



NEW ENGLAND COUNTY COUNCIL  
ABN 35 514 070 354

14 June 2024

## **NOTICE OF MEETING**

An Ordinary Meeting of the New England County Council, is to be held in the offices of the New England Weeds Authority, 1/129 Rusden Street, Armidale NSW 2350 on:

**Friday, 21 June 2024 at 10:00 am**

The meeting Agenda and Business Paper are attached.

Please notify the General Manager of any apology.

Yours sincerely

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

Tim Weeks  
**GENERAL MANAGER**

**ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN  
COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024**

**ORDINARY MEETING AGENDA**

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**ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN  
COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024**

*The Chair to advise that while the meeting is not being live-streamed, a video recording of the meeting will be available on the County Council's website.*

**ORDINARY MEETING OF COUNCIL**

1. **PRESENT:**
2. **APOLOGIES:**
3. **DECLARATION OF INTEREST:**
4. **MATTERS OF URGENCY:**
5. **MINUTES OF THE ORDINARY MEETING OF THE NEW ENGLAND  
COUNTY COUNCIL HELD ON TUESDAY 14 MAY 2024**

**Recommendation:**

That the Minutes of the Ordinary Meeting of the New England County Council held on 14 May 2024, which have been distributed to all members, are taken as read and confirmed as a true record.

*Cr. Dorothy Robinson advised that while the meeting was not being live-streamed, a video recording of the meeting will be available on the County Council's website.*

**PRESENT:** Cr. Dorothy Robinson (Chair), Cr Tim Bower (Deputy Chair),  
Cr. Margaret O'Connor, Cr. Paul Packham

**IN ATTENDANCE:** Tim Weeks (GM) and Laurie Knight – CFO.

**APOLOGIES:** Cr. Scott Kermode, Councillor Troy Arandale

**DECLARATION**

**OF INTEREST:** Nil

**ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN  
COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024**

**MINUTES OF THE ORDINARY MEETING OF THE NEW ENGLAND COUNTY  
COUNCIL HELD ON TUESDAY 20 FEBRUARY 2024**

**Resolved: 10/24** That the Minutes of the Ordinary Meeting of the New England County Council held on 20 February 2024, which have been distributed to all members, are taken as read and confirmed as a true record.

Moved: Councillor Bower

Seconded: Councillor Robinson

The motion being put to the Vote was passed UNANIMOUSLY.

**MINUTES OF THE EXTRAORDINARY MEETING OF THE NEW ENGLAND  
COUNTY COUNCIL HELD ON TUESDAY 29 FEBRUARY 2024**

**Resolved: 11/24** That the Minutes of the Ordinary Meeting of the New England County Council held on 20 February 2024, which have been distributed to all members, are taken as read and confirmed as a true record.

Moved: Councillor O'Connor

Seconded: Councillor Bower

The motion being put to the Vote was passed 3 votes to 1 (Cr Robinson)

**MATTERS ARISING FROM THE ORDINARY MEETING OF THE NEW ENGLAND  
COUNTY COUNCIL HELD ON TUESDAY 29 FEBRUARY 2024**

The Chair, Councillor Robinson, wished it noted that items included in the Meeting Agenda and not considered during the meeting, should not be recorded in the Minutes as such.

**GENERAL MANAGERS REPORTS:**

**WEEDS ACTION PROGRAM REPORT**

- Resolved: 12/24**
- 1 That the Weeds Action Plan Report, summarising activities and outcomes to date, including the 2023-2024 Weeds Action Program, be received and noted.
  2. That the efforts of the Biosecurity Officers be directed toward Walcha LGA, in order to improve the number of inspections undertaken prior to the year end.

**ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN  
COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024**

Moved: Councillor Robinson

The motion being put to the Vote was passed UNANIMOUSLY

**APPOINTMENT OF AN (ARIC) AUDIT RISK & IMPROVEMENT COMMITTEE**

- Resolved: 13/24**
1. That the Committee that was convened for selection and appointment of members to NEWA's ARIC, now meet to nominate preferred candidates for submission to the Ordinary Council Meeting to be held on 18 June 2024.
  2. That Councillor Packham be appointed to the ARIC selection committee as an *alternate* to any other member of the committee that may not be available.

