



# **BUSINESS PAPER**

**Economic and Community  
Sustainability Committee Meeting  
Wednesday, 14 June 2023**

**INVERELL SHIRE COUNCIL****NOTICE OF ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MEETING**

9 June, 2023

An Economic and Community Sustainability Committee Meeting will be held in the Committee Room, Administrative Centre, 144 Otho Street, Inverell on Wednesday, 14 June, 2023, commencing at **10.30am**.

Your attendance at this Economic and Community Sustainability Committee Meeting would be appreciated.

Please Note: Under the provisions of the Code of Meeting Practice the proceedings of this meeting (including presentations, deputations and debate) will be recorded. The audio recording of the meeting will be uploaded on the Council's website at a later time. Your attendance at this meeting is taken as consent to the possibility that your voice may be recorded and broadcast to the public.

**I would like to remind those present that an audio recording of the meeting will be uploaded on the Council's website at a later time and participants should be mindful not to make any defamatory or offensive statements.**

**P J HENRY PSM**

**GENERAL MANAGER**

**Agenda**

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## Ethical Decision Making and Conflicts of Interest

A guiding checklist for Councillors, officers and community committees

### Ethical decision making

- Is the decision or conduct legal?
- Is it consistent with Government policy, Council's objectives and Code of Conduct?
- What will the outcome be for you, your colleagues, the Council, anyone else?
- Does it raise a conflict of interest?
- Do you stand to gain personally at public expense?
- Can the decision be justified in terms of public interest?
- Would it withstand public scrutiny?

### Conflict of interest

A conflict of interest is a clash between private interest and public duty. There are two types of conflict:

- **Pecuniary** – regulated by the *Local Government Act 1993* and Office of Local Government
- **Non-pecuniary** – regulated by Codes of Conduct and policy. ICAC, Ombudsman, Office of Local Government (advice only). If declaring a Non-Pecuniary Conflict of Interest, Councillors can choose to either disclose and vote, disclose and not vote or leave the Chamber.

### The test for conflict of interest

- Is it likely I could be influenced by personal interest in carrying out my public duty?
- Would a fair and reasonable person believe I could be so influenced?
- Conflict of interest is closely tied to the layperson's definition of 'corruption' – using public office for private gain.
- Important to consider public perceptions of whether you have a conflict of interest.

### Identifying problems

- 1st** Do I have private interests affected by a matter I am officially involved in?  
**2nd** Is my official role one of influence or perceived influence over the matter?  
**3rd** Do my private interests conflict with my official role?

### Local Government Act 1993 and Model Code of Conduct

For more detailed definitions refer to Sections 442, 448 and 459 or the *Local Government Act 1993* and Model Code of Conduct, Part 4 – conflicts of interest.

### Disclosure of pecuniary interests / non-pecuniary interests

Under the provisions of Section 451(1) of the *Local Government Act 1993* (pecuniary interests) and Part 4 of the Model Code of Conduct prescribed by the Local Government (Discipline) Regulation (conflict of interests) it is necessary for you to disclose the nature of the interest when making a disclosure of a pecuniary interest or a non-pecuniary conflict of interest at a meeting.

**A Declaration form should be completed and handed to the General Manager** as soon as practicable once the interest is identified. Declarations are made at Item 3 of the Agenda: Declarations - Pecuniary, Non-Pecuniary and Political Donation Disclosures, and prior to each Item being discussed: The Declaration Forms can be downloaded at [Disclosure of pecuniary interests form](#) or [non-pecuniary interests form](#)

## Quick Reference Guide

Below is a legend that is common between the:

- Inverell Shire Council Strategic Plan;
- Inverell Shire Council Delivery Plan; and
- Inverell Shire Council Operational Plan.

## OUR DESTINATIONS



### 01 LEADERSHIP



We will be an accountable and responsible Council that will be involved with the community and responsibly manage public resources.

### 02 PROSPERITY



The Shire has a diverse, strong local economy that provides opportunities that contribute to the quality of life for the community.

### 03 LIVEABILITY



Our community is healthy, safe, educated and offers opportunities for people of all ages and abilities. We value our natural and built environment.

### 04 SERVICES & INFRASTRUCTURE



Our community is enhanced by the provision of civic services and infrastructure. These services are planned and financially sustainable.

**1 APOLOGIES**

**2 CONFIRMATION OF MINUTES**

**RECOMMENDATION:**

*That the Minutes of the Economic and Community Sustainability Committee Meeting held on 10 May, 2023, as circulated to members, be confirmed as a true and correct record of that meeting.*

**MINUTES OF INVERELL SHIRE COUNCIL  
ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MEETING  
HELD AT THE COMMITTEE ROOM, ADMINISTRATIVE CENTRE, 144 OTHO STREET,  
INVERELL  
ON WEDNESDAY, 10 MAY 2023 AT 11.20AM**

**PRESENT:** Cr Paul Harmon (Mayor), Cr Kate Dight, Cr Jo Williams, Cr Stewart Berryman, Cr Di Baker, Cr Jacko Ross and Cr Wendy Wilks.

**IN ATTENDANCE:** Brett McInnes (Acting General Manager) and Paul Pay (Director Corporate and Economic Services).

**1 APOLOGIES**

**COMMITTEE RESOLUTION**

Moved: Cr Jo Williams

Seconded: Cr Kate Dight

*That the apologies received from Cr Paul King OAM and Cr Nicky Lavender for personal reasons be accepted and leave of absence granted.*

**CARRIED**

**2 CONFIRMATION OF MINUTES**

**COMMITTEE RESOLUTION**

Moved: Cr Kate Dight

Seconded: Cr Jo Williams

*That the Minutes of the Economic and Community Sustainability Committee Meeting held on 12 April, 2023, as circulated to members, be confirmed as a true and correct record of that meeting.*

**CARRIED**

**3 DISCLOSURE OF CONFLICT OF INTERESTS/PECUNIARY AND NON-PECUNIARY INTERESTS**

Nil

**4 DESTINATION REPORTS**

**4.1 2023/2024 EMERGENCY SERVICES LEVY S12.13.1**

**COMMITTEE RESOLUTION**

Moved: Cr Kate Dight

Seconded: Cr Jo Williams

*That the Committee recommends to Council that the report be received and noted.*

**CARRIED**

**4.2 REFERRAL OF CONFIDENTIAL REPORT S4.11.17/15****COMMITTEE RESOLUTION**

Moved: Cr Kate Dight

Seconded: Cr Di Baker

*That the Committee refer the items to Closed (Public excluded) meeting of the Committee and that the press and members of the public be asked to leave the chambers whilst the Committee considers the following items:*

**Item:** Oliver Street Land

**Authority:** Section 10A (2) (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**CARRIED**

**5 INFORMATION REPORTS****COMMITTEE RESOLUTION**

Moved: Cr Kate Dight

Seconded: Cr Jo Williams

*That the following information report be received and noted.*

**CARRIED**

**5.1 INVERELL AQUATIC CENTRE LOAN FUNDING S12.14.12****6 GOVERNANCE REPORTS****6.1 QUARTERLY BUDGET AND OPERATIONAL PLAN 2022/2023 S4.11.17/15****COMMITTEE RESOLUTION**

Moved: Cr Kate Dight

Seconded: Cr Jo Williams

*The Committee recommends to Council that:*

- i) Council's Quarterly Operational Plan and Budget Review for 31st March, 2023 be adopted; and*
- ii) The proposed variations to budget votes for the 2022/2023 Financial Year be adopted providing an estimated Cash Surplus at 31<sup>st</sup> March, 2023 from operations of \$3,603.*

**CARRIED**

**6.2 GOVERNANCE - MONTHLY INVESTMENT REPORT S12.12.2****COMMITTEE RESOLUTION**

Moved: Cr Jo Williams



Seconded: Cr Kate Dight

*The Committee recommends to Council that:*

- i) the report indicating Council's Fund Management position be received and noted; and*
- ii) the Certification of the Responsible Accounting Officer be noted.*

**CARRIED**

## **7 CONFIDENTIAL MATTERS (COMMITTEE-OF-THE-WHOLE)**

At 11.51 am, the Chairperson noted that no members of the public or press were in attendance at the meeting therefore the Committee proceeded to consider the motion to close the meeting to the press and public.

### **COMMITTEE RESOLUTION**

Moved: Cr Jo Williams

Seconded: Cr Wendy Wilks

*That the Committee proceeds into Closed Committee to discuss the matters referred to it, for the reasons stated in the motions of referral.*

**CARRIED**

### **COMMITTEE RESOLUTION**

Moved: Cr Di Baker

Seconded: Cr Jo Williams

*That the Committee proceeds out of Closed Committee into Open Committee.*

**CARRIED**

Upon resuming Open Committee at 12.05 pm, the Chairperson verbally reported that the Committee had met in Closed Committee, with the Press and Public excluded, and had resolved to recommend to Council the following:

### **7.1 OLIVER STREET LAND S5.2.0/16**

#### **RECOMMENDATION:**

*That the information be noted.*

### **ADOPTION OF RECOMMENDATIONS**

#### **COMMITTEE RESOLUTION**

Moved: Cr Kate Dight

Seconded: Cr Di Baker

*That the recommendations of Closed Committee be adopted.*

**CARRIED**

**The Meeting closed at 12.06 pm.**

**3 DISCLOSURE OF CONFLICT OF INTERESTS/PECUNIARY AND NON-PECUNIARY INTERESTS**

## 4 ADVOCACY REPORTS

### 4.1 BROCC MEETING MINUTES - 19 MAY 2023

**File Number:** S14.10.1 / 23/17811

**Author:** Kate Dight, Councillor

#### **SUMMARY:**

Councillor Dight is the Chairperson of the Border Regional Organisation of Council (BROC) which represents 11 Councils situated on the QLD / NSW border. A BROC meeting was held in St George (Balonne Shire) on Friday 19 May, 2023. The minutes of the meeting are presented for the attention of Council.

#### **RECOMMENDATION:**

*That the Committee recommend to Council that:*

- i) The minutes of the BROC Meeting held in St George (Balonne Shire) on Friday 19 May be received and noted, and*
- ii) The following recommendations of the BROC meeting be adopted.*

#### **1. Memorandums for Cross Border Collaborative Working Arrangements**

#### **RECOMMENDATION:**

*That:*

- a) Council prepare a draft Memorandum of Understanding for Cross Border Collaborative Working Arrangements; and*
- b) The draft Memorandum of Understanding be forwarded to Member Councils and used as a template by neighbouring QLD/NSW Councils as they explore and investigate Cross Border working arrangements.*

#### **ATTACHMENTS:**

- 1. BROCC Minutes - 19 May 2023** [↓](#)

**BROC****Border Regional Organisation of Councils**

**MINUTES OF THE BORDER REGIONAL ORGANISATION OF COUNCILS MEETING HELD AT THE CULTURAL CENTRE, VICTORIA STREET, ST GEORGE ON FRIDAY 19 MAY 2023 COMMENCING AT 9AM (QLD TIME).**

**Attendees:**

Balonne Shire Council	Cr Samantha O'Toole
	Matt Magin
Brewarrina Shire Council	David Kirby (Zoom)
Goondiwindi Regional Council	Cr Rob McKenzie
Gwydir Shire Council	Cr John Coulton
Inverell Shire Council	Cr Kate Dight (Chairperson)
	Sharon Stafford
Moree Plains Shire Council	Cr Lisa Orchin
	Nick Tobin
Paroo Shire Council	Cr Suzette Beresford
	Cassandra White
Southern Downs Regional Council	Cr Andrew Gale
Tenterfield Shire Council	Cr Bronwyn Petrie
	Cr John Macnish (Zoom)
	Daryl Buckingham (Zoom)

**Also in Attendance:**

QLD Police	Chris Mitchell
NSW Reconstruction Authority	Mitch Parker
RDA Darling Downs/South West	Jenny Rix
SES	Matthew Kirby
	Brigid Rice
	Karen Cho
Bureau of Meteorology	Ailsa Schofield (Zoom)
	Hilary Wilson (Zoom)
	Jack Dawes (Zoom)
Inland Rail (Dept Infrastructure)	Laura Colley (Zoom)
ARTC	Jo Tait (Zoom)
Mark Ogston	Leading Roles

**1 MEETING OPEN****2 ACKNOWLEDGEMENT OF COUNTRY**

Matthew Magin, Chief Executive Officer, Balonne Shire Council acknowledged the Traditional Custodians of this land and paid respect to Elders past, present and emerging.

**3 APOLOGIES**

RESOLVED (Goondiwindi/Southern Downs) that the following apologies be accepted:

Brewarrina Shire Council	Cr Vivian Slack-Smith
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Bulloo Shire Council	Cr Tractor Ferguson
	Donna Hobbs
Goondiwindi Regional Council	Cr Lawrence Springborg
Gwydir Shire Council	Cr David Coulton
Southern Downs Regional Council	Cr Vic Pennisi
Walgett Shire Council	Cr Jane Keir
RDANI	Nathan Axelsson
	Russell Stewart
Member for Lismore	Janelle Saffin MP
Member for Warrego	Ann Leahy MP
NSW Cross Border Commissioner	James McTavish
QLD Department Main Roads	Bill Lansbury
QLD Dept Premier & Cabinet	Matthew Gregg
SES	Tammy Shepley

CARRIED

**4 CONFIRMATION OF MINUTES****4.1 MEETING MINUTES – 23 FEBRUARY 2023**

RESOLVED (Paroo/Goondiwindi) that the minutes of the Border Regional Organisation of Councils meeting held in Inverell on 23 February, 2023, as circulated to members, be confirmed as a true and correct record of that meeting.

