



## NEW ENGLAND COUNTY COUNCIL

ABN 35 514 070 354

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26 October 2022

Dear Councillors,

You are requested to attend a *Special 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 1<sup>st</sup> November 2022 at 04:00pm**

Yours sincerely

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

Tim Weeks  
GENERAL MANAGER

## AGENDA

Ordinary Meeting of Council commencing at 04:00pm on Tuesday 1<sup>st</sup> November 2022

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**BUSINESS PAPER**

**Ordinary Meeting of Council commencing at 04:00pm on Tuesday 1<sup>st</sup> November 2022**

*Statement in relation to Video Recording of Council Meetings*

- 1.0 PRESENT
- 2.0 APOLOGIES
- 3.0 DECLARATION OF INTEREST
- 4.0 MINUTES OF THE SPECIAL MEETING OF THE NEW ENGLAND WEEDS  
AUTHORITY HELD ON 4 OCTOBER 2022

**Recommendation:**

That the Minutes of the Extraordinary Meeting of Council held on Tuesday 4 October 2022 in NEWA's Offices at 12:00 noon be adopted as a true record.

**Minutes of Extraordinary Meeting of Council commencing at 12:00noon on  
Tuesday 4 October 2022 held in NEWA Offices**

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

**PRESENT** – Cr Kermode (Chair), Cr Bower, Clr. Gresham, Cr O'Connor, Cr Packham,  
Cr. Robinson, Laurie Knight CFO

**APOLOGIES** – Nil

**DECLARATION OF INTEREST** - Nil

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

ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL TUESDAY 1<sup>ST</sup>  
NOVEMBER 2022 in NEWA OFFICES AT 04:00pm

**26/22 Resolved:**

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

**Moved** Cr. O'Connor

**Seconded:** Cr. Gresham

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

**NEXT MEETING** – Ordinary Meeting - 4 October 2022

The meeting closed at 12:50pm

**5.0 MATTERS ARISING FROM MINUTES OF THE SPECIAL MEETING OF  
NEW ENGLAND WEEDS AUTHORITY HELD ON 4 OCTOBER 2022**

**6.0 MINUTES OF THE EXTRAORDINARY MEETING OF THE NEW  
ENGLAND WEEDS AUTHORITY HELD ON 4 OCTOBER 2022**

Minutes are incomplete pending information to be provided following the Closed Session of Council. Minutes will be presented at the next Ordinary Meeting of Council Tuesday 29 November 2022.

**7.0 ADOPTION OF OPERATIONAL PLAN AND ANNUAL BUDGET FOR  
2022-2023 FOR PUBLIC EXHIBITION**

**Recommendation:**

1. That the Draft New England Weeds Authority Annual Operational Plan 2022-2023 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 2022-2023.
3. That the constituent member Councils of Armidale Regional, Glen Innes Severn, Walcha and Uralla be provided with a copy of the Draft New England Weeds Authority Annual Operational Plan 2022-2023 for comment.

## **Purpose**

This report has been prepared in accordance with the Local Government Act 1993 and Local Government (General) Regulation 2005 to allow Council and the community to consider and comment on the 2021/2022 Operational Plan.

## **Background**

Council at its June 2017 meeting adopted its 10 Year Business Activity Strategic Plan (BASP) 2017-2027 as part of the Integrated Planning and Reporting (IP&R) framework, and in accordance with the provisions of the Local Government Act 1993, and Local Government (General) Regulation 2005.

The Business Activity Strategic Plan details the activities Council will undertake over the Four-Year Delivery Plan from 2022-2026, together with the actions to be undertaken through the Annual Operational Plan to implement weed management and control of scheduled priority and invasive weed species, identified in the Northern Tablelands Regional Strategic Weed Management Plan 2022-2027, for our constituent member Councils.

The Strategic Weed Management Plan should be reviewed over the coming financial year to incorporate the enlarged council area now comprising four (4) LGAs and to consider opportunities to engage with future councils and government organisations for their inclusion within the organisation as either members or on a service agreement arrangement.

## **Report**

In accordance with the provisions of Section 405 of the Local Government Act 1993, Council must have an Annual Operational Plan that is adopted before the beginning of each financial year, that details the activities to be undertaken by Council during the coming year as part of the Delivery Plan covering that year.

In addition, the Annual Operational Plan must include the Statement of Revenue Policy detailing the Budget, Fees and Charges.

In preparing the Draft Annual Operation Plan, Council must give public notice of the draft Plan indicating that submissions may be made to Council at any time during the exhibition period, which must not be less than 28 days.