Moved: Councillor Robinson

Seconded: Councillor Bower

The motion being put to the Vote was passed UNANIMOUSLY

**GRANT APPLICATION FOR 2023-2024 WAP FUNDING**

- Resolved: 14/24**
- That Council note the current status of the Grant Funding to be provided under the 2023-2024 Weeds Action Program by the DPI.

Moved: Councillor Bower

Seconded: Councillor Robinson

The motion being put to the Vote was passed UNANIMOUSLY

**ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN  
COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024**

**PROVISION OF WEED MANAGEMENT SERVICES TO TENTERFIELD SHIRE  
COUNCIL**

**Resolved: 15/24** That Council note the request received from Tenterfield Shire Council for the New England Weeds Authority to provide weed management services under the Biosecurity ACT 2015 for a 12 month period.

Moved: Councillor Bower      Seconded: Councillor Robinson

The motion being put to the Vote was passed 3 votes to 1 (Cr Packham)

**ADOPTION OF DRAFT OPERATIONAL PLAN AND BUDGET 2024-2025 FOR  
PUBLIC EXHIBITION**

- Resolved: 15/24**
- 1 That the Draft New England Weeds Authority Annual Operational Plan and Annual Budget for 2024-2025 be adopted and placed on public exhibition for a minimum period of 28 days in accordance with the provisions of the Local Government Act 1993.
  - 2 That following the conclusion of the public exhibition period, should public submissions have been received a further report be presented to Council of the submissions for the adoption of the Draft New England Weeds Authority Annual Operational Plan 2024-2025.
  - 3 That the constituent member Councils of Armidale Regional, Glen Innes Severn, Walcha and Uralla Shire be provided with a copy of the Draft New England Weeds Authority Annual Operational Plan 2024-2025 for comment.

Moved: Councillor Bower      Seconded: Councillor O'Conner

The motion being put to the Vote was passed UNANIMOUSLY

**ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN  
COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024**

**COMPLETION OF NEW OFFICE AND DEPOT – FINANCIAL UPDATE**

**Resolved: 16/24** That Council receive and note the Practical Completion of the new NEWA office and Depot facility located at 21 Waller Avenue, together with the summary provided of the current status of Progress Claims.

Moved: Councillor Robinson      Seconded: Councillor Bower

The motion being put to the Vote was passed UNANIMOUSLY

**FINANCIAL REPORTS:**

**ANNUAL FINANCIAL REPORTS AND AUDIT REPORT FOR YEAR ENDED  
30 JUNE 2023**

- Resolved: 17/24**
- 1 In accordance with Section 413 (2c) of the *Local Government Act 1993*, and Clause 215 of the *Local Government (General) Regulation 2021*, that Council notes the 2022-2023 Audited Financial Statements for the General Purpose Financial Report.
  - 2 That Council note that a Public Notice for the presentation of the Audited 2022-2023 Financial Reports was placed on Council's Website on 23 April 2024 to invite inspection and comment on the Financial Reports..
  - 3 That Council notes that a copy of the 2022-2023 Financial Reports have been forwarded to the Office of Local Government.

Moved: Councillor Robinson      Seconded: Councillor O'Connor

The motion being put to the Vote was passed UNANIMOUSLY

**ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN  
COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024**

**QUARTERLY BUSINESS REVIEW – MARCH 2024**

- Resolved: 18/24**
1. That Council note the Quarterly Business Review for the quarter ending 31 March 2024, and endorse the proposed budget variations as presented in the attachment to the Business Paper, and
  2. That in view of the statement by the General Manager/Responsible Accounting Officer, concerning the unsatisfactory nature of the budget and current cashflow position, the recommendations for action, as outlined in the statement, be endorsed and actioned as a matter of extreme urgency.

*The proposed resolution 18/24 was not voted upon as Councillor Packham had left the meeting (at 03:20pm) and a quorum was no longer in place.*

**INVESTMENT REPORT**

At the time of this meeting, NEWA has no funds invested.

