

Federation Council Monthly Meeting Update

October 2022 Council Meeting

Councillors Present: Mayor Patrick Bourke, Deputy Mayor Shaun Whitechurch, Councillor Andrew Kennedy, Councillor David Fahey, Councillor Gail Law, Councillor Rowena Black and Councillor Sally Hughes.

Apologies: Councillor Aaron Nicholls and Councillor David Longley.

Mayoral Minute - Mayor Patrick Bourke:

- **Angus Mcneil:** Federation Council Mayor extended his thoughts on behalf of Council following the passing of Angus Mcneil, Former Urana Shire Councillor and 355 committee member of Federation Council. Angus was a greatly respected member of our community and our thoughts and prayers go to Angus' family during this difficult time.
- **Flooding throughout the Federation Local Government Area:** Mayor Bourke commended local member Justin Clancy who spoke to the Premier of NSW's office to urge road repair across regional NSW to be a priority. Following this, Justin delivered a notice of motion on the floor of parliament to urge our roads to be included in planning and funding for recovery. Mayor Bourke said he will be writing to the Premier of NSW to support Justin's motion and stress the urgency of the State government to support our communities via regional road funding.
- **Congratulations to Geoff Duryea and Duryea Racing:** Mayor Bourke congratulated Geoff Duryea and Duryea racing on their recent extraordinary horse racing win. Geoff and his team took out Australia's highest remunerated race for country trainers. Horse, 'Front Page' has put Corowa on the map thanks to its success in the Kosoiuszko at Randwick.
- **Meetings/ Engagements attended to by the Mayor since the September Council meeting:** The purpose of this update is for the Mayor to provide Council and the community with details of meetings/engagements that he has attended on behalf of the Council.

General Manager Report - Mr Adrian Butler

- **7.1. Draft Gifts and Benefits Policy for Public Exhibition:** This report was presented for Council to consider endorsement of the reviewed Gifts and Benefits Policy (16/21833), to allow for public exhibition of 28 days and a future report to Council for a final adoption after consideration of any submissions. Council endorsed the policy to be publicly exhibited and will consider any submissions received at a future Council meeting. The purpose of this policy is to outline Council's commitment to ensuring all Council officials conduct themselves

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in a manner to which the community expects and provides direction for managing the Gifts and Benefits disclosure process. It also outlines appropriate actions in relation to any offers of gifts or benefits, and ensures the appropriate mechanisms are in place to protect the integrity, security and reputation of Council.

- **7.2. Draft Business Ethics Policy for Public Exhibition:** This report was presented for Council to endorse the reviewed Business Ethics Policy (18/42790) to allow for public exhibition for 28 days and to then be presented back to the next available Council meeting for adoption of a final policy including consideration of any submissions received. Council endorsed the policy to be publicly exhibited and will consider any submissions received at a future Council meeting. Council's Business Ethics Policy provides guidance regarding the standards of ethical behaviour that organisations, service providers, small businesses and individuals can expect from Councillors and members of staff and that are expected of them, in their dealings with Council.
- **7.3. LGNSW Annual Report 2021/2022:** This report was provided to advise Council of the LGNSW Annual Report 2021/2022 had been released. Council along with the vast majority of NSW Councils, are financial members of LGNSW who provide lobbying and advocacy and policy development resources, along with a vast array of Training and Human Resources and Industrial Relations advice. Council noted the report.
- **7.4. Disclosures by Councillors, Audit Risk and Improvement Committee Members and Designated Persons Return 2021/2022:** The purpose of this report was to table the Disclosure of Returns by Councillors, Audit Risk and Improvement Committee members and designated persons for the period 30 June 2021 to 30 June 2022 and for new employees in accordance with Clause 4.21 in the Federation Council Code of Conduct. Annual Disclosure Returns lodged by Councillors, Audit Risk and Improvement Committee members and designated persons, as defined in Clause 4.21 in the Federation Council Code of Conduct must be tabled at the first meeting after the final lodgement date of 30 September each year, in accordance with Clause 4.25 in the Federation Council Code of Conduct.
- **7.5. Proposed Extraordinary Council Meeting - 8 November 2022:** The purpose of this report was to recommend that Council hold an Extraordinary Council meeting on Tuesday 8 November 2022 at 9.30am. The purpose of the meeting is to endorse for public exhibition the Draft Asset Management Plan and the Draft Provision of Expenses and Facilities for the Mayor or Councillors Policy. Council endorsed this recommendation and a meeting will be held on the 8th of November 2022.
- **7.6. ALGA 2022 National Roads and Transport Congress:** As advised to Council at the September Council workshop, the 2022 National Local Roads and Transport Congress will be held from Wednesday 2 November to Thursday 3 November 2022 at Wrest Point, 410 Sandy Bay Road, Sandy Bay Tasmania. This report sought to endorse the attendance by Councillors Bourke and Fahey and the Director Engineering Services, Steve Carmichael as Council