Council's Draft Annual Operational Plan 2022-2023 and the associated Statement of Revenue Policy has been prepared in accordance with the above requirements and is attached to this report for the consideration of Council.

Council will note that the Annual Operational Plan and associated Budget provides for the additional responsibility of being the Regional Service Coordination for its four Member Councils.

## **Financial and Resource Implications**

Council is required to prepare an Operational Plan annually that establishes its budgets, fees and charges and other financial information that allows the public and the member Councils to understand the resource allocations in that year.

### **Legal Implications**

Under Clause 405 Local Government Act 1993 as amended, Council is required to prepare an Annual Operations Plan and place the draft plan on public display in order to seek comment.

Before adopting the Annual Operational Plan, Council must consider any submissions that have been made concerning the draft Plan. Once adopted, Council must post a copy on its website within 28 days from the date of adoption.

### **Risk Implications**

If Council adopts the Draft Plan for public display and follows the provisions of the Local Government Act and Regulations, there is no risk identified.

### **Stakeholder Consultation**

The Draft Operational Plan 2022/2023 is required to be displayed and copies should be provided to our member Councils and those organisations or Councils that may have an interest in the NEWA operations. Printed copies should be freely available to landholders and other stakeholders if requested.

### **Options**

No option exists to the requirements under the Act and Regulations.

### **Conclusions**

Council is required under Clause 405 Local Government Act 1993 as amended and Regulations thereto, to prepare an Annual Operations Plan.

### **Link to Policy and/or the Business Activity Strategic Plan**

Council is to be informed of changes to legislation that impact on the business of Council.

### **Supporting Information and/or Attachments**

Draft New England Weeds Authority Annual - Operational Plan 2022-2023.

## **8.0 ADOPTION OF DRAFT ANNUAL ACCOUNTS FOR FY 2021 to 2022**

### **Recommendation:**

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

## **PURPOSE OF REPORT**

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

## **REPORT**

The Draft General Purpose and Special Purpose Financial Statements 2021/2022 have been completed and indicate a negative financial result for the year ended 30th June 2022. Subject to final audit, the Council has achieved a combined operating result after allowing for funding and contributions of (\$143k) compared with the previous year of (\$73k). The result also allows for the operating depreciation on assets of \$107k to be funded from member contributions, grant income and private works. The result reflects non-recurring operational expenditure due to termination costs, consultant costs and one-off expenses. In addition, the Council has maintained unrestricted working funds balance of \$1.03m with future reserves for plant and infrastructure.

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

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

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

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

## **ATTACHMENTS**

*Draft general purpose financial statements for the year ending 30 June 2022.*

# New England Weeds Authority

## GENERAL PURPOSE FINANCIAL STATEMENTS for the year ended 30 June 2022

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## Understanding Council's Financial Statements

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### Introduction

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

### What you will find in the Statements

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

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

### About the Councillor/Management Statement

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

### About the Primary Financial Statements

The financial statements incorporate five "primary" financial statements:

#### 1. The Income Statement

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

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

### About the Notes to the Financial Statements

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

### About the Auditor's Reports

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

In NSW the auditor provides 2 audit reports:

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

### Who uses the Financial Statements?

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

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

ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL TUESDAY 1<sup>ST</sup>  
NOVEMBER 2022 in NEWA OFFICES AT 04:00pm

New England Weeds Authority

General Purpose Financial Statements

for the year ended 30 June 2022

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

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

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

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

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

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

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

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Clr Scott Kermode  
**Chairperson**  
04 October 2022

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Clr Tim Bower  
**Deputy Chairperson**  
04 October 2022

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Tim Weeks  
**General Manager**  
04 October 2022

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Tim Weeks  
**Responsible Accounting Officer**  
04 October 2022



ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL TUESDAY 1<sup>ST</sup>  
NOVEMBER 2022 in NEWA OFFICES AT 04:00pm

New England Weeds Authority

Statement of Financial Position

as at 30 June 2022

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

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

ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL TUESDAY 1<sup>ST</sup>  
NOVEMBER 2022 in NEWA OFFICES AT 04:00pm

New England Weeds Authority

Statement of Cash Flows

for the year ended 30 June 2022

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

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

ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL TUESDAY 1<sup>ST</sup>  
NOVEMBER 2022 in NEWA OFFICES AT 04:00pm

**9.0 ADOPTION OF ORDINARY MEETING DATES AND TIME FOR THE  
2022 – 2023 FY**

**Recommendation:**

**1. That Council adopt the meeting dates as follows:**

*Tuesday 29<sup>th</sup> November 2022*

*Tuesday 7<sup>th</sup> February 2023*

*Tuesday 18<sup>th</sup> April 2023*

*Tuesday 18<sup>th</sup> July 2023*

*Tuesday 17<sup>th</sup> October 2023*

**2. That meetings should be held at 12:00 noon.**

**PURPOSE**

To set the Council meeting dates.