**NEXT MEETING – 31 May 2024**

**MEETING CLOSE: 03:26pm**

- 
6. **MATTERS ARISING FROM MINUTES OF THE ORDINARY MEETING  
OF NEW ENGLAND COUNTY COUNCIL HELD ON 14 MAY 2024**
  7. **MINUTES OF THE EXTRAORDINARY MEETING OF THE NEW ENGLAND  
COUNTY COUNCIL HELD ON FRIDAY 31 MAY 2024**

**Recommendation:**

That the Minutes of the Extraordinary Meeting of the New England County Council held on 31 May 2024, which have been distributed to all members, are taken as read and confirmed as a true record.



## ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024

*The Chair advised that the meeting was not being live-streamed, and minutes of the meeting would be available on the County Council's website.*

**PRESENT:** John Rayner - Interim Administrator  
Tim Weeks – General Manager

**APOLOGIES:** None

### **DECLARATION OF INTEREST:**

In regard to pecuniary interest, it is noted the Model Code of Conduct, Clause 4.6, does not require disclosure:

- of interest relating to the payment of fees to Councillors
- An interest relating to the payment of expenses and the provision of facilities to Councillors”

### **INTERIM ADMINISTRATORS MINUTE**

#### **4.1 Suspension of Council**

By Government Gazette on 17th May 2024, the Minister for Local Government suspended the Board of the New England County Council for a period of three months from the date of the gazettal. The same Government Gazette Notice has appointed John Rayner as Interim Administrator for the period during which the Council is suspended by the Order.

The Councillors on the Board retain their positions with the constituent Councils. I note that following the Board's consideration of the Minister's 'Notice of Intention to Suspend' on 29th April 2024 Councillors unanimously resolved:

1. That the Board acknowledges the concerns raised by the Minister of Local Government, the Hon Ron Hoenig MP, and supports the appointment of an Administrator.
2. That the member Councils acknowledge the critical nature of the services provided by NEWA and would be highly supportive of working with the Administrator to resolve the governance and financial issues to ensure the continuation of these services. The Minister has determined that the Interim Administrator shall have the following functions:
  - To perform the role and function of the governing body of the County Council under the Local Government Act and any other Act.

## ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024

- To exercise the role of the governing body and councillors identified in sections 390, 391, 391A, and 400 of the Local Government Act. The Letter of Appointment from the Minister states the role will also include:
  - a) Undertaking an urgent assessment of NEWA's current financial position and ensuring it is able to meet its immediate financial obligations.
  - b) Recommending and implementing a Strategic Improvement Plan or any other required interventions.
  - c) Ensuring compliance with accounting principles including as provided in the Local Government Act, Regulations and Code of Accounting Practice.
  - d) Restoring NEWA's compliance with its statutory responsibilities.
  - e) Developing strategies to improve its current financial circumstances, including the preparation of a Liquidity Plan.
  - f) Recommending and developing longer term strategies to assess NEWA's long-term financial sustainability.

The appointment means that the Administrator takes on the role of the Chairperson and Councillors, not the General Manager. However, given the seriousness of governance and financial issues and the contents of Reports from the NSW Audit Office there may be actions that have to be taken to prevent a deterioration of the financial position.

The day-to-day operations of the New England Weeds Authority will continue; staff operations are not directly impacted by the Suspension Order.

For those that do not know me:

- 50 plus years in local government, starting in Grafton, and including Mudgee and Lithgow before starting 33 years as Shire Clerk (as it was known in those days) to General Manager to Sutherland Shire Council,
- retired from Sutherland Shire Council in 2015.
- Administrator Georges River Council upon the amalgamation of Hurstville and Kogarah Councils.
- In more recent years Acting General Manager at Edward River, Armidale Regional and Moree Plains Councils

## ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024

- Financial Controller/Temporary Advisor, appointed by the Minister for Local Government to Armidale Regional and Dubbo Regional Councils.

Residents and Councillors of the constituent Councils can be assured that while I hold the position of Interim Administrator, I will do my best to independently serve in an honest, open and transparent way. It is my intention to address the issues raised in the Notice of Intention to Suspend and the Suspension Order. Attention will also be given to the most recent Independent Auditor's Report giving particular attention to the most serious Disclaimer of Opinion from that Report, The Engagement Closing Report and when it is received, the finalised Management Letter.

