



**SNOWY VALLEYS COUNCIL MEETING
BUSINESS PAPER
20 JANUARY 2022**

THE MEETING WILL BE HELD AT 2.00PM
IN THE COUNCIL CHAMBERS BRIDGE STREET TUMBARUMBA AND VIA VIDEO LINK

Disclosure of Pecuniary Interests at meetings (extract from the Code of Conduct – Section 4)

4.28 Councillor or a council committee member who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.

4.29 The councillor or council committee member must not be present at, or in sight of, the meeting of the council or committee:

- (a) at any time during which the matter is being considered or discussed by the council or committee, or
- (b) at any time during which the council or committee is voting on any question in relation to the matter.

4.30 In the case of a meeting of a board of a joint organisation, a voting representative is taken to be present at the meeting for the purposes of clauses 4.28 and 4.29 where they participate in the meeting by telephone or other electronic means.

4.31 Disclosure made at a meeting of a council or council committee must be recorded in the minutes of the meeting.

Disclosure of Political Donations and Gifts

The *Environmental Planning and Assessment Act 1979* places obligations on Councillors, staff, applicants and any person who makes a public submission, to disclose information relating to political donations and gifts during the environmental plan making or development assessment process.

The fact that political donations or gifts have been made by applicants / proponents of a planning application should not affect whether an application is approved or refused. Political donations or gifts should not be relevant in making a determination. The matter should be determined on its merits. Nor do they provide grounds for challenging the determination of any applications.

For further information, visit www.planning.nsw.gov.au/donations

Furthermore, for each planning decision made at a Council or Committee Meeting, the names of Councillors who supported the decision and those that oppose the decision must be recorded. (*Sec. 375A of the Local Government Act 1993*)

Use of mobile phones and the unauthorised recording of meetings (extract from the Code of Meeting Practice – Section 15)

15.21 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.

15.22 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.

15.23 Any person who contravenes or attempts to contravene clause 15.22, may be expelled from the meeting as provided for under section 10(2) of the Act.

15.24 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

Livestreaming of Meetings (extract from the Code of Meeting Practice – Section 5)

This meeting is live streamed on Council's website to allow the community to follow Council debates and decisions without the need to attend meetings in person. Members of the public attending or speaking at a meeting agree to have their image, voice and personal information (including name and address) recorded and publicly broadcast. Snowy Valleys Council does not accept liability for any defamatory remarks or inappropriate comments that are made during the course of a meeting. Any part of the meeting that is held in closed session will not be streamed.

5.19 All meetings of the council and committees of the council are to be webcast on the council's website.

Photography

Flash photography is not permitted at a meeting of the Council or a Committee of the council without the consent of the Chief Executive Officer.

Public Forum (extract from the Code of Meeting Practice – Section 4)

4.1 The Council may hold a public forum prior to each Ordinary Council meeting for the purpose of hearing oral submissions on items of business to be considered at the meeting.

4.2 Public forums are to be chaired by the mayor or their nominee.

Those attending must comply with the terms and conditions of the Code of Meeting Practice which can be viewed on Councils website;

[Council Meetings - Snowy Valleys \(nsw.gov.au\)](http://nsw.gov.au)



Thursday 20 January 2022
Snowy Valleys Council Chambers
Bridge Street, Tumbarumba and Via Video Link
2.00pm

AGENDA

1. ACKNOWLEDGEMENT OF COUNTRY

We would like to acknowledge the traditional custodians of this land and pay respects to Elders past and present.

2. APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE

3. DECLARATIONS OF PECUNIARY INTEREST

Pursuant to Section 4 of the Code of Conduct, Councillors are required to declare any direct or indirect pecuniary interest in any matters being considered by Council.