CARRIED

**4.2 MATTERS ARISING FROM THE MINUTES**

Nil.

**5 CROSS BORDER COMMISSIONER UPDATE**

James McTavish, NSW Cross Border Commissioner was an apology for the meeting however committed to providing a written update post the meeting.

(Copy of update to be distributed with minutes if available).

**6 DISASTER MANAGEMENT UPDATE**

A/Senior Sergeant Chris Mitchell, District Disaster Management Coordinator – Cross Border Disaster Management briefed BROCC on the following:

- The QLD/NSW Cross Border arrangements are being worked towards to establish an operational response.
- The Cross Border Forum scheduled for 13<sup>th</sup> July 2023 in St George, is in planning. As previously explained it will be focused on recovery and the afternoon will be an exercise scenario for the management of cross border disaster. Mr Mitchell encouraged BROCC Members to attend.

Ailsa Schofield – Bureau of Meteorology briefed BROOC on the following:

- The Bureau gave an update on the flood warning service for both river and rain gauges that they manage throughout the network.
- The Federal Government has announced a funding package of \$237M to take ownership of the gauge network which will mean that the Bureau will work with Councils to take over these assets under a program called ROBUST. The maintenance of these gauges is still up for consideration and the details of this project are still to be fleshed out.
- The gauges they will be acquiring are for data collation rather than for forecasting and QLD gauges will be prioritised. There will be opportunity to upgrade automated gauges and it is an opt-in system for Councils, ie, many NSW Councils may not choose to opt-in given the upgrade isn't for flood warning. Also there are no additional gauges at this stage. The new acquisition will identify where the holes in the network are, so that there could be opportunity for new gauges in the future. It has been recognised that the gauge network doesn't work as well in a disaster event (ie misses readings because rain falling so quickly) so extra gauges are needed to cross check the network.
- Ailsa's report went on to detail the Bureau's flood warning procedure and explained the flood information documents that are generated by the Bureau. Please see presentation attached.

(Copy of presentation to be distributed with minutes).

Matthew Kirby and Brigid Rice, NSW SES, Western & Tablelands Divisions briefed BROOC on the following:

- The SES in NSW has been restructured and there are now 3 zones that cover the QLD/NSW border regions; Western, Tablelands and North Eastern Zones. Within these zones, other areas have been created to service communities in a more effective manner. See presentation attached for greater detail.
- The SES is currently on a volunteer drive to engage new servicemen & women and are working on strategies to keep these recruits for the long term.

(Copy of presentation to be distributed with minutes).

Mitch Parker - NSW Reconstruction Authority, North Western Region briefed BROOC on the following:

- The NSW Reconstruction Authority (RA) is a newly established organisation created to reorganise and reframe Resilience NSW. RA intends to work very closely with Local Government Councils in the recovery phase of Disaster Management. The new model is similar to that of QLD. It aims to fund grants and stream line processes throughout the recovery phase. It is also about preparedness and calls itself the book-ends of a disaster, leaving the middle phase for the SES. It is focused on long term strategic planning for recovery including mitigation adaptation planning. It intends to work with the Cross Border Commission and the QLD RA.

RESOLVED (Balonne/Moree) that BROOC encourage Reconstruction Authorities either side of the border to engage in high level interactions.

CARRIED

- The issue of rapidly increasing insurance premiums was raised and Mitch informed the group that the RA was working with the Insurance Council of Australia to address insurance issues specific to another couple of communities and that he was happy to work with Local Councils on this issue.

RESOLVED (Tenterfield/Goondiwindi) that BROC advocate to the Insurance Council of Australia concerning postcode driven insurance policy premium price increases.

CARRIED

## 7 GUEST SPEAKER

- Keiran Mau, Loneragan Projects Pty Ltd Keiran Mau has had extensive experience in delivery flood damaged programs on behalf of the Queensland Reconstruction Authority, Department of Transport and Main Roads and numerous Local Government Agencies. He has been involved in delivery of \$100 plus million-dollar programs from their inception phase through to the finalisation stages.
- Keiran has delivered in excess of \$2B of Natural Disaster Relief and Recovery Arrangements (NDRRA) and \$300M of Disaster Recovery Funding Arrangements (DRFA) projects. He is one of the most experienced and distinguished disaster recovery professionals in Queensland having delivered 35 natural disaster events in the past 15 years.
- Loneragan's has been working very closely with Balonne Shire Council on the delivery of Road Reconstruction Programs. They are specialists in getting funding for road asset management and their skill is in collating highly detailed analysis for road assets. This includes betterment data and mapping with extensive access to historical data, stake holder dependency data and a regular monthly reporting structure.

(Copy of presentation to be distributed with minutes).

## 8 STRATEGIC PLANNING FOR BROC

There are seven (7) areas of strategic importance for BROC and all member Councils agreed to promote and support a restructure of BROC operations so that these areas could be individually addressed and tailored to meet outcomes relevant to BROC. Each area has one member Council electing to lead and drive the advocacy. The outcome of deliberations to date are detailed below.

### BROC Areas of Strategic Importance (BASI)

#### 1. Attracting Population and Industry (Lead Council – Paroo, Associated Councils - Inverell, Moree)

Cr Beresford presented findings to date which centred around the following:

- Attracting Skilled Migrants
- Liveability
- Attracting Industry.

RESOLVED (Paroo/Gwydir) that BROC investigate updating the BROC website further to 'push' the region by:

- Establishing links from the BROC website to individual Council websites and vice versa
- Develop the BROC website to include more information
- Establish a 'members only tab' on the BROC website.

CARRIED

#### 2. Transport Networks (Lead Council – Gwydir, Associated Councils - Southern Downs, Tenterfield, Inverell, Bulloo)

Cr Coulton provided a verbal report of findings to date which centred around the following:

- Restrictions for Heavy Vehicles
- Loading – Cross Border issues
- Livestock Loading Scheme
- Grain Harvest Management Scheme
- Heavy Vehicle Registration

RESOLVED (Gwydir/Goondiwindi) that following further investigation a report be prepared for the Cross Border Commissioner seeking his advice on which agencies or departments would be best placed to deal with the particular issues identified.

CARRIED

3. Disaster Recovery, Management & Betterment (Lead Council – Balonne, Associated Councils - Goondiwindi, Moree, Tenterfield, Inverell)

RESOLVED (Balonne/Paroo) that a survey be conducted of member councils in order to gain a better understanding of disaster management issues which impact cross border communities.

CARRIED

4. Health Services (Lead Council – Tenterfield, Associated Councils - Moree, Inverell, Goondiwindi, Paroo)

Cr Petrie provided a verbal update. Issues identified to date centred around the following:

- Kilometres based emergency services system needs to be addressed in order that people can access the closest service regardless of it being over the border
- Need to facilitate GP's getting Visiting Medical Officer status in hospitals
- Some states offering significant nursing incentives
- Need to advocate for fast tracking of visas in rural & regional areas

RESOLVED (Inverell/Tenterfield) that the working group meet again to further investigate and formulate a position on this matter.

CARRIED

5. Housing (Lead Council – Walgett, Associated Councils - Bulloo, Moree)

Walgett not in attendance. No report provided.

6. Education & Childcare (Lead Council – Moree, Associated Councils - Bulloo, Balonne, Walgett)

Cr Orchin provided a verbal update. Issues identified to date centred around the following:

- Students unable to access closest TAFE if it is located over the border
- Movement of boarding school students when borders are closed
- Mungindi Community Preschool no longer able to cater for 3 year olds / daycare kids

RESOLVED (Goondiwindi/Southern Downs) that:

- i) BROOC forward a copy of the response which was received from the Hon Grace MP to the Regional Education Minister, the Hon Fiona Nash; the Minister for Early Childhood Education, the Hon Dr Anne Aly MP asking for assistance in respect of the situation present at Mungindi, highlighting in particular the governments promise of 'No one held back, and no one left behind' cc James



- McTavish, Cross Border Commissioner & the Assistant Minister for Education, Senator the Hon Anthony Chisholm,
- ii) Neighbouring QLD/NSW Councils be encouraged to explore and investigate Memorandums of Understanding (MOU) for Cross Border Collaborative Working Arrangements, noting alignment with but not limited to the seven (7) BROCC Areas of Strategic Importance (BASI).

CARRIED

(Note: Balonne & Moree Plains Shire Council, and Tenterfield & Southern Downs Regional Council both have such collaborative working arrangements in place. A copy of the Balonne/Moree Plains MOU will be distributed with the minutes as an example of an existing working arrangement).

7. Telecommunication Connectivity (Lead Council – Goondiwindi, Associated Councils - Moree, Balonne, Inverell)

Cr McKenzie provided a verbal update. Issues identified to date centred around the following:

- Issues with less signal and/or strength with the rollout of 4G/5G
- Availability of funding through programs such as the Regional Connectivity Program (RCP) and Mobile Black Spot Program (MBSP) to improve connectivity in the region
- Telstra happy to work with BROCC re their Connectivity Plan
- The Cross Border Commissioner funded tower/internet connection is underway in the Balonne/Moree area
- Regional Connectivity (grants) Program
- The Growing Regions Program Round 1 is out and open to August 2023 for EOIs. It is \$15M and may part replace Building Better Regions. It is for community infrastructure that may include telco infrastructure/NBN.

RESOLVED (Goondiwindi/Tenterfield) that:

- i) BROCC invite May Boisen or a representative from Telstra to address the next BROCC meeting
- ii) Councils continue to feed their connectivity issues and concerns back through to Cr McKenzie.

CARRIED

BASI Focus Groups encouraged to continue investigating and exploring their respective area and report on again at the next meeting.

## 9 AGENCY UPDATES

- o Laura Colley, Inland Rail (Department Infrastructure)
  - Laura updated us as to where Inland Rail is at with the construction of the line past North Star. The brief update is that at this point, all progress has come to a halt as the 18 investigation outcomes are analysed and the Federal Government evaluates how to go forward with funding, construction, environmental, route and delivery/approval constraints.
  - Gwydir and Moree Councils reiterated how frustrating this is for their communities with major infrastructure projects in motion, dependent on the construction and operation of the Inland Rail and that if there can be any clarity established on future timelines, that would be appreciated.

RESOLVED (Tenterfield/Gwydir) that BROC write to the Hon Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government concerning the suspension of activity on the Inland Rail project and respectfully seek clarity on a timeframe for the recommencement of activity.

CARRIED

- Jo Tait, Australian Rail Track Corporation (ARTC)
  - Jo also spoke on the progress of the Inland Rail project. There is nothing that can be done at this stage but changes are being made to focus on delivery of the project rather than on operations. A new subsidiary body is being instated and Jo will keep us abreast of these changes.
- Jenny Rix, Regional Development Australia (Darling Downs & South West)
  - Jenny updated the group as to how to best approach grant applications for Councils considering the new Federal Government and the announcements made at the 2023/24 budget. Attracting regional investment needs to take a strategic approach. The Regional Investment Fund provides the best opportunity for funds for Councils. The government wants to work with Councils to deliver these funds and the Regional Infrastructure Framework details this Fund.
  - The Building Better Region Fund has become the Growing Regions Fund and has \$500 - \$15M available for projects. The application process is altered whereby applicants make an expression of interest after which they will progress to the next stage requiring greater project detail, or not. Councils need to be aware of their mapping status (ie regional, remote or very remote) and is co-contribution dependent.
  - There is also the Regional Precincts Partnerships Program for programs that transform a space to be more sustainable and meet net zero emissions. It favours private and public partnership arrangements.
  - The SEGRA conference is on in Toowoomba on the 26-27 July and is an excellent opportunity for Councils to come together to find opportunities for regional economic development. The Minister for Regional Development Local Government & Territories, Minister Kristy McBain, will be in attendance.
  - Jenny advised that she was her last BROC meeting. Cr Dight thanked Jenny for her valuable contribution to BROC and wished her well with her future endeavours.

(Copy of 23/24 Budget - Regional Investment Framework details to be circulated with minutes)

## **10 CORRESPONDENCE**

### **10.1 INWARDS**

- Letter from the Hon Grace Grace MP, Minister for Education re: Viability of Kindergartens in Border Communities – Mungindi Community Preschool
- Bank Statements and Fixed Term Certificate – National Australia Bank & Credit Union
- Drought Resilience Community Co- Design – Information provided by Jenny Rix, Director, Regional Development Australia

## 10.2 OUTWARDS

- Letter to Assistant Commissioner Southern Region QLD Police welcoming continued support and future involvement of A/Senior Sergeant Chris Mitchell at BROCC meetings
- Letter to Brewarrina Shire Council confirming their BROCC membership
- Letter to the Hon Andrew Giles MP, Minister for Immigration, Citizenship & Multicultural Affairs requesting fast tracking of visas for people entering fields of health, education and industry development in regional and rural areas

RESOLVED (Southern Downs/Goondiwindi) that the Inwards and Outwards correspondence be received and noted.

CARRIED

## 10.3 MATTERS ARISING FROM CORRESPONDENCE

Nil.