In an endeavour to ensure improvement to the organisation, I will be addressing many other aspects of the workings of the County Council. Discussions are being held with the Councillors suspended from the Authority and the Mayors of the constituent Councils. I will have an open door to anyone else who may wish to have discussions with me. The importance of confidentiality is well known to me, and residents and staff (current and former) alike should not hesitate to make contact.

### 4.2 Financial Position

The financial position of the Council is dire! The impact is noted in Report 10.2

'Quarterly Business Review' to the 14th May Council Meeting, "Ordinarily, Quarterly Budget Reviews are undertaken in an environment of relative certainty. In this instance, there is significant uncertainty surrounding Council's operational environment and its capacity to continue operations without a substantial cash injection. These difficulties have been rapidly escalating due, in the most part, to the continuing delays in obtaining OLG approval for the proposed loan funding, and also the extraordinary delay in the Department of Primary Industries and Regional Development releasing the Weeds Action Program (WAP) funding, which is an integral part of Council's funding mix, and for which Council's own funds have been utilised in advance of funding, in order to achieve relevant delivery targets.

At this point in time, Council has been unable to pay suppliers and contractors for several months and operations have been reduced to an absolute minimum, including substantially reduced activity on project and private works, which has only exacerbated the cashflow position. Council is now in the unthinkable position where the lack of available funding will result in the inability to pay staff within a very short period of time.

In the light of the above, the proposed budget variations represent a scenario where the projected financial position at 30 June 2024, is extremely difficult to predict. To the extent possible, the predicted Operating result for the year is a deficit of \$190K, whereas the original Budget had presented a proposed surplus of \$198K. This reflects the circumstances where Council has effectively entered a hibernation mode of operation, which is not sustainable."

Since taking up the role of Administrator, I have established the extent of the money owing to creditors, ATO and others and the situation is extremely serious.

## **ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024**

I have engaged an expert in local government finance to undertake an independent and urgent cash flow analysis to 30th June 2025. The Council had been relying on the *Weeds Action Program Grant* to address its cash flow and a *\$700,000 loan* to partly assist in funding the depot and office development in the Airside Business Park.

### **4.3 Weeds Action Program Grant**

This grant is now allocated on a competitive basis, and it was expected approximately \$460,000 would be received. Local Land Services (LLS) has agreed to release part of the funds for works undertaken in good faith and declared as such by the General Manager. This allocation may be in excess of \$345,000. The remainder of the funds will only be released, when a Forensic Audit by LLS confirms that the WAP funds have been expended on the works required to be done.

### **4.4 CBA Loan \$700,000**

Council has been relying on this loan to part fund the Depot/Office project. The Contractor is owed a significant sum. As the Council is now under Administration the CBA has withdrawn its offer and will require a new loan application which will include

*“a report by the Administrator, including a summary of findings and proposed actions.”*

If approved, a condition of funding will be a letter signed by the Minister for Local Government confirming approval of the borrower. There is no certainty the loan funds will come through.

### **4.5 Meeting with Mayors**

Once the cash flow analysis is complete, a meeting will be held with the Mayors and General Managers of the member Councils, to consider the status of NEWA and to consider a strategy for the future.

### **4.6 Priority of Payments**

Over the coming months there will be competing requests for the limited funds available. Decisions on priority will be taken by the Administrator on advice from the staff. In this regard the Administrator will be the signatory on banking transactions.

### **4.7 Audit Risk and Improvement Committee (ARIC)**

The Council had commenced the process of appointing its initial Audit Risk and Improvement Committee. A priority will be the appointment of the Committee with the view it meeting in June or July 2024. The [attached Charter](#) is proposed for adoption. See 5.0 below.

### **4.8 Delegations**

It is proposed that the current delegations to the Chairperson and Deputy Chairperson be extended to include the Interim Administrator.

## ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024

### 4.9 Councillor Expenses and Facilities Policy

This policy needs to be amended to include the Interim Administrator.

### 5.0 Next Ordinary Council Meeting

Due to prior commitments, the Interim Administrator will be unable to conduct the Ordinary Council Meeting scheduled for 18th June 2024. It is proposed the next Ordinary Council be held at **10am Friday 21st June 2024**.