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delegates who have notified the General Manager of their availability to attend. Council supported this recommendation.

- **7.7. Discussion Paper – Senior Staff Employment - Proposal to remove Councils ability to employ Senior Staff on contracts and employ all staff on the Award:** This report was presented to advise council of the discussion paper currently on exhibition in regards to Senior Staff Employment. Council is invited to make a submission indicating whether they would support the making of the legislative amendments requested by the parties to the Award set out in the discussion paper. Council resolved to make a submission that the current arrangements for employing Senior Staff remain in place with the addition of providing more clarity in the NSW Local Government Act around areas such as the General Manager being required to 'consult' with Council on the appointment and dismissal of Senior Staff.
- **7.8. Department of Regional NSW - Senior Leader Tour - 12-15 September 2022:** The purpose of this report was to advise Council of the recent visit arranged by the Department of Regional NSW, by the Senior Leaders (heads of NSW Government Agencies) as part of their Riverina Murray Tour, in the week of 12 September 2022. Council noted this report and thanked senior leaders for their visit to our Local Government Area.
- **7.9. NSW Rural Fire Service - Red Fleet Assets Dispute - Update:** This report provides further information since the September Council meeting report 8.13, and also following on from the Mayoral Minute adopted by Council at the July meeting via resolution 221/2022FC. Council in that resolution among other actions, resolved to 'Write to the Auditor General advising that notwithstanding any overtures of future qualified audits, that it will not carry out RFS stock- takes on behalf of the NSW Government and will not record RFS assets in (Federation Councils) financial statements, noting that the State Governments own Local Government Accounting Code of Practice and Financial Reporting provides for Councils to determine whether or not they records the RFS assets as Council assets'. It is hoped that either this Government will prior to the election, or the new Government after the election, will let common sense prevail and amend the Rural Fire Services Act to reflect this issue, and clearly define that the assets are owned by the State Government, with Councils only paying around 11% of the total RFS budget each year and having no control over these assets. Council noted the content of this report.

Director of Corporate and Community Services Report - Ms Jo Shannon

- **8.1. Financial Performance Report as at 30 September 2022:** The purpose of this report is to provide Council with an update on its financial performance for the month ending 30 September 2022. Total income YTD is \$24.41 million against a full year budget of \$57.25

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million with 43% of the annual budget already achieved. At September 2022, 25% of the financial year has passed. Income is ahead of the quarter's budget due to annual general rates and annual kerbside and waste management charges being levied in full in July 2022. In addition, user charges and fees appear behind where expected with the first instalment of usage charges expected to be levied in November for the July to October 2022 period. Grants and contribution – capital is ahead of the quarter's budget due to progress being made on delivering grant funded projects and the associated grant funding being received. Total expenditure YTD is \$11.05 million against a full year budget of \$48.95 million. Expenditure is currently as expected with no significant variances.