## 11 FINANCIAL REPORT

## 11.1 TRANSACTIONS

**National Australia Bank – 69-022-2187**

Opening Balance as at 12 January 2023	<b>\$15,453.47</b>
Interest	<b>\$0.40</b>
Membership – Inverell Shire Council	<b>\$500.00</b>
Membership – Gwydir Shire Council	<b>\$500.00</b>
Membership – Tenterfield Shire Council	<b>\$500.00</b>
Membership – Paroo Shire Council	<b>\$500.00</b>
Membership – Brewarrina Shire Council	<b>\$500.00</b>
Membership – Walgett Shire Council	<b>\$500.00</b>
Membership – Goondiwindi Regional Council	<b>\$500.00</b>
Membership – Bulloo Shire Council	<b>\$500.00</b>
Membership – Balonne Shire Council	<b>\$500.00</b>
Membership – Southern Downs Regional Council	<b>\$500.00</b>
Balance as at 11 April 2023	<b>\$20,453.87</b>

**National Australia Bank – Term Deposit 42-388-8697**

Lodged 27 December 2022 for 12 months @ 3.75%	<b>\$10,583.97</b>
Maturity Date – 27 December 2023	

**Warwick Credit Union – Fixed Term Deposit 100005924**

Opening Balance as at 31 March 2023	<b>\$ 11,504.51</b>
Interest Rate 1.95%	<b>\$ 55.32</b>
Reinvested 22 January 2023 @ 3.75%	<b>\$ 11,559.83</b>
Maturity Date – 22 April 2024	

RESOLVED (Moree/Gwydir) that the Financial Report be accepted.

CARRIED

**11.2 MATTERS ARISING FROM FINANCIAL REPORT**

Nil.

**12 ITEMS LISTED**

Nil.

**13 ACTION ITEM LOG**

RESOLVED (Goondiwindi/Tenterfield) that:

- i) the Action Item Log be received and noted: and
- ii) the following items be removed from the Action Log:
  - Road Classification Review and Regional Road Transfer – Bruxner Way

**14 GENERAL BUSINESS**Community Safety

Cr Coulton informed the meeting of the concerns which have been raised about the escalation of rural crime being perpetrated by young offenders in the northern part of Gwydir Shire.

In an effort to address the issue, Cr Coulton advised that he would be seeking to meet with the appropriate Federal Minister during the National General Assembly in June 2023 and indicated that he would be asking other Councils that held similar fears, to be part of a delegation of approximately 20 mayors from across the country to meet with the Minister.

Gravel Roads

Cr Coulton suggested that some thought be given to an advertising campaign encouraging users of gravel roads to utilise both sides of the road so as not to create a single set of wheel tracks.

Farewell

Cr Dight thanked Nick Tobin, General Manager, Moree Plains Shire Council for his contributions to BROCC and wished him well with his future endeavours.

**15 NEXT MEETING**

Cr Dight thanked Balonne Shire Council for hosting this meeting in St George and confirmed that the next meeting will be hosted by Paroo Shire Council (in Cunnamulla) on Friday 11 August 2023 commencing at 9am local time.

**16 MEETING CLOSED**

There being no further business the meeting closed at 12.50pm.

## 5 DESTINATION REPORTS

### 5.1 EXPIRING OCCUPANCY PERMIT - TRANSGRID - MANDOE RADIO SITE - LOT 22 DP 721168, MOUNT HALLAM ROAD, ATHOLWOOD

**File Number:** S5.10.61 / 23/13912

**Author:** Kristy Paton, Corporate Support Officer - Publishing

#### SUMMARY:

The Occupancy Permit issued to TransGrid for Council's Mandoe Radio Communications site is due to expire on 11 July, 2023. The Committee is requested to consider renewing the Occupancy Permit under the same terms and conditions.

#### RECOMMENDATION:

*The Committee recommends to Council that:*

- i) Council renew the Occupancy Permit with TransGrid for Mandoe Radio Site, Lot 22 DP 721168, Mount Hallam Road, Atholwood for a three (3) year period with a further three (3) year option;*
- ii) the Licence fee be \$1,500 per annum (GST Inclusive); for the first year of occupancy and be increased by the CPI for the second and subsequent years of occupancy; and*
- iii) the Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

#### COMMENTARY:

The Occupancy Permit issued to TransGrid for Council's Mandoe Radio Communications site is due to expire on 11 July, 2023. The Occupancy Permit allows Transgrid "the Occupier" access to operate and maintain a radio receiving and transmitting station which has been established on Mandoe. Council also has agreements in place with a number of other organisations to occupy areas on the Mandoe Radio Site to similarly house communication equipment, including huts/sheds, towers, support cables etc.

Lot 22 DP 721168 comprises an area of .7ha.

Council provides reasonable access to the land, suitable for all wheel drive off-road type vehicles.

It is noted that the licences are issued subject to the licensee providing Public Liability Insurance for \$10M. These Policies now cost over \$500 p.a.

The last billed amount was for the amount of \$1,100. This fee has remained unchanged since 2011. It is proposed the occupancy permit fee be increased to \$1,500 for the first year of occupancy and be increased by the CPI for the second and subsequent years of occupancy.

The Committee is requested to consider offering TransGrid a new Occupancy permit.



**RISK ASSESSMENT:**

Nil

**POLICY IMPLICATIONS:**

Nil

**CHIEF FINANCIAL OFFICERS COMMENT:**

Nil

**LEGAL IMPLICATIONS:**

Nil

**ATTACHMENTS:**

Nil



**5.2 EXPIRED LEASE AGREEMENT - NORTH WEST DISTRICT FLYING SCHOOL****File Number:** S5.10.3 / 23/15551**Author:** Kristy Paton, Corporate Support Officer - Publishing**SUMMARY:**

The Lease Agreement between Council and North West District Flying School expired on 29 June, 2022. A new Agreement is proposed under the same terms and conditions.

**RECOMMENDATION:**

*The Committee recommends to Council that:*

- i) Council renew the agreement with North West District Flying School for the Hangar Building, located at the Aerodrome, Gilgai for a five (5) year period with a five (5) year option;*
- ii) the licence fee be \$665.23 per annum (GST Inclusive) with a 3% increase per annum; and*
- iii) the Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

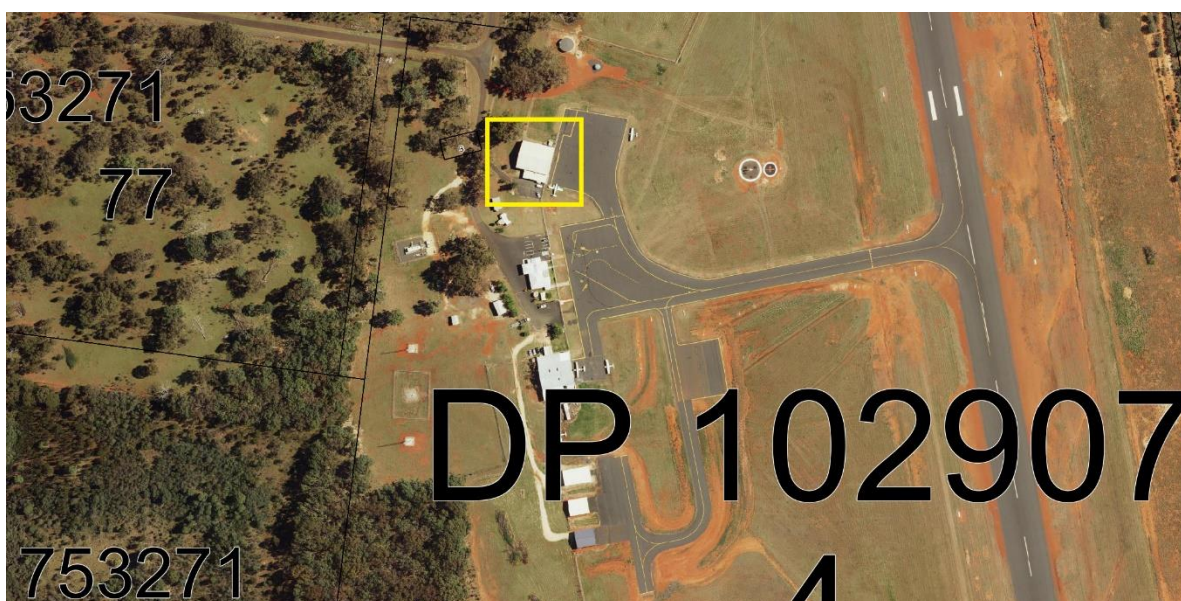
**COMMENTARY:**

The Lease Agreement with North West District Flying School for the Hangar Building, located at the Aerodrome, Gilgai, expired on 29 June, 2022. A new Agreement is proposed under the same terms and conditions.

Council is asked to consider offering a new Agreement under the same terms and conditions for a five (5) year period with a five (5) year option. The authorised use of the building is for an airport hangar. Public Liability insurance is required to the amount of \$10,000,000.00.

Last amount billed \$645.86 (GST Inclusive).

The Committee is asked to consider offering North West District Flying School a new Agreement for a five (5) year period with a five (5) year option.



The location of the hangar is highlighted in yellow.

**RISK ASSESSMENT:**

Nil

**POLICY IMPLICATIONS:**

Nil

**CHIEF FINANCIAL OFFICERS COMMENT:**

Nil

**LEGAL IMPLICATIONS:**

Nil

**ATTACHMENTS:**

Nil



**5.3 REQUEST TO TRANSFER EXPIRING LICENCE AGREEMENT - LEWIS TO GAFFANEY****File Number:** S5.10.31 / 23/17115**Author:** Kristy Paton, Corporate Support Officer - Publishing**SUMMARY:**

The Licence Agreement in place between Council and Mr Owen Lewis is due to expire on 30 June, 2023. Council has received a request from Sarah Gaffaney to have the Licence Agreement renewed and transferred into her name.

**RECOMMENDATION:**

*The Committee recommends to Council that:*

- i) Council renew the Licence Agreement for Lots 1, 2, 3, 4 & 5, Section 58, DP 979847, Cameron Park, Inverell in the name of Sarah Gaffaney;*
- ii) The licence agreement be for a three (3) year period with a further three (3) year option;*
- iii) The Licence fee be \$82.34 per annum (GST Inclusive) with a 3% increase per annum; and*
- iv) The Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

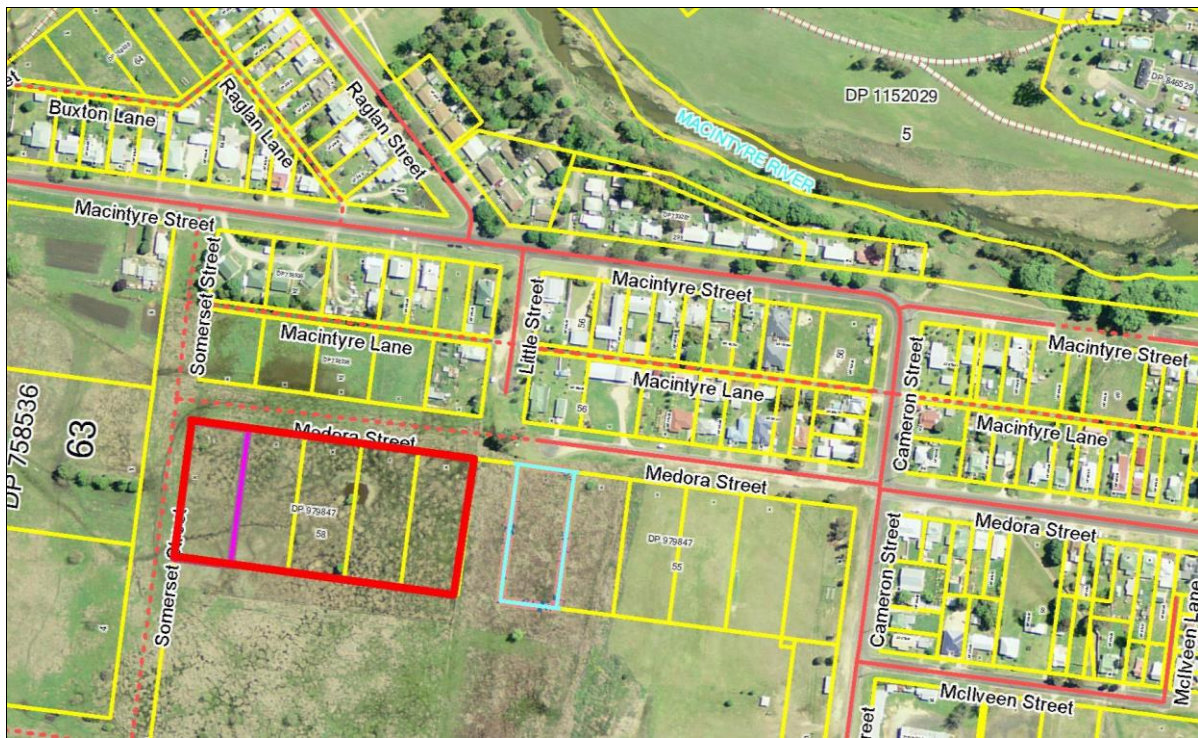
**COMMENTARY:**

The Licence Agreement between Council and Mr Owen Lewis for Lots 1, 2, 3, 4 & 5, Section 58, DP 979847, Cameron Park, Inverell is due to expire on 30 June, 2023. The authorised use of the land is for the purpose of grazing and holding stock and the land is being used for grazing horses.