- Resolved 19/24:**
- 1 That the Minute from the Interim Administrator be received and noted.
  - 2 That the Administrator be authorised to determine the priority for payments of creditors and others and payroll commitments following advice from staff.
  - 3 That the Administrator be the authorised signatory to banking transactions.
  - 4 That the attached charter for the Audit Risk and Improvement Committee be adopted.
  - 5 That the following be appointed to the Audit Risk and Improvement Committee: Dr Merideth Caselli, Mr Stephen Coates and Ms Mel Jacobs.
  - 6 That fees paid be commensurate with fees paid to ARIC members in Constituent Councils.
  - 7 That the delegations to the Chairperson and Deputy Chairperson be extended to include the Interim Administrator.
  - 8 That the Councillor Expenses and Facilities Policy be amended to add Interim Administrator in each clause where there is mention of 'Member', 'Chairperson' or 'Councillor'.
  - 9 That the Councillor Expenses and Facilities Policy be amended to include the clause "*The Council shall reimburse the Interim Administrator for any reasonable expenses incurred in relation to visits to and within the boundary of the New England County Council including travel, accommodation and associated expenses. Claims shall be submitted by invoice and supported by receipts and/or tax invoices and submitted to the General Manager.*"

**ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN  
COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024**

- 10 That Council give notice of the proposed amendments to the Councillor Expenses and Facilities Policy as required under Clause 253(1) of the Local Government Act.
- 11 That the next Ordinary Meeting of the Council be held at 10am 21st June 2024.
- 12 Due to the time that has elapsed since negotiations occurred on the General Manager's Contract of Employment, the offers and any draft contract be withdrawn.

**MATTERS OF URGENCY – ANY OTHER BUSINESS**

There were no matters of urgency.

**NEXT MEETING – 10:00am, 21 June 2024**

**CLOSE: 10:16am**

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**8. MATTERS ARISING FROM MINUTES OF THE EXTRAORDINARY MEETING  
OF NEW ENGLAND COUNTY COUNCIL HELD ON 31 MAY 2024**

## ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024

### 9. INTERIM ADMINISTRATORS MINUTE - JUNE

The purpose of this Minute is to provide an update at the end of the fifth week under Interim Administration.

#### **Financial**

The financial position remains dire!

Ensuring funds are available to pay staff is a priority. This will be achieved for the near future as LLS has advanced the first part of the WAP grant, \$379,134 and hopefully the Walcha, Uralla and Glen Innes, Severn Councils 2024/25 contributions will be received in July. Armidale Regional Council has already advanced its 2024/25 contribution.

Invoices will be sent to Member Councils (other than Armidale Regional Council which has paid its subscription in advance) early in July and this will assist but not solve the cash flow issues.

Attention is also focussed on meeting statutory financial obligations and paying outstanding creditors. The total amount owing to creditors and others is in the vicinity of \$1m.

My appreciation is extended to Management at LLS for prioritising the payment of the WAP grant.

A Forensic Audit will be undertaken by LLS to verify that work undertaken in 2023/24 is in accordance with the Participation Agreement. The remainder of the WAP grant will be made available to NEWA if it receives a clearance following the Forensic Audit.

#### **Independent Cash Flow Analysis**

The independent cash flow analysis concluded:

*In general terms the annual income from Council Contributions and the previously uncontested WAP grant, totalling approximately \$1,000,000 does not cover the annual operations of the Authority. This needs to be addressed.*

*The Authority has already been advised that a number of grants sought have been declined or that its was not eligible for the grant sought. There is one outstanding application under the Urban Waterways Funding program for \$2M and if successful this would fund approximately \$150,000 of current operation expenses associated with one staff member.*

*The cashflow statement indicates that on 30 June 2024 the Authority will be \$393,284 in deficit if the employee's entitlement reserve is reinstated (\$335,284 if not reinstated) and no allowance for Externally Restricted Cash/Unexpended Grant Funds has been allowed.*

*Where known, allowances have been made for works in progress i.e. contactors payments for grant and private works.*

## ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024

*The deficit of the Authority improves in July when the remaining 3 Councils are scheduled to pay their members fees. After these payments and expenses in July NEWA will have deficit funds of \$295,811 increasing to \$1,209,811 at the end of May 2025 and may only improve slightly if the last Year of the 5 Year WAP grant program is paid (which has been included in the cashflow in June 2025 at \$340,000 but unlikely to be received) to a deficit of \$951,811 or \$1,291,811. This is obviously not tenable.*

### **Proposed Loan**

NEWA has been relying on a \$700,000 loan from Commonwealth Bank of Australia (CBA) to partly fund the Depot/Office at Airside Business Park.

