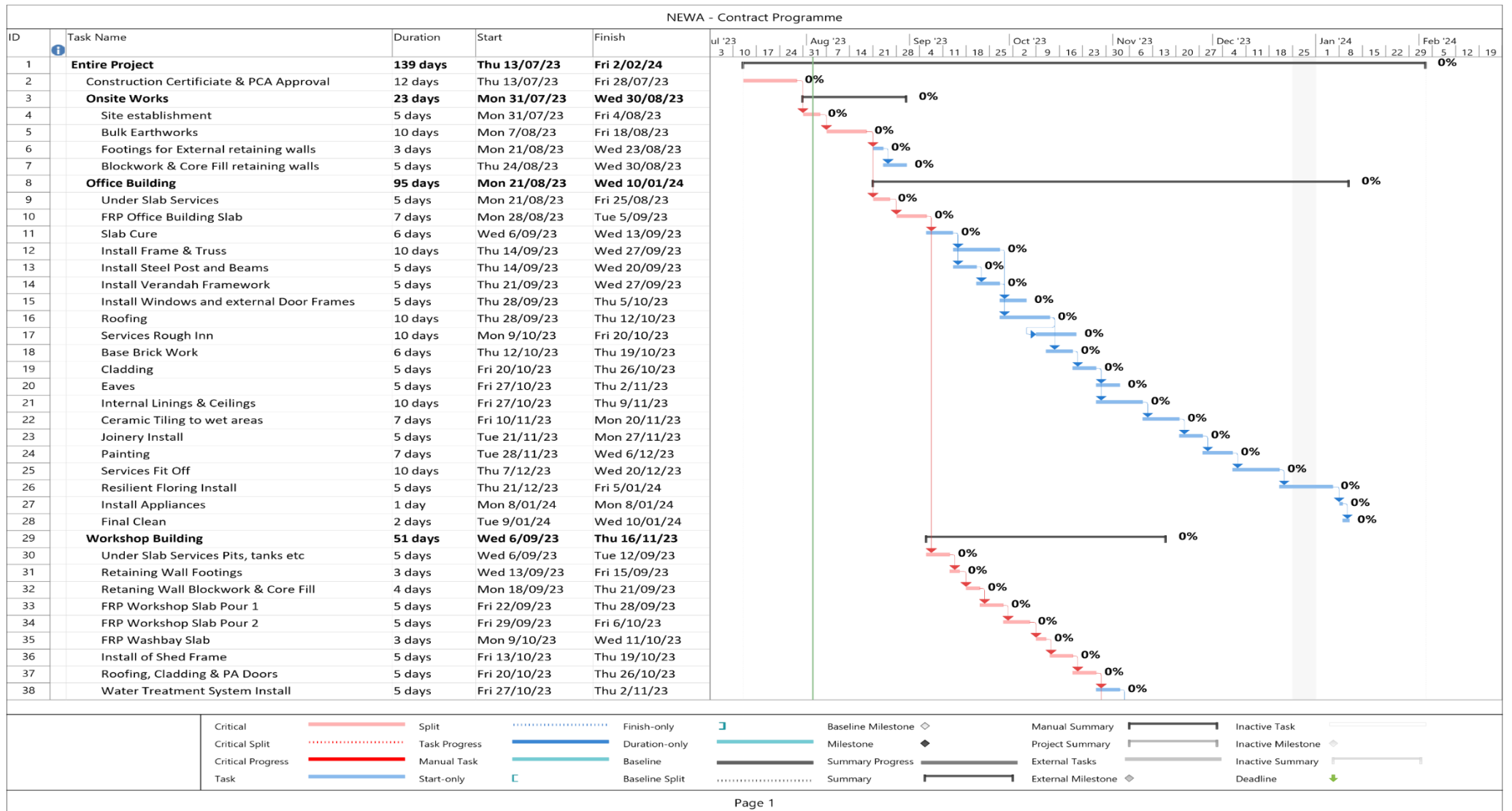
PROGRESS CLAIM - 1
VARIATIONS - 1 & 2
PSQ ADJUSTMENTS - 5 & 6

CLIENT: NEW ENGLAND WEEDS AUTHORITY
JOB No: 23047
JOB NAME: NEWA OFFICE & WORKSHOP
PROJECT ADDRESS: 21 WALLER AVENUE ARMIDALE N SW 2350