**BACKGROUND**

It has been Council's practice that Council meetings be held on the third Tuesday of the quarterly meeting month at a time to be agreed.

**REPORT**

The proposed dates for Council meetings are as follows:

Tuesday 29<sup>th</sup> November 2022

Tuesday 17<sup>th</sup> January 2023

Tuesday 18<sup>th</sup> April 2023

Tuesday 25<sup>th</sup> July 2023

Tuesday 17<sup>th</sup> October 2023

However, such dates can be altered when:

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

**FINANCIAL AND RESOURCE IMPLICATIONS**

No impact to Council's finances or resources.

### **LEGAL IMPLICATIONS**

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

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

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

### **RISK IMPLICATIONS**

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

### **STAKEHOLDER CONSULTATION**

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

### **OPTIONS**

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

### **CONCLUSION**

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

## **10.0 COUNCILLOR REMUNERATION**

### **Recommendation:**

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

### **PURPOSE OF REPORT**

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

## REPORT

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

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

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

Councillor’s remuneration for Q4 2021 – 2022, was as follows:

Role	Chairperson Qrtly Allowance	Councillor Qrtly Allowance	Total Councillor Annual Salary	Average Travel Allowance
Chairman	1,591.71	636.74	<b>8,913.80</b>	
Councillor	-	636.74	<b>2,546.96</b>	
		<b>Annual Totals</b>	<b>21,648.60</b>	<b>5,624.64</b>

## LEGISLATIVE IMPLICATION

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

**POLICY IMPLICATION - Nil**

**RISK RATING - Nil**

**ATTACHMENTS – Local Government Review Tribunal Annual Report  
 and Determination**

## 11.0 ADOPTION OF MODEL POLICIES

### **Recommendation**

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

### **PURPOSE**

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

### **BACKGROUND**

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

### **REPORT**

A review of Council's policies and procedures has identified that Council is required to update its governance areas to comply with the Local Government Act and Regulations and to ensure that the Councillors, employees and public are aware of the requirements that govern Council. Where available, *Model Policies* will be adopted because of their compliance with the requirements of the Act.

The Act requires Council to review its policies within 12 months of a general election or from time to time as required.

A list of Model Policies for adoption is:

- Business Activity Strategic Plan -2017 to 2027
- Closure of Council Meetings to the Public – 2013
- Council Expenses and Facilities Policy - 2022
- Model Code of Conduct for Councillors - 2020
- Model code of Conduct, Completing Returns – 2022
- Model Code of Meeting Practice – 2021
- Model Social Media Policy – 2022
- Model Staff and Member Interaction Policy – 2022
- Policy – Delegation of Authority – 2021 [Not a model policy]

### **FINANCIAL AND RESOURCE IMPLICATIONS**

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

### **LEGAL IMPLICATIONS**

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

### **RISK IMPLICATIONS**

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

### **STAKEHOLDER CONSULTATION**

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

### **OPTIONS**

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

### **CONCLUSION**

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

**LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN** Timely and accurate reporting for efficient management and accountability.

**12.0 NOTICE OF MOTION**

**12.1 CLOSED SESSION**

**UNDER SECTION 10B(1)(b) to DISCUSS PERSONNEL MATTERS  
CONCERNING PARTICULAR INDIVIDUALS**

**13.0 MATTERS OF URGENCY**

**14.0 NEXT MEETING - TUESDAY 29 November 2022**

**15.0 ATTACHMENTS (Refer to Website):**

- Business Activity Strategic Plan -2017 to 2027
- Findings of Local Government Remuneration Tribunal – April 2022
- Closure of Council Meetings to the Public - 2013
- Councillor Expenses and Facilities Policy - 2022
- Model Code of Conduct for Councillors - August 2020
- Model Code of Meeting Practice— 2021
- Model social media Policy - 2022
- Model Staff and Member Interaction Policy – 2022
- Delegation of Authority Policy – October 2021
- 2021 – 2022 Operational Plan and Annual Budget