4. PUBLIC FORUM

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7. NOTICE OF MOTION/NOTICE OF RESCISSION

8. MAYORAL MINUTE

Nil

9. URGENT BUSINESS WITHOUT NOTICE

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5. CONFIRMATION OF MINUTES**5.1 Ordinary Meeting - 18 November 2021****Recommendation:**

That the Minutes of the Ordinary Council Meeting held on 18 November 2021 be received and confirmed as an accurate record

5.2 Extraordinary Meeting - 11 January 2022**Recommendation:**

That the Minutes of the Extraordinary Council Meeting held on 11 January 2022 be received and confirmed as an accurate record

**THE MINUTES OF THE COUNCIL MEETING HELD VIA VIDEO LINK, ON THURSDAY
18 NOVEMBER 2021 COMMENCING AT 2.01PM**

PRESENT: Mayor James Hayes (Chair), Councillor Andrianna Benjamin, Councillor Cate Cross, Councillor Julia Ham, Councillor Margaret Isselmann, Councillor John Larter, Councillor Geoff Pritchard, Councillor Cor Smit, Councillor Bruce Wright.

IN ATTENDANCE: Chief Executive Officer Matthew Hyde, Executive Director Infrastructure Heinz Kausche, Executive Director Community and Corporate Paul Holton, Executive Chief of Staff Shelley Jones, Chief Financial Officer Susanne Andres, Steven Walker Chairperson Audit, Risk and Improvement (ARIC) Committee and Executive Assistant Jeannie Moran-Fahey.

1. ACKNOWLEDGEMENT OF COUNTRY

An acknowledgement of the traditional custodians of the land was delivered by the Mayor James Hayes.

2. APOLOGIES

Nil

3. DECLARATIONS OF INTEREST

Nil.

4. PUBLIC FORUM

Steven Walker, Chairperson of the Audit, Risk and Improvement (ARIC) Committee addressed the meeting on report #10.4 Audit Risk and Improvement Committee Annual Report 2020-2021' and left the meeting at 2.41pm.

M241/21 RESOLVED to move item #10.4 Audit Risk and Improvement Committee Annual Report 2020-2021' to beginning of meeting.

Cr John Larter/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY

10.4 AUDIT RISK AND IMPROVEMENT COMMITTEE ANNUAL REPORT 2020-2021

M242/21 RESOLVED:
THAT COUNCIL:

1. Receive the report on Audit Risk and Improvement Committee Annual Report 2020 -2021.

2. Note the Audit Risk and Improvement Committee Annual Report for the period 2020-2021.

Cr Julia Ham/Cr John Larter

CARRIED UNANIMOUSLY

M243/21 RESOLVED to move into Committee of the Whole.

Cr Julia Ham/Cr Margaret Isselmann

M244/21 RESOLVED to move out of Committee of the Whole.

Cr Julia Ham/Cr Cor Smit

CARRIED UNANIMOUSLY

Mayor Hayes acknowledged the contribution of former (late) councillors Audrey McKenzie and Alan Becke.

5. CONFIRMATION OF MINUTES

5.1 ORDINARY MEETING - 21 OCTOBER 2021

M245/21 RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 21 October 2021 be received.

Cr Cate Cross/Cr John Larter

CARRIED UNANIMOUSLY

5.2 BUSINESS ARISING

Nil.

6. CORRESPONDENCE/PETITIONS

Nil.

7. NOTICE OF MOTION/NOTICE OF RESCISSION**7.1 NOTICE OF MOTION - CHARGING STATIONS FOR ELECTRIC VEHICLES - CLR CATE CROSS****M246/21 RESOLVED:
THAT COUNCIL:**

1. Receives and considers this Notice of Motion regarding Charging Stations for Electric Vehicles;
2. Continues to work with NRMA/State Government to provide charging stations for electric vehicles throughout the towns and villages.
3. Write to Chambers of Commerce and business associations across the Snowy Valleys requesting their endorsement and support for seeking charging stations across the community.

Cr Cate Cross/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY

7.2 NOTICE OF MOTION - CLIMATE CHANGE ADAPTATION COMMITTEE - CLR GEOFF PRITCHARD**M247/21 RESOLVED:
THAT COUNCIL:**

1. Receive the Notice of Motion regarding the status of the Climate Change Adaptation Committee.
2. Request that staff present information on a Climate Change Adaptation Committee to the new Council in 2022 for consideration when they consider committees and representation by Council.