- **8.2. Financial Statements for the Year Ended 30 June 2022:** Council is required to prepare financial statements each financial year. Council officers are currently finalising the preparation of financial statements for the year ended 30 June 2022 and are working with Council's external auditors, Crowe Albury, to resolve any reporting matters. The draft financial statements were presented to Council's Audit, Risk and Improvement Committee (Audit Committee) at its meeting on 14 October 2022 seeking a recommendation from the Audit Committee for Council to adopt the financial statements for the year ended 30 June 2022. The recommendation to Council in this report was subject to the Audit Committee recommending that the financial statements be authorised. Council noted the report and authorised the signing of the declaration.
- **8.3. Proposed Special Rate Variation 2023/24:** The Independent Pricing and Regulatory Tribunal (IPART) has announced the 2023/24 rate peg for all councils in NSW, with rate pegs been set between 3.7% and 6.8%, depending on each council area's population factor. Federation Council's rate peg for 2023/24 at 4.3%. In accordance with Council's Long Term Financial Plan 2023-2032, plans are progressing to prepare a Special Rate Variation application for submission to IPART in early 2023. Council supported a recommendation to inform IPART of its intent to apply for a Special Rate Variation for a four year period commencing 2023/24. Council's Long Term Financial Plan 2023-2032 contains a significant general rate increase to ensure the maintenance of existing service levels, and increase service levels in roads and other areas where significant asset maintenance and renewal is required. The rate increase is proposed to commence in 2023/24 with a 19% increase, followed by increases of 17%, 14% and 10% in the following years. Work has continued on preparing the required Special Rate Variation application for submission to IPART. Submission are due in Feb 2023, with IPART to provide a decision in May 2023, prior to the commencement of the 2023/24 rating year.
- **8.4. 2022/2023 Federation Community Grant Program- Round 1 Recommendations for Funding:** The Federation Community Grants assist community groups and organisations to deliver events, activities, and programs that enhance the lives of local communities, celebrate important community occasions, and provide opportunities to develop social

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cohesion and connection in the Federation region. Council endorsed 15 community organisations to receive funding.

- **8.5. Budget Adjustment Report: SCCF Round 4:** The purpose of this report was to seek a budget amendment to reflect funding secured, and associated project delivery expenditure, associated with the following two successful applications to the Stronger Country Communities Fund (Round Four):
 - Oaklands Recreation Ground Female Changeroom Facilities (\$165,000); and
 - Rand Silo Project (\$50,193.60).After consultation with the relevant 355 Committees of Council responsible for these applications and projects, Council has agreed to take on management control of the projects and is in the process of finalising the details of the relevant funding deeds.
- **8.6. Miki City/Federation Council - Sister City 25 Year Anniversary Initiatives and Gifts:** Federation Council and the Miki Sister City Program was formally celebrated at Council's October meeting. A gift exchange took place as part of a special milestone year for our Miki-Federation Sister City Program, being our 25th Anniversary. Miki City presented Federation Council with a 25 year anniversary celebratory gift created by artist Mitsumi Ishida, a clock in the form of a dwarf azalea flower, marking the passage of time for our eternal friendship. Federation Council also presented Miki City with a limited edition print 'Summer Breeze' from local artist Christine Upton of the Wacky Bird Gallery, representing the ever growing friendship we have developed over these special years and the continued blossoming. The relationship between Miki City and Federation Council continues to grow and strengthen, particularly due to the continued support of the Federation Council Miki City Volunteer Committee, who are looking forward to the next time they can be together in person to create many more special memories and to progress joint initiatives.
- **8.7. Debt Management and Hardship Policy for Public Exhibition:** The purpose of this report was to present a draft Federation Council Debt Management and Hardship Policy for consideration by Council for release on public exhibition. This policy's purpose is to allow Council to exercise debt management that ensures equity and transparency while conforming with statutory requirements of the Local Government Act, 1993 with respect to recovery of rates charges and other debts. Council endorsed the policy for public exhibition and will be presented the final policy and community feedback at a future Council meeting.
- **8.8. Corowa Tourism Advisory Committee:** The purpose of this report was to advise Council of the Corowa Tourism Advisory Committee's (CTAC) intent to spend \$10,000 of its allocated budget on the development of television commercial campaign to promote Corowa North of the Murray. Funding for this action is captured in the nominated budget for the committee and has been actioned by the Acting Manager Community & Economic Development, in conjunction with the Acting Tourism Coordinator and Manager Communication & Engagement. The Corowa Tourism Advisory Committee (CTAC) was developed to support and

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promote, via expert stakeholder feedback, the growth of regional tourism with a specific focus on Corowa and its satellite communities. The activities of CTAC are undertaken in conjunction with the broader strategic targets of Council's tourism strategy, North of the Murray. Council noted this report.