When the Council went into Administration CBA withdrew its previous loan offer.

To reconsider the loan application, CBA will require:

- *A report by the Administrator including a summary of findings, actions etc. If approved, a condition of funding will be a letter signed by the Minister confirming approval of the borrowing.*

There remains some uncertainty as to whether these funds will be obtained.

### **Meeting with Mayors**

A Meeting has been held with the Mayors and General Managers of the member Councils to consider the status of NEWA and consider a strategy for the future.

A working group has been formed and I expect to hear from the Mayors in the near future.

Each Council will consider the New England County Council situation at its June Meeting.

### **Motion**

That the Minute be received and noted.

John Rayner PSM

Interim Administrator

21<sup>st</sup> June 2024



**ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN  
COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024**

**10. GENERAL MANAGERS REPORTS:**

**10.1 WEEDS ACTION PROGRAM REPORT**

**RECOMMENDATION:**

That the Weeds Action Plan (WAP) Report, summarising activities and outcomes to date, including the 2023-2024 Weeds Action Program, be received and noted.

The [Weeds Action Plan Report](#), to 18 June 2024, is set out in the attached document, titled Weed Action Program (WAP) – 4<sup>th</sup> Quarter.

**10.2 GRANT APPLICATION FOR 2023-2024 WAP FUNDING**

**Recommendation:**

That Council note the status and timing of funding to be provided under the 2023-2024 Weeds Action Program.

***Background***

The NSW Weeds Action Program (WAP) provides funding to local for weed control.

NEWA, following submission of its Grant Application on 12 April, has received, executed and returned a Funding Deed and invoice for approximately 75% of this years this year's funding (amounting to approximately \$350,000). It is anticipated these funds will be received before the Financial Year End.

To date there has been no announcement regarding payment of the balance of funds expended under the WAP Program between mid-April and 30 June.

# ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024

## 10.3 ADOPTION OF 2024-2025 OPERATIONAL PLAN AND ANNUAL BUDGET

### RECOMENDATION:

- 1 That the Annual Operational Plan, Budget, 10-year Financial Plan and Revenue Policy for the financial year 2024-25, as previously advertised and placed on public exhibition, be now formally adopted.
- 2 That the constituent member Councils of Armidale Regional, Glen Innes Severn, Walcha and Uralla Shire be provided with a copy of the adopted New England Weeds Authority Annual Operational Plan 2024-2025.

### PURPOSE

Council received the draft Annual Operational Plan, Annual Budget, 10-year Financial Plan and Revenue Policy for the financial year 2024-25, at its meeting held on 15 May 2024, and resolved to place the relevant documents on public exhibition, in accordance with sections 405 and 532 of the Local Government Act, 1993.

### REPORT

The draft documents were placed on exhibition inviting public comments, for a period of not less than 28 days, as required by the Act. Council received no submissions on the draft documents during that period. Consequently, the documents are now submitted for formal adoption, in order that these can be enacted, effective from 1 July 2024.

### FINANCIAL AND RESOURCE IMPLICATIONS

Adoption of the Operational Plan, Budget and Revenue Policy for the financial year 2024-25 will enable the General Manager to carry out the various works and services and to levy the appropriate charges, as approved therein.

### LEGAL IMPLICATIONS

Adoption of the relevant documents ensures Council's compliance with the provisions of the Local Government Act and associated Regulations and provides protection to authorised officers in the conduct of their duties on behalf of Council.

### RISK IMPLICATIONS

There are no risk implications identified.

## **ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024**

### **OPTIONS**

No alternative options exist.

### **CONCLUSION**

Adoption of the Operational Plan, Budget, 10 year Financial Plan and Revenue Policy for the 2023-24 financial year is now required to ensure that works and services commencing 1 July 2023 are appropriately authorised.

### **LINK TO POLICY AND/OR COMMUNITY STRATEGIC PLAN**

The Operational Plan, Budget, 10 year Financial Plan and Revenue Policy forms part of the New England Weeds Authority Community Strategic Plan, as adopted by Council for the period 2017 to 2027.