Mr Lewis has passed away and Mrs Lewis has been unable to care for the horses for quite some time. Ms Sarah Gaffaney has been caring for the horses and has been acting on the Lewis' behalf on matters relating to the Licence Agreement. Ms Gaffaney has requested the Licence Agreement be renewed and transferred to her name. The request to transfer the Licence Agreement is considered fair and reasonable as Ms Gaffaney's interest in obtaining the licence agreement is to ensure continuity of care for the horses.

Ms Gaffaney has been advised of the last invoiced amount for the annual licence fee and accepts that if the Licence Agreement is transferred to her name it will be under the same terms and conditions as the existing agreement; including the requirement for the Licence holder to have Public Liability Insurance.

The Committee is requested to consider renewing the Licence Agreement and transferring it into Sarah Gaffaney's name.



Lots 1, 2, 3, 4 & 5, Section 58, DP 979847, Cameron Park, Inverell

**RISK ASSESSMENT:**

Nil

**POLICY IMPLICATIONS:**

Nil

**CHIEF FINANCIAL OFFICERS COMMENT:**

Nil

**LEGAL IMPLICATIONS:**

Nil

**ATTACHMENTS:**

Nil

**5.4 REQUEST FOR SPONSORSHIP - GUM FLAT SCHOOL ANNUAL FUNDRAISER - GUM FLAT SCHOOL P AND C ASSOCIATION****File Number:** S12.22.1/16 / 23/17903**Author:** Kristy Paton, Corporate Support Officer - Publishing**SUMMARY:**

A request for sponsorship including a Request for Donation Application form has been received from the Gum Flat Public School P and C Association.

**RECOMMENDATION:**

*A matter for the Committee.*

**COMMENTARY:**

Sharon Wilson, Secretary of the Gum Flat Public School P and C Association has written to Council requesting sponsorship of their annual fundraising event. This year's event is a Bingo night being held in August.

Each year the P and C Association holds a significant fundraising event that aims to raise much needed funds to enhance the resources and facilities available to the students of the school. The Bingo will also act as a community gathering for the close-knit community. Past fundraisers have attracted around 100 attendees and it is hoped that this year's event will entice even more people to attend.

To attract more people to attend the event, the P and C Association are seeking a significant donation for a major prize and have requested a donation for the sum of between \$200 and \$500. The P and C Association are happy to be provided with vouchers from local organisations.

The P and C Association estimate their expenses will be approximately \$200 to run the event.

The Committee is requested to determine if it wishes to recommend a donation be made to the P and C Association, and if so, in what capacity.

**RISK ASSESSMENT:**

Nil

**POLICY IMPLICATIONS:**

Nil

**CHIEF FINANCIAL OFFICERS COMMENT:**

There are two suitable funding sources should Council choose to provide sponsorship to the Gum Flat P and C Association bingo night:

1. Donations Budget – currently balance available - \$26,386
2. Gum Flat Village Development Budget – current balance available - \$6,980

**LEGAL IMPLICATIONS:**

Nil

**ATTACHMENTS:**

Nil

**5.5 IPART REVIEW OF COUNCIL RATE PEG METHODOLOGY****File Number:** S25.11.3 / 23/18471**Author:** Paul Henry, General Manager**SUMMARY:**

IPART has reviewed the methodology prescribed for the setting of a Council's Rate Peg. A series of recommendations will be sent to the State Government for consideration.

**RECOMMENDATION:**

*That the information be received and noted.*

**COMMENTARY:**

The State Government requested IPART to review the methodology for setting the 'Rate Peg'. This review has firstly recommended a number of changes to improve the methodology and suggests that there are a number of broader financial issues that impact a Council's sustainability. These financial issues should be considered by an independent investigation into the financial model for Councils.

A link to the full text of the IPART Report is <https://www.ipart.nsw.gov.au/documents/draft-report/draft-report-review-rate-peg-methodology-june-2023>

Key sections of the report are highlighted for Councillors' information:

**a) Comments from Ratepayers**

When conducting their review, IPART sought comment from the community by public submissions, a survey and then by a selected focus group. The key points from the Statewide feedback was:

- Ratepayer's prime concern was the affordability of Council rates, and the impact that a change in methodology would have on their cost of living,
- Concerned Council incomes have grown much greater than the CPI,
- Wonder whether there is an effective measure of a Council's productivity as there was concern that rate monies are not used efficiently,
- In the survey responses, ratepayers were generally satisfied with the quality and level of services provided by Council,
- Concerns were raised about how fairly rates are split across categories of ratepayers,
- 60% of business ratepayers stated that they were not comfortable that Councils would keep rates reasonable,
- 30% of residential ratepayers said Council's communication on how rates income was used needs to be improved,
- The focus groups enable ratepayers to better consider the value of paying rates to support Council services.

**b) Improved Rate Peg Methodology**

IPART has formed the view that the Rate Peg Methodology needs to be improved by making the methodology simpler. The suggested changes are:

- Prepare 'rate pegs' for three (3) groupings of Councils, not just one 'rate peg' that covers all Councils. The grouping would be metropolitan, regional and rural,
- Set a new Local Government Cost index (LGCI) that is comprised of three (3) parts – employee costs, asset costs and other costs (utilities, insurance etc),
- Use forward looking indicator to estimate the change in the LGCI,
- Make an explicit Emergency Services Levy adjustment separate to an adjustment due to changes in LGCI,
- Include a 'population factor' if a more accurate measure of change in a Council's population is available.

c) Investigate a Financial Model for Councils

During the consultation undertaken by IPART many stakeholders expressed concern about the financial sustainability of Councils and the affordability of rates in the 'current cost of living' climate.

Many of the issues raised won't be fixed by the abovementioned changes to the rate peg methodology. Therefore, an independent examination of funding to the Local Government sector, costs and expenditure, financial management and the impact on rates on ratepayers.

One of the specific recommendations for a changed financial model, was an incentive for Councils to improve their performance such as an exemption from the rate peg if an agreed level of performance was achieved.

Summary

The Rating Professional Group (a selected group of respected rating staff – including Council employee, Emma Murphy, Revenue Coordinator) are currently considering this report. The results of this deliberation will inform Council's response to this report.

**RISK ASSESSMENT:**

Nil

**POLICY IMPLICATIONS:**

Nil

**CHIEF FINANCIAL OFFICERS COMMENT:**

Nil

**LEGAL IMPLICATIONS:**

Nil

**ATTACHMENTS:**

Nil

**5.6 STANBOROUGH RFS SHED****File Number:** S9.18.1 / 23/18601**Author:** Paul Pay, Director Corporate and Economic Services**SUMMARY:**

Council has received a recommendation from Inspector Scott Mack, District Manager, Northern Tablelands Team, NSW Rural Fire Service to dispose of the Stanborough RFS Shed.

**RECOMMENDATION:**

*The Committee recommends to Council that Council approve the demolition of the Stanborough RFS Shed and the site be rehabilitated to natural bushland.*

**COMMENTARY:**

Council took ownership of the Stanborough RFS Shed in 2020 during the transition of assets from Armidale Regional Council as a result of the Tingha boundary adjustment.

The Stanborough RFS shed is a building of bessa block construction with a metal roof. The rear door is missing allowing access to the building at any time. The building is approximately 9.1m x 4.1m. A locality map and photos of Stanborough RFS shed are attached to this report.

RFS staff have no recollection of the Brigade or Station in use from 2010 to present. There are no records to indicate whether the station was mentioned in the Service Level Agreement (SLA) asset register following the transfer of the area from Armidale Regional Council to Inverell Shire Council.

The Stanborough locality falls within the coverage of Tingha Brigade. Tingha is 10 kilometres from the Howell Road & Bundarra Road intersections. Gilgai Brigade provides backup to Tingha Brigade for the locality which is 11 kilometres away.

Tingha currently has four RFS appliances and Gilgai has two RFS appliances providing sufficient coverage to the Stanborough locality and further afield to the shire boundary towards Bundarra.

Taking into consideration RFS Service Standard 5.4.1 Disposal of Assets, Inspector Mack has identified that the old Stanborough RFS Shed building:

- Does not meet current RFS standards for Brigade Stations
- The Northern Tablelands District has no plans to rejuvenate the Stanborough Brigade
- The building is not secure and presents a WHS and Insurance risk to Council and the RFS

Inspector Mack recommends the building be demolished and the site be rehabilitated to natural bushland.

**RISK ASSESSMENT:**

Nil

**POLICY IMPLICATIONS:**

Nil

**CHIEF FINANCIAL OFFICERS COMMENT:**

NSW Rural Fire Service will provide funding to demolish the Stanborough RFS Shed.

**LEGAL IMPLICATIONS:**

Nil

**ATTACHMENTS:**

1. Stanborough RFS Shed Locality Map [↓](#)
2. Photos of Stanborough RFS Shed [↓](#)
3. RFS Service Standard - 5.4.1 Asset Disposal [↓](#)



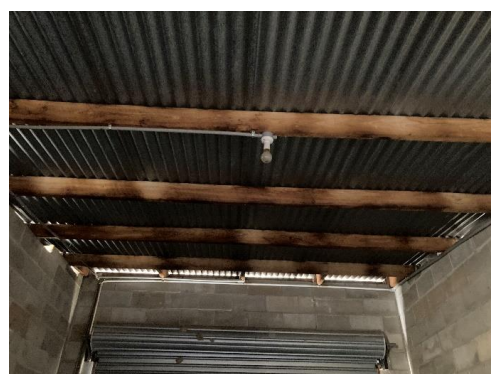
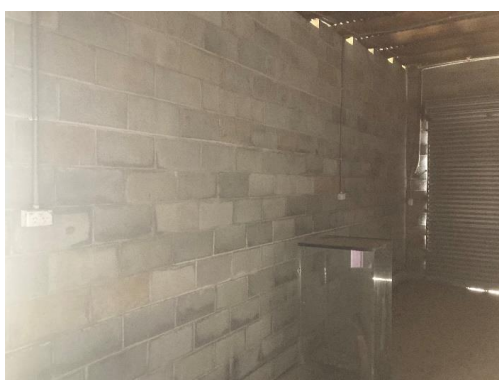
### Stanborough RFS Shed Locality





### Photos of Stanborough RFS Shed







NSW Rural  
Fire Service

## Resources (Disposal)

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### 5.4.1

## Asset Disposal

### 1 Rationale

- 1.1 The Rural Fire Service ("the Service") is committed to the proper management of surplus or deficient physical assets that might otherwise reduce efficient, effective and safe service delivery. One of the key elements of asset management is the timely, appropriate and cost effective disposal of assets in a frame work that ensures probity, honesty and conformity to Government Policy.

### 2 Standard

#### 2.1 Equipment Covered by this Service Standard

2.1.1 This Service Standard applies to equipment;

- Purchased through/by/with funds from the Rural Fire Fighting Fund;
- Ownership vested in the local authority; and
- Listed on Schedule 4 of the Service Level Agreement.

2.1.2 The assets **not covered** by this Service Standard are;

- Assets owned by the Service.
- Assets owned by the Local Authority (not purchased through the Rural Fire Fighting Fund).
- Assets owned by the Brigade.



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Fire Service

## Resources (Disposal)

### 2.2 Considerations for Disposal

**2.2.1** All assets should be audited each year by the FCO to determine if each asset is still providing the service for which it was intended in a cost efficient and effective manner. Factors which will influence the determination of the viability of the asset are whether :

- the asset is still required for the delivery of services, either currently, or over the longer planning time frame.
- The asset is becoming uneconomical to maintain and/or operate.
- The asset wears out or fails.
- There is a Government Policy in place (e.g. Central determination on period of retention of an asset e.g. Tankers 10yrs)
- Other local considerations.

If the asset meets any one of the above, then the asset can be considered for disposal.

### 2.3 Disposal Criteria

Once an asset has been identified for possible disposal, the following set of criteria needs to be applied to determine if disposal is the best option.

**2.3.1** The asset is not critical to perform the service delivery functions.

**2.3.2** The asset no longer performs to its operational maximum in a safe, efficient and cost-effective manner taking into account:

- OH&S requirements;
- Whether running costs are becoming excessive compared to the value of the asset;
- Whether the asset still performs the task in a satisfactory manner; and
- Whether the asset is becoming unreliable, breaking down, or 'out of service' for increasing periods.

**2.3.3** The costs associated with upgrading, enhancement or refurbishment etc will not extensively prolong the life of the asset in a cost-effective manner, taking into account:

- whether the current book value (or market value) will be less than the proposed amount of the refurbishment/ upgrade/ enhancement;



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Fire Service

## Resources (Disposal)

- whether the upgrade etc would markedly enhance the life of the asset; and
- whether those funds would be better spend on a replacement.

**2.3.4** There is a State Government/Service or Council predetermined policy that dictates the disposal of this classification of asset e.g. computers, motor vehicles, tankers etc.

**2.3.5** The consequences if the asset is not replaced or fails to perform it's designated task covering the legal, moral, OH&S, human, financial and Rural Fire Service areas.