- **8.9. Federation Arts and Culture Committee:** With a decline in membership and limited response to three separate expressions of interest rounds, Council staff recommended to Council that the Arts and Culture Advisory Committee be rescinded. Council staff advised Council that it will instead commit resources to build relationships and provide support to individual arts and cultural groups, engage further with arts and cultural stakeholders such as Murray Arts, and seek information and advice from the community when required or for specific arts and culture projects. Council voted in support of rescinding the Federation Arts and Culture Advisory Committee of Council.

Director of Development and Environmental Services Report - Ms Susan Appleyard

- **9.1. Building Approvals – Complying and Construction Certificates Approved:** This report provides for Council's information, the construction and complying development certificates issued since the report prepared for the September 2022 Ordinary Council meeting. Seven Complying and Construction Certificates have been approved since the September Council meeting.
- **9.2. Development Applications Approved Under Delegated (Staff) Authority Since the September 2022 Ordinary Council Meeting:** This report provides for Council's information, the Development approvals that have been determined under delegated authority by the granting of consent subject to conditions, since the September 2022 Ordinary Council meeting. Thirteen Development Applications have been approved under staff authority since the September Council meeting.
- **9.3. Regional and State Significant Development Applications Lodged:** The purpose of this report was to provide Council with an update report on the Regional and State Significant Development Applications lodged. As reported, there is one State Significant Application for Howlong Sand and Gravel Quarry Expansion on RU1 - Primary Production and E3 Environmental Management land comprising Lots 173, 174, 174A & 231, DP 753744, Lot 1 DP 1039973, Lot 1, DP 798291, Lots 3 & 4, DP 113703, Lot 1 DP 741037 and two Unnamed Crown Roads –Planning Agreement offer reported to the July 2022 Council meeting.
- **9.4. Merging of Rand Section 355 Committees:** At the 2 September 2022 meetings of the Rand Sports Ground Committee; Rand School of Arts Committee and Rand Town Improvement Committee it was resolved to merge the three section 355 committees. The

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purpose of this report was to seek Council's endorsement of the merger of the Rand Sports Ground Committee, the Rand School of Arts Committee and the Rand Town Improvement Committee with the resulting committee to be called the Rand Community Committee. Council supported this recommendation and resolved for a further report to be provided to Council regarding the delegations of the newly formed committee after consultation with the new committee members, working group structure and financial arrangements.

- **9.5. Draft EPA Climate Change Policy and Action Plan 2022-25:** The NSW Environmental Protection Authority is currently exhibiting the Draft EPA Climate Change Policy and the Draft Climate Change Action Plan 2022-25. These two documents will impact on Council operations both as a regulatory partner and a licence holder with a total of 8 licensed premises. Via the submission process, Council resolved to seek clarification on the impact the Draft Policy and Action Plan 2022-25 will have on Council as a regulatory partner to ensure there is no additional cost to the rate payer as a result of the action plan and policy; and the level of environmental improvement that is likely to be sought for Council's licensed facilities and the time frames for achieving the required compliance requirements.

Director of Engineering Services - Mr Steve Carmichael

- **10.1. Report on the progress of the Works Program - September 2022:** This report provided details of activities that were undertaken by the works crews for the month of September 2022. A number of activities have been undertaken with further information found in the monthly Works Program Update on Council's website.
- **10.2. Report on the Capital Works Program - September 2022:** This report provided Council with an update to the Capital Works program for 2021/2022. The Capital Works Program is as detailed in the attachment in the October Meeting Agenda Paper.

To view further information or attachments in relation to the above reports view our Council Meeting Agenda and Minutes page on Council's website www.federationcouncil.nsw.gov.au