### **SUPPORTING INFORMATION**

Attached for Council's information are copies of the relevant documents proposed for adoption, as previously exhibited for public comment.

- [Draft New England Weeds Authority - Annual Operational Plan 2024-2025](#)
- [Statement of Revenue Policy \(included in Operational plan\)](#)

**ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN  
COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024**

**11. FINANCIAL REPORTS**

**11.1 SETTING OF COUNCILLOR FEES AND CHARGES FOR THE 2024-2025  
FINANCIAL YEAR.**

**RECOMDATION:**

1. That Councillors note the contents of the Office of Local Government [Circular No 24-08](#) in relation to the setting of fees for elected members, as determined by the Remuneration Tribunal for 2024-25 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 Councillors for the 2024-25 financial year, be increased by 3.75% with effect from 1 July 2024.

**PURPOSE**

In accordance with the provisions of the Local Government Act, 1993, and the determination of the Local Government Remuneration Tribunal, as outlined in OLG [Circular 24-08](#), to set the required fees to be paid to members for the coming financial year.

**REPORT**

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

The determinations of the Tribunal are outlined in the attached Circular. Of note for this year is the creation of two additional categories: 'Metropolitan Major' and 'Rural Large'. The Tribunal has also varied the criteria for a number of existing categories. None of these changes have any impact on the existing category for County Councils.

## **ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024**

In accordance with Sec 241 of the Local Government Act, 1993, the Tribunal has determined a maximum increase of 3.75% for member fees for the 2024-25 financial year, with effect from 1 July 2024.

Council is now required to set the fees paid to members subject to the maximum increase as determined by the Tribunal.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The 2024-25 Annual Budget, as presented for adoption at this meeting, has made allowance for the maximum increase as determined by the Tribunal. Adoption of the maximum 3.75% increase will therefore have no impact on the Budget for 2024-25 financial year.

### **LEGAL IMPLICATIONS**

Members' remuneration is fixed in accordance with the provisions of the Local Government Act and the determination of the Local Government Remuneration Tribunal.

### **RISK IMPLICATIONS**

There are no risk implications identified.

### **OPTIONS**

While the % increase recommended in this report is the maximum increase permissible, Council could determine amounts less than the maximum in setting its members fees for the period.

### **CONCLUSION**

Council is required to fix its members fees in accordance with the provisions of the Act and the determination of the Tribunal.

### **LINK TO POLICY AND/OR COMMUNITY STRATEGIC PLAN**

Nil.

### **SUPPORTING INFORMATION**

[OLG Circular 24-08](#)

**ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN  
COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024**

**11.2 CONFIRMATION OF EMPLOYEE WAGE INCREASE FOR THE 2024-2025  
FINANCIAL YEAR**

**RECOMDATION:**

- |   |  |
|---|--|
| 1 | That Councillors note the details of the Local Government State Award increases as determined for financial years 2023-2024 to 2025-2026 inclusive; noting that increases are generally in line with forecast wage increases outlined in Council's 10 year Financial Plan. |
| 2 | That for the 2024-2025 Financial Year, NEWA Employees be paid an increase of 3.5% plus 0.5% of employees' annual salary (as at 30 June 2024) or \$1,000, whichever is the greater.   |

**PURPOSE**

To inform Council of agreed increases to the NSW Local Government (State) Award for all employees effective from 1 July 2023.

**REPORT**

Council has been advised of the determination of the NSW Industrial Relations Commission relating to increases agreed by all parties to the NSW Local Government (State) Award to take effect from 1 July 2023 for 3 years.

Wage increases for the periods shown are outlined in the following table:

Details & Year	Year 1 FFPP on or after 01/07/23	Year 2 FFPP on or after 01/07/24	Year 3 FFPP on or after 01/07/25
Increase to Award rates of pay:	4.5%	3.5%	3%
<b>PLUS</b> , payment of a lump sum to permanent full-time employees with at least 12 months continuous service (part-time employees to receive the payment on a prorate basis).	-	0.5% of employees' annual salary system rate of pay (as at 30 June 2024) or \$1000, whichever is the greater	0.5% of employees' annual salary system rate of pay (as at 30 June 2025) or \$1000, whichever is the greater

## **ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024**

In presenting the 10 Year Financial Plan and Annual Budget for 2024-25, Council's wage growth forecast provided for increases of 4.25%, 3.5% and 3% respectively for the corresponding periods.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The proposed increase is substantially in line with Council's budget.