**2.3.6** Any other options which may exist for the asset.

### **2.4 Recommendation for disposal method**

After consideration of the criteria, the Fire Control Officer needs to make a recommendation on the disposal method.

**2.4.1** The disposal method should be based around the following principles:

- Achieve the best return to Government.
- Satisfy probity considerations.
- Provide adequate and equal opportunity to purchase.
- Wherever possible 'acceptable to the community'.
- Not cost more than the market value of the asset.

**2.4.2** The disposal methods include:

**(a) Auction**

This is a common method of disposal because it is usually more straightforward and the process is open to public scrutiny.

**(b) Tender**

Tendering is preferred where more control over the actual disposal of the asset is required.

**(c) Beyond Economical Repair (discarded or no-value)**

- the book or market value of the asset will be exceeded in repair/upgrade/refurbishment costs;





NSW Rural  
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## Resources (Disposal)

- the market value will be exceeded by the disposal costs
- assets that have been superceded by technology etc thereby rendering the market value negligible.
- funds would be better spent on either a replacement asset or alternative method to deliver the service

### 2.5 Recommendation for disposal

- 2.5.1 The Fire Control Officer will prepare a report addressing the criteria listed in clause 2.3 and making recommendation on the disposal method (see clause 2.4).
- 2.5.2 Any recommendation should take into account Local Government policies/procedures.
- 2.5.3 The FCO will forward the necessary recommendation on the disposal method to the Local authority as the owner of the asset.

### 2.6 Approval to dispose of the asset

- 2.6.1 The Local authority will consider the report's recommendations on the disposal of the asset, either accepting or altering the recommendations and giving the reasons for any amendments.
- 2.6.2 The Local authority shall then report these finding back to the Fire Control Officer for the appropriate disposal action to take place.

### 2.7 Disposal action

- 2.7.1 The approved disposal method should be carried out in accordance with the locally agreed policies and procedures as determined by the Local authority.
- 2.7.2 Where the cost of disposal will exceed the likely cost of return upon disposal of the asset, an agreed method for disposal of such assets will be developed between the FCO and the GM for the approval of the Commissioner.
- 2.7.3 If the local authority has no policy or guidelines then those determined by the Department of Public Works and Services shall be used.



NSW Rural  
Fire Service

## Resources (Disposal)

### 2.7.4 Disposal of Vehicles

- (a) Where a funded Rural Fire Service vehicle has been deemed surplus to requirements or beyond economical repair, the Commissioner's approval must be granted before any transfer of tender is effected.
- (b) A Vehicle Disposal/Transfer form is to be completed. See Intranet for a copy of this form
- (c) All transfers of vehicles to other Councils must be organised and processed by Fleet Officer at Head Office.
- (d) All tankers disposed of by way of tender or auction must have all references to Service, Council and Brigade, lights and siren removed. BFO identification plate is to be removed from the vehicle and returned to Engineering Services at Head Office. Council will be responsible for the organisation of auction or tender to ensure the best return is obtained.
- (e) All receipts for the sale of vehicles, excluding advertising and auction costs must be remitted for credit to the Rural Fire Fighting Fund. Cheques should be drawn in favour of the NSW. Rural Fire Service and forwarded to Financial Services Officer, Head Office as soon as possible after the sale.

**2.7.5** A flow chart outlining the process to be followed in the disposal of the asset can be found on page 8.

### 2.8 Monetary Process

**2.8.1** The assets covered by this Service Standard are vested in the local authority but owned by the Crown. The Rural Fires Act (Section 119(4)) states that an amount equal to the proceeds of sale of any such equipment shall be paid to the credit of the fund, in other words, returned to the Rural Fire Service.

**2.8.2** In order for that to be achieved the following needs to happen:

- (a) If the disposal method is likely to return a monetary value for the asset, then a copy of the approval to dispose of the



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Fire Service**

## Resources (Disposal)

asset form, should be sent to the RFS - Manager Financial Services.

- (b) The RFS - Manager of Financial Services will then create a debtor, against that Council, in anticipation of the funds being remitted. The normal debtor system will then ensure that a remittance is received.
- (c) The Fire Control Officer, after receiving the remittance from the successful purchaser, then needs to send the money to the RFS - Manager Financial Services to clear the debtor and finalise the transaction.

**2.8.3** In the case of no money being anticipated from the disposal of the asset no further 'financial' arrangements need to occur.

### **2.9 Service Level Agreements**

**2.9.1** The Service Level Agreement, between the Rural Fire Service and Local Government will contain an asset register of all the asset required to be maintained by the Rural Fire Service. This schedule of assets will be in force from the 1 July 2001. The Service Level Agreement will therefore become the basis of the asset register, thereby being the basis from which this Service Standard will be invoked.

**2.9.2** Any amendment to the asset, especially disposals, will therefore have to be adjusted in the schedule attached to the Service Level agreement

### **2.10 Audit**

**2.10.1** The Service and Local Government will now be able to track the disposal of assets through the Service Level agreements. Any amendments, particularly disposals, will be tracked by the changing of the schedule attached to the Service Level Agreement.

**2.10.2** Each disposal will have to have the approval, as outlined in this Service Standard, recorded by the Fire Control Officer as evidence that the disposal was approved and the process followed.

**2.10.3** The audit of the assets in the Service Level Agreement will be done in accordance with both Local Government and Service policies within appropriate time frames.





**NSW Rural  
Fire Service**

## Resources (Disposal)

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### **3 Who is responsible for implementing the Policy?**

- (a) RFS District/ Zone Managers
- (b) Local Government
- (c) RFS Regional Managers (Audit & compliance)
- (d) RFS Manager Financial Services

### **4 Issue**

This Service Standard was considered by the Corporate Executive Group on 5 February 2002 and Rural Fire Service Advisory Council 21 August 2002. Issued by the Commissioner on 15 May 2002.

### **5 Legislation and references**

Rural Fires Act, 1997 (as amended)  
Section 119 (2)  
Section 119 (3)  
Section 119 (4)

### **6 Amendments**

None

### **7 Document owner**

The owner of this Policy is the Executive Director Corporate Services.

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Service Standard 5.4.1  
Asset Disposal  
Version 1.0

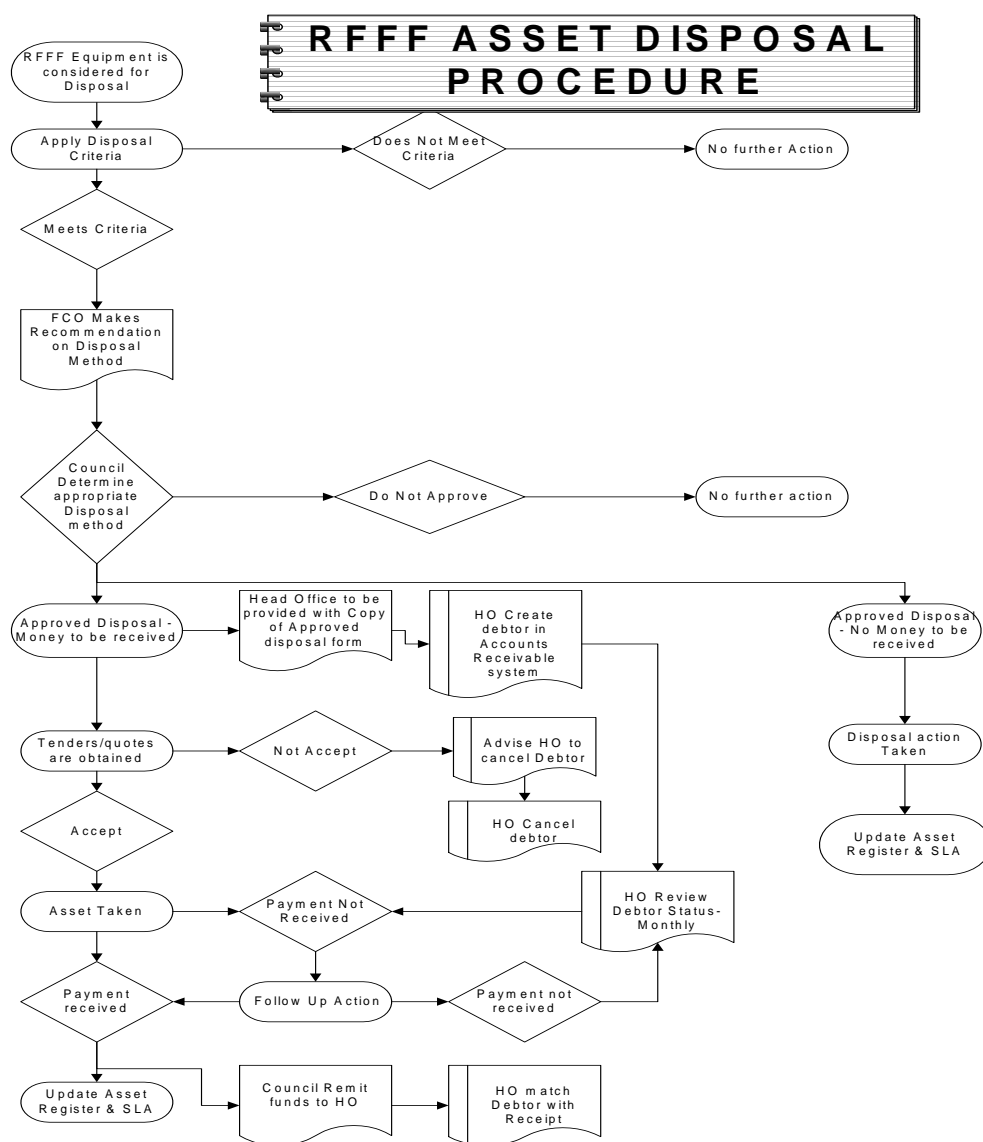
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Fire Service

## Resources (Disposal)



Service Standard 5.4.1  
Asset Disposal  
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**5.7 REFERRAL OF CONFIDENTIAL MATTERS****File Number:** S4.11.17/15 / 23/18335**Author:** Kristy Paton, Corporate Support Officer - Publishing**SUMMARY:**

Referral of Confidential Report

**RECOMMENDATION:**

*That the Committee refer the items to Closed (Public excluded) meeting of the Committee and that the press and members of the public be asked to leave the chambers whilst the Committee considers the following items:*

**Item:** 8.1 Delungra Memorial Bowling & Recreation Club Ltd - Request to Reduce or Waive Rates.

**Authority:** Section 10A (2) (b) discussion in relation to the personal hardship of a resident or ratepayer.

**COMMENTARY:**

In accordance with the provisions of Section 9 (2A) Local Government Act 1993, the General Manager is of the opinion that consideration of the following item(s) is likely to take place when the meeting is closed to the public.

**Item:** Delungra Memorial Bowling & Recreation Club Ltd - Request to Reduce or Waive Rates

**Description:** Request to Reduce or Waive Rates.

**Reason:** Discussion in relation to the personal hardship of a resident or ratepayer (s. 10A (2) (b) Local Government Act 1993).

**6 INFORMATION REPORTS****6.1 INVERELL LIBRARY USER/NON-USER SURVEY****File Number:** S3.6.1/17 / 23/18425**Author:** Sonya Lange, Manager Library Services**SUMMARY:**

The Inverell Shire Public Library is conducting a user/non-user survey to gather information to support future planning for library services and collections.

**COMMENTARY:**

Each year, the Library receives Local Priority Grant funding from the State Library of New South Wales for a range of projects. A portion of this funding is being utilised to conduct a survey of library users and non-users in the community. The library has not undertaken a formal survey for some years, and recognises the significant changes in technology, societal norms and post-pandemic consumer behaviour that impact on people's relationship with the library.

The library has engaged Roger Henshaw Consultancy Services, who specialise in the library field, to plan, implement and evaluate the survey. The survey will be run during July, with both online and hard-copy versions available. Following the survey period, the consultants will undertake some face-to-face interviews, before providing a report on their findings.

The survey is designed to explore user satisfaction with current services, identify areas for improvement, explore the community's perception of the role of the library, and solicit ideas for new services and collections. The survey will also seek to identify why non-users do not engage with the library, raise awareness of the library's services, and understand any barriers to use.

The information gathered by the survey will assist the library in planning for the future, by identifying service gaps, revealing trends in patrons needs, and clarifying the community's perception of the library. The survey results may also be utilised to support future grant applications.

**RISK ASSESSMENT:**

Nil

**POLICY IMPLICATIONS:**

Nil

**CHIEF FINANCIAL OFFICERS COMMENT:**

Nil

**LEGAL IMPLICATIONS:**

Nil

**ATTACHMENTS:**

Nil

## 7 GOVERNANCE REPORTS

### 7.1 LOCAL GOVERNMENT REMUNERATION TRIBUNAL DETERMINATION

**File Number:** S13.6.4/16 / 23/17603

**Author:** Paul Pay, Director Corporate and Economic Services

#### SUMMARY:

The Local Government Remuneration Tribunal (the Tribunal) has determined an increase of 3% to mayoral and councillor fees for the 2023/24 financial year, effective from 1 July, 2023.