DATE: 9 August 2023

ITEM	TRADE	CONTRACT SUM	% COMPLETE TO DATE	TOTAL CLAIM TO DATE	PREVIOUSLY CLAIMED	NET SUM THIS CLAIM	COST TO COMPLETE
1.0	CONTRACT WORKS	1,676,920.00	1.16%	19,528.00	0.00	19,528.00	1,690,590.29
1.1	PRELIMINARIES	244,100.00	8%	19,528.00	0.00	19,528.00	257,770.29
1.2	EXCAVATION	121,900.00	0%	0.00	0.00	0.00	121,900.00
1.3	CIVIL SERVICES	64,800.00	0%	0.00	0.00	0.00	64,800.00
1.4	CONCRETOR	226,000.00	0%	0.00	0.00	0.00	226,000.00
1.5	BRICKWORK	44,800.00	0%	0.00	0.00	0.00	44,800.00
1.6	STRUCTURAL STEEL	145,800.00	0%	0.00	0.00	0.00	145,800.00
1.7	TIMBER FRAMING& CARPENTRY	90,300.00	0%	0.00	0.00	0.00	90,300.00
1.8	DOOR FRAMES & DOORS	17,200.00	0%	0.00	0.00	0.00	17,200.00
1.9	ROOFING & CLADDING	82,100.00	0%	0.00	0.00	0.00	82,100.00
1.10	ALUMINIUM WINDOWS & GLAZING	33,800.00	0%	0.00	0.00	0.00	33,800.00
1.11	HYDRAULIC SERVICES	132,800.00	0%	0.00	0.00	0.00	132,800.00
1.12	SANITARY FIXTURES & FITTINGS	5,500.00	0%	0.00	0.00	0.00	5,500.00
1.13	ELECTRICAL, FIRE & SECURITY	131,700.00	0%	0.00	0.00	0.00	131,700.00
1.14	MECHANICAL SERVICES	72,800.00	0%	0.00	0.00	0.00	72,800.00
1.15	WALL & CEILING LINING	56,700.00	0%	0.00	0.00	0.00	56,700.00
1.16	JOINERY	14,300.00	0%	0.00	0.00	0.00	14,300.00
1.17	PAINTING	20,800.00	0%	0.00	0.00	0.00	20,800.00
1.18	WATERPROOFING & TILING	20,900.00	0%	0.00	0.00	0.00	20,900.00
1.19	RESILIENT FINISHES & CARPET (Provisional Sum)	0.00	0%	0.00	0.00	0.00	0.00
1.20	SIGNAGE	1,800.00	0%	0.00	0.00	0.00	1,800.00
1.21	EXTERNAL WORKS	55,400.00	0%	0.00	0.00	0.00	55,400.00
1.11	LANDSCAPING	44,500.00	0%	0.00	0.00	0.00	44,500.00
1.23	APPLIANCES	4,200.00	0%	0.00	0.00	0.00	4,200.00
1.24	PROVISIONAL SUMS	46,120.00	0%	0.00	0.00	0.00	46,120.00
2.0	TOTAL ORIGINAL CONTRACT SUM	1,676,920.00	1.16%	19,528.00	0.00	19,528.00	1,690,590.29
2.1	PLUS ADDITIONAL WORKS (VARIATIONS):	31,137.40					
	VQ01 - Structural Steel HDG Columns	26,070.50					
	VQ02 - Provide WIFI & CCTV to workshop building	5,066.90					
2.2	PLUS PROVISIONAL SUM ADJUSTMENTS:	2,060.89					
	PSQ 01 - Supply & Install Carpet Tiles	0.00					
	PSQ 02 - Supply and Install Vinyl Flooring	0.00					
	PSQ 03 - Supply Ceramic Floor Tiles	0.00					
	PSQ 04 - Supply Ceramic Wall Tiles	0.00					
	PSQ 05 - Allowance for Tapware	213.90					
	PSQ 06 - Sanitary Hardware	1,846.99					
	PSQ 07 - Supply Door Hardware	0.00					
2.3	REVISED CONTRACT SUM (Ex. GST)	1,710,118.29					
2.4	GST	171,011.83					
2.5	REVISED CONTRACT SUM (Incl. GST)	1,881,130.12					
2.6	ORIGINAL CONTRACT +5% CONTINGENCY	1,936,842.60					

ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL TUESDAY 15 AUGUST 2023 IN NEWA OFFICES AT 01:00PM



9.0 MATTERS OF URGENCY

10.0 NEXT MEETING - TUESDAY 19 SEPTEMBER 2023 at 1:00PM

11.0 ATTACHMENTS:

- [Annual Financial Statements for the year ending 30 June 2023](#)
- [NEWA Investment Policy – April 2021](#)

12.0 MEETING CLOSED