### **LEGAL IMPLICATIONS**

Award determinations are not discretionary and will be implemented as required effective from 1 July 2023, to ensure legal obligations are met.

### **RISK IMPLICATIONS**

There are no risk implications identified.

### **OPTIONS**

There are no available options.

### **CONCLUSION**

Council is required to implement notified Award increases, and this will be implemented in accordance with the Award.

### **LINK TO POLICY AND/OR COMMUNITY STRATEGIC PLAN**

Nil.

### **SUPPORTING INFORMATION**

A copy of advice from Local Government NSW is provided for information.

## **11.3 INVESTMENT REPORT**

At the time of this report, NEWA has no funds invested.

**ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN  
COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024**

**12 PROPOSED MEETING DATES FOR THE 2024-2025 FINANCIAL YEAR.**

**RECOMDATION:**

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

**PURPOSE**

This report provides a schedule of proposed meeting dates for Council's Ordinary meetings for the coming financial year.

**REPORT**

The following schedule of meeting dates is suggested for consideration. In keeping with the current practice of conducting meetings on the third Tuesday of the month, generally for each quarter of the year, the proposed dates will enable Council to conduct its ordinary business with sufficient regularity to meet its statutory requirements and to provide other regular operational updates and ordinary business as required, for the benefit of all stakeholders and the public.

While minimum quarterly Ordinary meetings have been the normal practice for Council, the schedule proposes a minimum of 5 regular Ordinary meetings, to ensure Council can comply with the timing of adoption of various financial reporting matters, as required by the Local Government Act.

Proposed meeting dates for the 2024-25 financial year are as follows, including statutory items which are required to be submitted at the proposed meetings, in addition to any other standing agenda items:



**ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN  
COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024**

<b>Month</b>	<b>Specific Items for Council Determination (in addition to normal standing agenda items and other ordinary business)</b>	<b>Proposed Date</b>
August	<ul style="list-style-type: none"> <li>Receive and note draft Financial Statements for referral to audit</li> </ul>	15 Aug 2024
November	<ul style="list-style-type: none"> <li>Public presentation of audited Financial Statements,</li> <li>Receive and adopt September Quarterly Budget Review,</li> <li>Receive and adopt Annual Report for 2023/24 FY</li> </ul>	26 Nov 2023
February	<ul style="list-style-type: none"> <li>Receive and adopt December Quarterly Budget Review</li> </ul>	18 Feb 2024
April	<ul style="list-style-type: none"> <li>Endorse draft Operational Plan, Budget &amp; Revenue Policy for 2025/26 FY for public exhibition,</li> <li>Receive and adopt March Quarterly Budget Review</li> </ul>	22 Apr 2024
June	<ul style="list-style-type: none"> <li>Adopt Operational Plan, Budget &amp; Revenue Policy for 2024/25 FY</li> </ul>	18 Jun 2024

**FINANCIAL AND RESOURCE IMPLICATIONS**

Nil.

**LEGAL IMPLICATIONS**

Council is required to advertise and conduct Ordinary meetings on a regular basis in accordance with the provisions of the Local Government Act, 1993, and Council's Code of Meeting Practice.

**RISK IMPLICATIONS**

There are no risk implications identified.

**OPTIONS**

The report presents the option for conducting Ordinary meetings on the third Tuesday of each month, generally on a quarterly basis, in line with past practice. Council could consider alternate options if the proposed dates were not suitable for any reason.

**ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN  
COUNCIL'S RUSDEN STREET OFFICE ON 21 JUNE 2024**

**CONCLUSION**

Council is requested to endorse the schedule of proposed meeting dates and give public notice in accordance with requirements outlined in this report.

**LINK TO POLICY AND/OR COMMUNITY STRATEGIC PLAN**

Nil.

**SUPPORTING INFORMATION**

Nil.

**13. ANY OTHER BUSINESS**

**14. NEXT MEETING – 10:00 AM, 15 AUGUST 2024**

**MEETING CLOSE:**