#### RECOMMENDATION:

*That the Committee recommend that Council fix the annual fee to be paid to Councillors at the maximum allowed for the Rural Council Category as determined by the Local Government Remuneration Tribunal; that being an annual fee paid to Councillors of \$17,680 with the Mayor receiving an additional annual fee of \$37,925 for the financial year commencing 1 July, 2023.*

#### COMMENTARY:

Sections 248 and 249 of the *Local Government Act 1993* require councils to fix and pay an annual fee based on the Tribunal's determination. Council cannot fix a fee higher than the maximum amount determined by the Tribunal, if a council does not fix a fee, the council must pay the minimum fee determined by the Tribunal.

The Tribunal's report has been forwarded under separate cover for your reference.

The Tribunal is required to determine the remuneration categories of councils and mayoral offices at least once every three years under section 239 of the *Local Government Act 1993*. The Tribunal undertook a review of the categories as part of its 2023 Determination.

The Tribunal determined the creation of two (2) new remuneration categories, "Metropolitan Major" and "Rural large" and also varied the criteria of several existing categories.

Inverell Shire Council had previously been categorised as "Rural", however under the new determination our Council is now categorised as "Rural Large".

Councils categorised as Rural Large will have a residential population greater than 10,000, and a councillor to resident ratio of at least 1 to 1200. Other features may include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries

Pursuant to s.241 of the *Local Government Act 1993*, the annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July, 2023 are determined as follows:

**General Purpose Councils – Metropolitan****Councillor/Member Annual Fee (\$) effective 1 July 2023**

Category	Minimum	Maximum
Principal CBD	29,610	43,440
Major CBD	19,760	36,590
Metropolitan Major	19,760	34,590
Metropolitan Large	19,760	32,590
Metropolitan Medium	14,810	27,650
Metropolitan Small	9,850	21,730

**Mayor/Chairperson Additional Fee\* (\$) effective 1 July 2023**

Category	Minimum	Maximum
Principal CBD	181,210	238,450
Major CBD	41,960	118,210
Metropolitan Major	41,960	106,960
Metropolitan Large	41,960	94,950
Metropolitan Medium	31,470	73,440
Metropolitan Small	20,980	47,390

**General Purpose Councils - Non-Metropolitan****Councillor/Member Annual Fee (\$) effective 1 July 2023**

Category	Minimum	Maximum
Major Regional City	19,760	34,330
Major Strategic Area	19,760	34,330
Regional Strategic Area	19,760	32,590
Regional Centre	14,810	26,070
Regional Rural	9,850	21,730
Rural Large	9,850	17,680
Rural	9,850	13,030

**Mayor/Chairperson Additional Fee\* (\$) effective 1 July 2023**

Category	Minimum	Maximum
Major Regional City	41,960	106,960
Major Strategic Area	41,960	106,960
Regional Strategic Area	41,960	94,950
Regional Centre	30,820	64,390
Regional Rural	20,980	47,420
Rural Large	15,735	37,925
Rural	10,490	28,430

Inverell is categorised as a Rural Large Council, which entitles Councillors to an annual fee from \$9,850 to \$17,680 with the Mayor provided an additional annual fee from \$15,735 to \$37,925. Council has historically elected to apply the maximum annual fee allowable. This would entitle each of the Councillors of Inverell Shire Council an annual fee of \$17,680, with the Mayor receiving a total combined Councillor Fee and Mayoral Fee of \$55,605.

**RISK ASSESSMENT:**

Nil

**POLICY IMPLICATIONS:**

Nil

**CHIEF FINANCIAL OFFICERS COMMENT:**

Council's 2023/2024 Draft Operational Plan made provisions for Councillor remuneration based on a categorisation of "Rural" - \$145,790. Should Council elect to receive the maximum annual fee allowable under the categorisation of "Rural Large" - \$197,045, will result in a budget shortfall of \$51,255. This will need to be corrected in the September Quarterly Budget Review.

**LEGAL IMPLICATIONS:**

Nil

**ATTACHMENTS:**

Nil

**7.2 AASB 124 RELATED PARTY TRANSACTIONS****File Number:** S12.2.2 / 23/17994**Author:** Paul Pay, Director Corporate and Economic Services**SUMMARY:**

The Australian Accounting Standard 124 (AASB 124) require local government authorities to identify and disclose related party transactions that are individually or collectively material.

This report requests that Council's Key Management Personnel (KMP) declare details of any Related Parties and Related Party Transactions by completing Sections 1 and 2 of Council's KMP – Related Party Transaction Questionnaire form.

**RECOMMENDATION:**

*The Committee recommend to Council that:*

- a) *The report be received and noted; and*
- b) *In accordance with AASB 124, Key Management Personnel (KMP) complete section 1 and 2 of Council's KMP – Related Party Transactions Questionnaire and return completed forms to Council by 28 June, 2023.*

**COMMENTARY:**

All councils in New South Wales must produce annual financial statements that comply with Australian Accounting Standards.

The Australian Accounting Standard 124 (AASB 124) require local government authorities to identify and disclose related party transactions between Council and its related parties that are individually or collectively material.

The objective of the standard is to ensure that Council's financial statements contain the disclosures necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties.

As a result, Council must disclose Related Parties of Key Management Personnel (KMP) and all material and significant Related Party Transactions including outstanding balances and commitments, in its Annual Financial Statements commencing with the reporting period ending 30 June, 2023.

The impact of AASB 124 is on the disclosures within the Annual Financial Statements; there is no financial impact on Council's reported financial position or performance.

KMPs are defined as those persons who have authority and responsibility, either directly or indirectly, for planning, directing and controlling the activities of the Council. KMPs for the Council are therefore considered to include:

- Mayor;
- Councillors;
- General Manager;
- Director of Corporate and Economic Services; and
- Director Civil and Environmental Services.



For the purpose of AASB 124, close family members could include extended members of a family (such as, without limitation, parents, siblings, grandparents, uncles/aunts or cousins) if they could be expected to influence, or be influenced by, the KMP in their dealings with Council.

Related party transactions are a transfer of resources, services or obligations between the Council and a related party, regardless of whether a price is charged. Examples of related party transactions are:

- purchases or sales of goods;
- purchases or sales of property and other assets;
- rendering or receiving of services;
- rendering or receiving of goods;
- leases;
- transfers under licence agreements;
- transfers under finance arrangements (for example: loans);
- provision of guarantees (given or received);
- commitments to do something if a particular event occurs or does not occur in the future; and
- Settlement of liabilities on behalf of Council or by Council on behalf of that related party.

Council will need to disclose the nature of the relationship with the related party, as well as sufficient information about the transactions and outstanding balances, including commitments, necessary for users of the financial statements to understand the potential effect of the relationship on the financial statements.

Information provided by KMPs and other related parties will be held for the purpose of compliance with Council's legal obligations and shall be disclosed where required for compliance or legal reasons only. KMP compensation will be disclosed on an aggregated basis only (KMP will not be named).

To assist Council to comply with AASB 124, Council's KMPs will be required to declare full details of any Related Parties and Related Party Transactions by completing Sections 1 and 2 of Council's KMP – Related Party Transaction Questionnaire form. This form will be distributed by the Director Corporate and Economic Services at the June 2023 Committee Meetings together with a copy of last year's return to assist KMPs with completing the form. All sections of the Questionnaire must be completed by providing the appropriate information or a "NIL" response.

It is requested that KMPs return their completed questionnaires by Wednesday, 28 June, 2023 to the Director Corporate and Economic Services.

For assistance in completing the questionnaire please contact Council's Director Corporate and Economic Services, Paul Pay on 02 67 288 261.

#### **RISK ASSESSMENT:**

These declarations are a reporting requirement and do not impact the risk profile of Council beyond that.

#### **POLICY IMPLICATIONS:**

Council must comply with AASB 124 and Council's Key Management Personnel (KMP) – Related Party Transactions Policy and declare, where necessary, details of any Related Parties and Related Party Transactions in Council's Annual Financial Statements.

#### **CHIEF FINANCIAL OFFICERS COMMENT:**

AASB 124 requires an additional disclosure in the notes to Council's Financial Statements, titled "Note 24 – Related Party Transactions" for the period ending 30 June, 2023. This will not impact Council's financial result and comparatives are not required.

Any financial implications will relate to indirect costs associated with researching, collecting and recording information which are expected to be minimal.

**LEGAL IMPLICATIONS:**

Nil

**ATTACHMENTS:**

**Nil**

**7.3 WORK HEALTH & SAFETY POLICY****File Number:** S22.17.12 / 23/17996**Author:** Paul Pay, Director Corporate and Economic Services**SUMMARY:**

As part of Council's continual improvement of its Work Health and Safety Management System, a review of Council's Work Health and Safety Policy has been undertaken and completed.

The review was undertaken to ensure continued legislative compliance in line with AS/NZS 45001 Occupational Health and Safety Management Systems. The committee is requested to endorse this policy to Council.

**RECOMMENDATION:**

*The Committee recommends to Council that:*

- i) The Work Health and Safety Policy be adopted; and*
- ii) The General Manager be authorised to sign the Work Health & Safety Policy on behalf of Council.*

**COMMENTARY:**

As a Person Conducting a Business or Undertaking (PCBU), Council has a duty under the *Work Health Safety Act, 2011*, to ensure the health and safety of its workers. As part of this obligation, Council are required to have a current Work Health and Safety Policy.

Senior management in consultation with all employees and/or their representatives shall define and document its policy for, and commitment to, health and safety. The policy shall be endorsed and supported by the most senior management within the organisation – e.g. the General Manager.

The health and safety policy shall be developed consistent with relevant legislative requirements and include commitment to:

- the risk management process and ensure consistency with the nature of workplace activities and scale of health and safety risks,
- comply with relevant health and safety legislation and other requirements placed upon the organisation or to which the organisation subscribes,
- establish measurable objectives and targets for health and safety to ensure continuous improvement aimed at elimination of work-related illness and injury,
- the provision of appropriate health and safety training to all employees,
- the consultation process to ensure all employees are included in the decision making where there is an impact on workplace health and safety,
- the dissemination of health and safety information to all employees, contractors, labour hire employees and visitors to the workplace,
- effective implementation of the health and safety policy.

The health and safety policy is maintained and reviewed periodically to ensure it remains relevant and appropriate to the organisation's health and safety risks.

Historically the Work Health and Safety Policy has been a Management Policy. Given that Elected Members have a duty to help provide the environment that ensures their Council complies with its own duties and obligations under the Act, including Council's primary duty to ensure, so far as reasonably practicable, the health and safety of workers and other persons, it is recommend that the Work Health and Safety Policy be endorsed by Council and become a Council Policy.

This policy was previously amended and adopted by the Management Team on 27 January, 2017. The policy has been reviewed, with no major changes identified.

**RISK ASSESSMENT:**

Nil

**POLICY IMPLICATIONS:**

Nil

**CHIEF FINANCIAL OFFICERS COMMENT:**

Nil

**LEGAL IMPLICATIONS:**

Nil

**ATTACHMENTS:**

1. Inverell Shire Council Work Health & Safety Policy [↓](#)



## Inverell Shire Council Work Health & Safety Policy

Inverell Shire Council is committed to the prevention of work-related injury and ill health, through the provision of safe and healthy work environments, facilities, equipment and systems for our workers, volunteers, contractors, visitors and members of the public.

### Our Work Health and Safety objectives are:

- Provide a supportive Work Health and Safety culture through visible and accountable leadership who hold Work Health and Safety as a core value;
- Taking appropriate action when people disregard health and safety procedures and practices;
- Ensuring safe work practices across all our work sites;
- Complying with current legislation, codes and industry guidelines;
- Designing Work Health and Safety into our work and work practices to eliminate and control hazards at the earliest possible stage;
- Ensuring that reported safety related incidents and occurrences are investigated, and that corrective actions are implemented where required;
- Apply a continuous improvement process to eliminate or minimize hazards;
- Effective Work Health and Safety consultation with our workforce, subcontractors and stakeholders through the Risk committee and other Work Health and Safety consultative processes;
- Ensuring Work Health and Safety training is available as appropriate; and
- Allocating adequate and appropriate resources to support all workers in the implementation of safe methods of work and practices.

Our Work Health and Safety Management System fully meets the requirements of AS/NZS ISO 45001 standard.

The successful achievement of this policy's objectives requires employees to be committed to the value proposition of the policy and to act on the objectives. By acting according to these values it is our intent that we shall provide outstanding service to our customers, provide our employees a safe workplace and maintain determined services levels.

### Our Work Health and Safety Management System addresses the following needs:

- Commitment to Work Health and Safety management;
- Identifying and complying with all relevant legislation and other requirements;
- Availability of information and resources necessary to support our operation;
- Selection and training of staff and subcontractors to maintain our high standards;
- Continuous Hazard Identification and Risk Assessment of our work environment; and
- Minimising the risk to our workers while at work.
- Ensuring workers understand their general responsibilities for work health and safety and the specific responsibilities for safety relating to their job descriptions.

This Policy will be reviewed by Inverell Shire Council on a periodic basis (minimum 2 years) to maintain relevance, appropriateness and also to identify opportunities for continual improvement. The Policy will also be made available to employees, contractors and other stakeholders, via induction and other communication arrangements.

This Work Health & Safety Policy is approved and issued by:

\_\_\_\_\_  
Paul Henry  
General Manager, Inverell Shire Council

\_\_\_\_\_  
Date

Document Title: WORK HEALTH & SAFETY POLICY	Trim Reference: <span style="color: red;">XXXXXXXXXX</span>	Document No.: WHS-POL001	Version No.: 4.0
Issue Date: 19/09/2013	Last Revision Date: March 2023	<i>Uncontrolled if Printed</i>	Page 1 of 1

**7.4 LEGISLATIVE COMPLIANCE POLICY****File Number:** S3.6.1/17 / 23/17998**Author:** Paul Pay, Director Corporate and Economic Services**SUMMARY:**

During the 2022 Interim Audit the NSW Audit Office noted that Council did not have a Legislative Compliance Policy which increases the risk of Council not complying with its legislative obligations. The NSW Audit Office recommended that Council develop a Legislative Compliance Policy. The Committee is requested to adopt this policy.

**RECOMMENDATION:**

*That the Committee recommend to Council that the Legislative Compliance Policy be adopted.*

**COMMENTARY:**

During the 2022 Interim Audit the NSW Audit Office noted that Council did not have a Legislative Compliance Policy which increases the risk of Council not complying with its legislative obligations. The NSW Audit Office recommended that Council develop a Legislative Compliance Policy.

Council, in its role as a Local Government Authority, has an obligation to ensure that its legislative requirements are complied with. The community and those working at council have a high expectation that Council will comply with applicable legislation and Council should take all appropriate measures to ensure that that expectation is met.

This policy, and the principles set out in this policy, aim to:

- identify and respond to breaches of laws, regulations, codes or organisational standards occurring in the organisation;
- promote a culture of compliance within the organisation; and
- assist Council in achieving the highest standards of governance.

Council's new Legislative Compliance Policy is attached for your review.

**RISK ASSESSMENT:**

Nil

**POLICY IMPLICATIONS:**

Nil

**CHIEF FINANCIAL OFFICERS COMMENT:**

Nil

**LEGAL IMPLICATIONS:**

Nil

**ATTACHMENTS:**

1. ISC Legislative Compliance Policy [↓](#)

COUNCIL POLICY:	Legislative Compliance Policy
Ref:	

Contact Officer	Director Corporate & Economic Services
Approval Date	28 June 2023
Approval Authority	Council
Reviewed	June 2023
Date of Next Review	September 2024

## 1. Introduction

Inverell Shire Council, in its role as a local government authority, is committed to compliance with all statutory and common law requirements relating to operations and governance of Council.

Council maintains the highest standards of diligence in all areas of public accountability, through its policies, in meeting its legal obligations and in the promotion of a compliance culture.

In particular, Council recognises its obligations to its stakeholders, its staff and the wider community to provide an environment that is safe, a culture that promotes equity and an administration that adopts the highest standards of probity, transparency and accountability in all its operations.

## 2. Purpose

Council, in its role as a Local Government Authority, has an obligation to ensure that its legislative requirements are complied with. The community and those working at council have a high expectation that Council will comply with applicable legislation and Council should take all appropriate measures to ensure that that expectation is met.

This policy, and the principles set out in this policy, aim to:

- identify and respond to breaches of laws, regulations, codes or organisational standards occurring in the organisation;
- promote a culture of compliance within the organisation; and
- assist Council in achieving the highest standards of governance.

## 3. Scope of Policy

This policy applies to all areas of Council's operations, and covers compliance with Commonwealth and State legislation, Council codes and policies, contracts, funding agreements, and relevant standards.

## 4. Definitions

<b>Codes</b>	Mandatory industry codes and voluntary industry codes with which the Council chooses and/or is required to comply.
<b>Compliance</b>	Ensuring that the requirements of laws, regulations, industry codes and Council standards are met.
<b>Compliance failure</b>	A breach, of applicable laws, regulations, codes and Council standards.
<b>Compliance culture</b>	The promotion of a positive attitude to compliance within the Council.
<b>Legislation</b>	Effective control of legal risks in order to ensure that the law is complied with.
<b>Council standards</b>	Any codes of ethics, codes of conduct, policies, procedures and charters that Council may deem to be appropriate standards for its day-to-day operations.

## 5. Policy Statement

Council shall have appropriate processes and structures to ensure that legislative requirements are achievable and are integrated into the everyday running of the Council.

These processes and structures will aim to:

- a) Develop and maintain a system for identifying the legislation that applies to Council's activities;
- b) Assign responsibilities for ensuring that legislation and regulatory obligations are fully implemented in Council;
- c) Provide training for relevant staff, Councillors, volunteers and other relevant people in the legislative requirements that affect them;
- d) Provide people with the resources to identify and remain up-to-date with new legislation;
- e) Conduct of audits to ensure there is compliance;
- f) Establish a mechanism for reporting non-compliance;
- g) Review accidents, incidents and other situations where there may have been non-compliance; and
- h) Review audit reports, incident reports, complaints and other information to assess how the systems of compliance can be improved;

## 6. Roles and Responsibility

### **Councillors and Committee Members**

Councillors and Committee members have a responsibility to be aware of and abide by legislation applicable to their role



**Senior Management (General Manager and Directors)**

Senior management should ensure that directions relating to compliance are clear and unambiguous and that legal requirements which apply to each activity for which they are responsible are identified.

Senior management should have systems in place to ensure that all staff are given the opportunity to be kept fully informed, briefed and/or trained about key legal requirements relative to their work within the financial capacity to do so.

**Employees**

Employees shall report through their supervisors to senior management any areas of non-compliance that they become aware of.

## 7. General Principles

- a) Council is committed to achieving compliance in all areas of its operations;
- b) Council will maintain a Legislative Compliance Policy that sets out its commitment to compliance with applicable laws, regulations, codes and Council standards;
- c) Council will provide sufficient resources to ensure that its Compliance Program can be implemented, maintained and improved;
- d) Council will ensure that all managers, supervisors and staff generally understand, promote and be responsible for compliance with relevant laws, regulations, codes and Council standards that apply to activities within their day-to-day responsibilities;
- e) Council will use its established Enterprise Risk Management Framework to accurately identify, rate and treat compliance risks;
- f) Council will ensure that compliance requirements are integrated into day-to-day operating procedures as appropriate;
- g) Council will investigate, rectify and report all compliance failures;
- h) Council will allocate appropriate responsibility for managing compliance at various levels;
- i) Council will provide appropriate practical education and training of staff in order for them to meet their compliance obligations;
- j) Council will actively promote the importance of compliance to staff, contractors and other relevant third parties;
- k) Council will review its Legislative Compliance Program regularly to ensure its effectiveness;

## 8. Procedure

Council will have a system in place (legislative compliance procedures) to ensure that when legislation changes, steps are taken to ensure that actions comply with the amended legislation.

A Legislative Compliance Procedure has been prepared and is an attachment to this policy.

## 9. Review

A review of Council's Legislative Compliance Policy and Procedures will be undertaken every two years.  
References

## **Inverell Shire Council Legislative Compliance Procedure**

### **1. Identifying Current Legislation**

#### **A. Electronic Versions of Legislation**

Council accesses electronic up-to-date versions of legislation through the New South Wales legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)

The NSW legislation website is the official NSW Government site for the online publication of legislation and is provided and maintained by the Parliamentary Counsel's Office.

Council Staff should utilise this website as it is updated on a daily basis.

Federal laws and instruments should be accessed through the Federal Register of Legislation at [www.legislation.gov.au](http://www.legislation.gov.au)

#### **B. Australian Standards**

Council is a subscribing member to Standards Australia and maintains a library of Australian Standards related to Council's activities. As a member, Council receives alert updates to amendments of the Standards it has purchased.

The Standards purchased by Council are made available to staff.

### **2. Identifying New or Amended Legislation**

#### **A. NSW Government Gazette**

Council provides website access for its staff to the NSW Government Gazette which publishes all new or amended legislation applicable to New South Wales.

#### **B. Office of Local Government**

Council receives regular circulars from the Office of Local Government on any new or amended legislation relevant to Local government. Such advices are received through Council's Records Section and must be distributed by the Records staff to the relevant Council Officers for implementation and Councillors for information where applicable.

#### **C. Department of Planning**

Council receives regular circulars from the Department of Planning on any new or amended legislation. Such advices are recorded in Councils document management system and distributed to relevant Council officers for implementation

#### **D. Local Government NSW**

Council receives a weekly circular from the Local Government NSW. These circulars have sections on Legal and Finance and Planning and Environmental law that highlight changes in legislation applicable to Councils and must be distributed to relevant Council officers and Councillors for information.

**E. Inverell Shire Council delegation register**

Delegations of Authority facilitate the effective and efficient operation of Inverell Shire Council by providing the General Manager with sufficient power and authority to generally manage, control and administer the affairs of Council on a day to day basis.

**3. Obtaining Advice on Legislative Provisions**

Advice on matters of legislative interpretation may be sought when deemed necessary. Contact may be made with the respective legal officer/solicitor from the following sources:

- Local Government NSW (Legal Officer),
- Office of Local Government (Legal Services Branch), or
- Council's Solicitors.

Note: Accessing of any legal advice must first be approved by the staff member's relevant Director.

**4. Informing Council of Legislative Change**

If deemed necessary, the General Manager or a nominated officer, will, on receipt of advice of legislative amendments, submit a report to a Council meeting on the new or amended legislation where any changes will impact significantly on Council or its operations.

**5. Review of Incidents and Complaints for Non-compliance**

Council shall review all incidents and complaints in accordance with its incident reporting and complaint handling procedures. Such reviews and investigations will assess compliance with legislation, standards, policies and procedures that are applicable.

**6. Reporting of Non-compliance**

All instances of non-compliance shall be reported as soon as practicable to the respective supervisor/manager. The manager shall determine the appropriate response and ensure the Breach Register Database is updated appropriately. If the matter is deemed a significant breach or significant fines and/or criminal sanctions apply, the matter must be reported immediately to the relevant Director.

Directors should report the matter to the General Manager via Senior Staff Meetings on a monthly basis and report the matter to the General Manager immediately if the breach in question is significant or criminal sanctions may be involved.

The General Manager may instigate an investigation into any non-compliance matter and will report significant non-compliance matters to the Council and external agencies as required.

**7. Auditing Legislative Compliance**

Council shall incorporate a review of its processes to ensure legislative compliance is included in its internal audit function.

**8. Review of Legislative Compliance Procedures**

This Procedure will be reviewed every two years.

## **Inverell Shire Council**

### **Legislative Compliance Register.**

The following legislative may impact on the operations of Council.

- Ageing and Disability Commissioner Act 2019
- Biodiversity Conservation Act 2016
- Biodiversity Conservation Regulation 2017
- Biosecurity Act 2015
- NSW Building and Development Certifiers Act 2018
- NSW Building and Development Certifiers Regulation 2020
- Building Products (Safety) Act 2017
- NSW Cemeteries and Crematoria Act 2013
- Cemeteries and Crematoria Regulation 2014
- Civil and Administrative Tribunal Act 2013
- Community Land Development Act 2021
- Companion Animals Act 1998
- Companion Animals Regulation 2018
- Contaminated Land Management Act 1997
- Conveyancing Act 1919
- Crown Land Management Act 2016
- Crown Land Management Regulation 2018
- Dams Safety Act 2015
- Design and Building Practitioners Act 2020
- NSW Disability Inclusion Act 2014
- NSW Disability Inclusion Regulation 2014
- District Court Act 1973
- Electricity Supply Act 1995
- Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017
- Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021
- Environmental Planning and Assessment Act 1979• Environmental Planning and Assessment Regulation 2021
- Fines Act 1996
- Fire and Emergency Services Levy Act 2017
- Fire Brigades Act 1989
- NSW Firearms Regulation 2017
- Fisheries Management Act 1994
- Fluoridation of Public Water Supplies Act 1957
- Food Act 2003
- Food Regulation 2015
- Gas and Electricity (Consumer Safety) Act 2017
- Government Information (Public Access) Act 2009
- Graffiti Control Act 2008
- NSW Growth Centres (Development Corporations) Act 1974
- Health Records and Information Privacy Act 2002
- Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)
- Heavy Vehicle National Law (NSW) 2013
- Heritage Act 1977
- Heritage Regulation 2012
- Impounding Act 1993
- Independent Commission Against Corruption Act 1988
- Industrial Relations Act 1996
- Land Acquisition (Just Terms Compensation) Act 1991
- Land and Environment Court Act 1979
- Land and Environment Court Rules 2007
- Library Act 1939
- Library Regulation 2018

- Liquor Act 2007
- Liquor Regulation 2018
- Local Court Act 2007
- Local Government (General) Regulation 2021
- Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021
- Local Government Act 1993
- NSW Local Land Services Act 2013
- Motor Vehicle Sports (Public Safety) Regulation 2010
- National Parks and Wildlife Act 1974
- National Parks and Wildlife Regulation 2019
- NSW Natural Resources Access Regulator Act 2017
- Long Service Leave Act 1955
- Road Transport Act 2013
- Sydney Water Act 1994
- Ombudsman Act 1974
- Pesticides Act 1999

**7.5 GOVERNANCE - MONTHLY INVESTMENT REPORT**

**File Number:** S12.12.2 / 23/18406

**Author:** Robert Kimmince, Manager Financial Services

**SUMMARY:**

To report the balance of investments held as at 31 May, 2023.

**RECOMMENDATION:**

*The Committee recommends to Council that:*

- i) the report indicating Council's Fund Management position be received and noted; and*
- ii) the Certification of the Responsible Accounting Officer be noted.*

**COMMENTARY:**

Contained within this report are the following items that highlight Council's Investment Portfolio performance for the month to 31 May, 2023 and an update of the investment environment:

- (a) Council's Investments as at 31 May, 2023;
- (b) Council Investments by Fund as at 31 May, 2023;
- (c) Interest – Budgeted vs. Actual;
- (d) Investment Portfolio Performance;
- (e) Investment Commentary; and
- (f) Certification – Responsible Accounting Officer.

**A) Council Investments as at 31 May, 2023**

Term Deposit Investment Group									
Investment	Borrower	FUND	Rating	Purchase Date	Maturity Date	Current Yield	Principal Value	Current value	Term (days)
22/30	Commonwealth Bank	Sewer	A	07-Jun-22	07-Jun-23	3.42%	1,000,000	1,000,000	365
23/09	MyState Bank	General	BBB+	20-Sep-22	20-Jun-23	4.15%	1,500,000	1,500,000	273
21/16	National Australia Bank	Water	AA-	28-Jun-21	28-Jun-23	0.60%	1,000,000	1,000,000	730
21/17	ICBC - Industrial and Commercial Bank of China	General	A	29-Jun-21	29-Jun-23	0.70%	1,000,000	1,000,000	730
21/18	National Australia Bank	Water	AA-	29-Jun-21	29-Jun-23	0.65%	2,000,000	2,000,000	730
23/01	Commonwealth Bank	General	AA-	27-Jul-22	27-Jul-23	4.06%	2,000,000	2,000,000	365
23/02	Commonwealth Bank	General	AA-	27-Jul-22	27-Jul-23	4.06%	2,000,000	2,000,000	365
23/26	Macquarie Bank	General	A	29-Mar-23	31-Jul-23	4.50%	1,000,000	1,000,000	124
23/16	Police Credit Union	General	Unrated	08-Nov-22	08-Aug-23	4.50%	1,000,000	1,000,000	273
23/34	Australian Military Bank (Pool)	General		29-May-23	29-Aug-23	4.81%	1,500,000	1,500,000	92
23/19	AMP BANK	General	BBB+	07-Dec-22	07-Sep-23	4.35%	2,000,000	2,000,000	274
23/03	Bank of Queensland	General	BBB+	13-Sep-22	13-Sep-23	4.09%	1,000,000	1,000,000	365
23/04	National Australia Bank	General	AA-	13-Sep-22	13-Sep-23	4.10%	2,000,000	2,000,000	365
23/05	National Australia Bank	General	AA-	13-Sep-22	13-Sep-23	4.10%	2,000,000	2,000,000	365
23/06	Westpac Bank	Water	AA-	19-Sep-22	19-Sep-23	4.33%	1,000,000	1,000,000	365
23/08	Westpac Bank	Sewer	AA-	20-Sep-22	20-Sep-23	4.32%	1,000,000	1,000,000	365
23/27	Bank of Queensland	General	BBB+	29-Mar-23	29-Sep-23	4.60%	2,000,000	2,000,000	184
23/12	Suncorp	Sewer	A	05-Oct-22	05-Oct-23	4.33%	1,500,000	1,500,000	365
23/10	AMP BANK	General	BBB+	05-Oct-22	05-Oct-23	4.30%	2,000,000	2,000,000	365
22/09	National Australia Bank	General	AA-	06-Oct-21	06-Oct-23	0.64%	1,000,000	1,000,000	730
23/13	Westpac Bank	General	AA-	19-Oct-22	19-Oct-23	4.43%	2,000,000	2,000,000	365
22/10	Westpac Bank	General	AA-	25-Oct-21	25-Oct-23	0.91%	2,000,000	2,000,000	730
22/11	Westpac Bank	General	AA-	25-Nov-21	27-Nov-23	1.28%	1,000,000	1,000,000	732
22/28	AMP BANK	General	BBB+	27-May-22	27-Nov-23	3.30%	2,000,000	2,000,000	549
23/17	AMP Bank	Water	BBB	25-Nov-22	27-Nov-23	4.60%	1,000,000	1,000,000	367
22/27	Australian Unity Bank	General	BBB	26-May-22	27-Nov-23	3.50%	1,000,000	1,000,000	550
23/33	Bank of Queensland (Pool)	General		29-May-23	29-Nov-23	5.01%	1,500,000	1,500,000	184
22/15	ICBC - Industrial and Commercial Bank of China	General	A	02-Dec-21	04-Dec-23	1.36%	2,000,000	2,000,000	732
22/16	ICBC - Industrial and Commercial Bank of China	General	A	02-Dec-21	04-Dec-23	1.36%	2,000,000	2,000,000	732
22/17	ICBC - Industrial and Commercial Bank of China	Water	A	02-Dec-21	04-Dec-23	1.36%	1,000,000	1,000,000	732
22/18	Bank of Sydney	General	NR	07-Dec-22	07-Dec-23	4.60%	2,000,000	2,000,000	365
23/35	Australian Military Bank (Pool)	General		29-May-23	29-Dec-23	5.05%	2,000,000	2,000,000	214
23/20	ING Bank	General	A	23-Jan-23	23-Jan-24	4.50%	1,500,000	1,500,000	365
23/25	Bank of Sydney	General	Unrated	24-Mar-23	24-Jan-24	4.70%	2,000,000	2,000,000	306
23/28	BoQ	General	BBB	19-Apr-23	19-Jan-24	4.70%	2,000,000	2,000,000	275
23/21	Commonwealth Bank	Sewer	AA	27-Feb-23	27-Feb-24	5.06%	2,000,000	2,000,000	365
23/36	Bendigo & Adelaide (Pool)	General	BBB	31-May-23	29-Feb-24	5.00%	1,500,000	1,500,000	274
22/20	MyState Bank	General	BBB	02-Mar-22	04-Mar-24	1.70%	2,000,000	2,000,000	733
22/21	Bank of Queensland	General	BBB+	02-Mar-22	04-Mar-24	1.70%	1,000,000	1,000,000	733
23/22	AMP BANK	General	BBB+	20-Mar-23	19-Mar-24	4.80%	1,000,000	1,000,000	365
23/23	Bank of Sydney	Water	BBB+	20-Mar-23	20-Mar-24	4.85%	1,500,000	1,500,000	366
21/11	ICBC - Industrial and Commercial Bank of China	Water	A	26-Mar-21	26-Mar-24	0.82%	2,000,000	2,000,000	1096
23/37	Suncorp (Pool)	General	A+	31-May-23	30-Apr-24	4.96%	2,000,000	2,000,000	335
23/31	AMP BANK	General	BBB+	25-May-23	27-May-24	5.15%	1,000,000	1,000,000	368
23/38	ING Bank (Pool)	General	A	31-May-23	30-May-24	5.10%	1,500,000	1,500,000	365
23/32	AMP BANK	General	BBB+	25-May-23	27-May-24	5.15%	1,000,000	1,000,000	368
22/03	National Australia Bank	General	AA-	27-Aug-21	27-Aug-24	0.85%	2,000,000	2,000,000	1096
23/11	ING Bank	General	A	05-Oct-22	08-Oct-24	4.75%	2,000,000	2,000,000	734
23/26	Auswide Bank	General	BBB	24-Mar-23	24-Mar-25	4.80%	1,000,000	1,000,000	731
23/24	Auswide Bank	Water	BBB	24-Mar-23	24-Mar-25	4.80%	1,000,000	1,000,000	731
21/13	ICBC - Industrial and Commercial Bank of China	Water	A	27-May-21	27-May-26	1.40%	1,000,000	1,000,000	1826
21/14	ICBC - Industrial and Commercial Bank of China	Sewer	A	27-May-21	27-May-26	1.40%	1,000,000	1,000,000	1826
21/15	ICBC - Industrial and Commercial Bank of China	General	A	27-May-21	27-May-26	1.40%	1,000,000	1,000,000	1826
23/29	Police Credit Union	Water	Unrated	08-May-23	08-May-24	4.85%	1,000,000	1,000,000	366
23/30	Police Credit Union	General	Unrated	08-May-23	08-May-24	4.85%	1,000,000	1,000,000	366
						TOTALS	82,000,000	82,000,000	

Cash Deposit Accounts									
As at Date	Borrower	FUND	Rating	Purchase Date	Maturity Date	Current Yield	Value at beg year	Current value	Term
31/05/2023	Commonwealth Bank	General	A	9/11/2020		0.00%		1,194.89	
31/05/2023	Macquarie Bank	General	AA-	9/11/2020		3.35%	2,028,504	2,079,879.15	
31/05/2023	Macquarie Bank	Water	AA-	9/11/2020		3.35%	2,516,481	2,580,215.26	
31/05/2023	Macquarie Bank	Sewer	AA-	9/11/2020		3.35%	1,508,674	1,546,883.78	
<b>Sub Total - Cash Deposit Accounts</b>						-	-	6,208,173.08	-

**B) Council Investments by Fund 31 May, 2023**

Portfolio by Fund	30/04/2023	30/05/2023
General Fund	\$57,074,395	\$65,081,074
Water Fund	\$15,071,930	\$15,080,215
Sewer Fund	\$8,041,917	\$8,046,884
<b>TOTAL</b>	<b>\$80,188,242</b>	<b>\$88,208,173</b>

Council's investment portfolio has seen an increase during May 2023 by \$8,019,931. This was in respect of normal cash flow movements for receipts collected and payments made during May 2023 and investing loan funds received for the Inverell Aquatic Centre Redevelopment.

The Inverell Aquatic Centre Redevelopment loan funding has been invested to mature in accordance with the cashflow projections provided by the contractor. The following investments have been made.

Investment	Borrower	Purchase Date	Maturity Date	Current Yield	Principal Value	Current value	Term (days)
23/34	Australian Military Bank (Pool)	29-May-23	29-Aug-23	4.81%	1,500,000	1,500,000	92
23/33	Bank of Queensland (Pool)	29-May-23	29-Nov-23	5.01%	1,500,000	1,500,000	184
23/35	Australian Military Bank (Pool)	29-May-23	29-Dec-23	5.05%	2,000,000	2,000,000	214
23/36	Bendigo & Adelaide (Pool)	31-May-23	29-Feb-24	5.00%	1,500,000	1,500,000	274
23/37	Suncorp (Pool)	31-May-23	30-Apr-24	4.96%	2,000,000	2,000,000	335
23/38	ING Bank (Pool)	31-May-23	30-May-24	5.10%	1,500,000	1,500,000	365
				<b>TOTALS</b>	<b>10,000,000</b>	<b>10,000,000</b>	

Council borrowed the loan funds at 5.02%.

### Interest – Budgeted verses Actual Result to Date

	Ledger	2022/2023 Budget \$	Actuals to Date \$	Accrued Interest to Date \$	TOTAL \$
General Fund	128820	510,000.00	811,924.66	760,438.68	1,572,363.34
Water Fund	812350	84,000.00	82,423.89	82,423.89	164,847.78
Sewer Fund	906320	60,000.00	162,265.92	117,139.85	279,405.77
<b>TOTAL</b>		<b>654,000.00</b>	<b>1,056,614.47</b>	<b>960,002.42</b>	<b>2,016,616.89</b>

Term deposit interest rates have improved recently with a 12-month term deposit now yielding 5 – 5.15%. Given our strong investment balances, Council is expected to exceed interest revenue targets in 2022/2023. This additional interest received during 2022/2023 will be allocated to special projects during 2023/2024.

### C) Investment Portfolio Performance

Investment Portfolio Return		Benchmarks		
	% pa	RBA Cash Rate	Aus Bond Bank Bill	11am Cash Rate
Benchmark as at 30/4/2023		3.85%	3.54%	3.85%
Term Deposits	3.54%			
Cash Deposit Accounts	3.35%			
180 Day Call Account	0.00%			
Floating Rate Notes	0.00%			

### D) Investment Commentary

Council's investment portfolio is currently underperforming when compared to the above benchmarking indexes. The portfolio's underperformance is expected to be temporary given the relatively high level of turnover (approximately one-quarter of the deposit portfolio is maturing within the next 6 months).



Council's investment portfolio of \$88.2M is almost entirely invested in fixed term deposits. Overall, the portfolio is highly liquid, highly rated and short-dated from a counterparty perspective.

**Certification – Responsible Accounting Officer**

I Paul Pay, hereby certify that the investments listed in this report have been made in accordance with Section 625 of the *Local Government Act 1993*, Clause 212 of the Local Government (General) Regulations 2005 and Council's Investment Policy.

**RISK ASSESSMENT:**

Nil

**POLICY IMPLICATIONS:**

Nil

**CHIEF FINANCIAL OFFICERS COMMENT:**

Council's term deposit portfolio was yielding 3.54% p.a. at month-end, with a weighted average duration of around 215 days or 7.16 months. Council is well positioned to take advantage of increasing term deposit rates as investments mature.

**LEGAL IMPLICATIONS:**

Nil

**ATTACHMENTS:**

Nil

**8 CONFIDENTIAL MATTERS (COMMITTEE-OF-THE-WHOLE)****RECOMMENDATION:**

That the Committee considers the confidential report(s) listed below in a meeting closed to the public in accordance with the reasons stated in the referral reports:

**8.1 Delungra Memorial Bowling & Recreation Club Ltd - Request to Reduce or Waive Rates**