Cr Geoff Pritchard/Cr Julia Ham

CARRIED UNANIMOUSLY

8. MAYORAL MINUTE**8.1 CIVIC DUTIES DELEGATION FOLLOWING LOCAL GOVERNMENT ELECTION ON 4 DECEMBER 2021****M248/21 RESOLVED:**

1. Note that the attendance of the Mayor and Councillors at externally organised community events and civic functions that are scheduled during the caretaker period can continue with the provision of no electioneering;
2. Authorise that following the caretaker period and election, that Mr James Phillip Hayes of Adelong will continue to exercise the functions of Mayor as

prescribed in Section 226 of the Local Government Act 1993 until the Snowy Valleys Mayoral election has been declared by Snowy Valleys Council.

Cr James Hayes/Cr John Larter

CARRIED UNANIMOUSLY

9. URGENT BUSINESS WITHOUT NOTICE

Nil.

10. GOVERNANCE AND FINANCIAL REPORTS

10.1 CANCELLATION OF DECEMBER 2021 ORDINARY MEETING OF COUNCIL

M249/21 RESOLVED:
THAT COUNCIL:

1. Receive and note the report on "Cancellation of December 2021 Ordinary Meeting of Council".
2. Approve the cancellation of the Ordinary Council meeting scheduled for Thursday 9 December 2021.

Cr Cate Cross/Cr Julia Ham

CARRIED UNANIMOUSLY

10.2 END OF TERM REPORT 2017-2021

M250/21 RESOLVED:
THAT COUNCIL:

1. Receive the End of Term Report 2017-2021

Cr Cor Smit/Cr Cate Cross

CARRIED UNANIMOUSLY

M251/21 RESOLVED to move into Committee of the Whole.

Cr Julia Ham/Cr Cor Smit

CARRIED UNANIMOUSLY

M252/21 RESOLVED to move out of Committee of the Whole

Cr Cor Smit/Cr Julia Ham

10.3 2020-21 ANNUAL REPORT**M253/21 RESOLVED:
THAT COUNCIL:**

1. Receive and endorse the 2020-21 Annual Report;
2. Approve a copy of the 2020-21 Annual Report including the State of Environment Report and 2020-21 Audited Financial Statements be placed on Council's website and submitted to the Office of Local Government by 30 November 2021.

Cr Margaret Isselmann/Cr John Larter

CARRIED UNANIMOUSLY**10.5 CODE OF CONDUCT COMPLAINT STATISTICS FOR THE REPORTING PERIOD 01 SEPTEMBER 2020 - 31 AUGUST 2021****M254/21 RESOLVED:
THAT COUNCIL:**

1. Receive the report on Code of Conduct Complaint Statistics for the reporting period 1 September 2020 – 31 August 2021.
2. Note the Code of Conduct complaints statistics for the reporting period 1 September 2020 – 31 August 2021.

Cr Cate Cross/Cr Julia Ham

CARRIED UNANIMOUSLY**10.6 STATEMENT OF INVESTMENTS - OCTOBER 2021****M255/21 RESOLVED:
THAT COUNCIL:**

1. Receive the report on Statement of Investments – October 2021.

Cr Cate Cross/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY**10.7 QUARTERLY BUDGET REVIEW AS AT 30 SEPTEMBER 2021****M256/21 RESOLVED:
THAT COUNCIL:**

1. Receive and adopt the Quarter Budget Review as at 30 September 2021.
2. Adopt the Revenue, Expenditure and Capital Budget adjustments as noted in the September Quarterly Budget Review.

Cr Julia Ham/Cr John Larter

CARRIED UNANIMOUSLY

10.8 SNOWY VALLEYS COUNCIL CHILD SAFE ORGANISATION FRAMEWORK AND POLICY - ADOPTION

M257/21 RESOLVED: THAT COUNCIL:

1. Receive the report on Adoption of the Snowy Valleys Council Child Safe Organisation Framework and Policy.
2. Adopt the draft Snowy Valleys Council Child Safe Organisation Framework SVC-COR- PO-126-01 and Policy SVC-COR-PO-125-01.
3. Authorise the Chief Executive Officer to implement the adopted Snowy Valleys Council Child Safe Organisation Framework and Policy within available budget and resources.

Cr Julia Ham/Cr Cate Cross

CARRIED UNANIMOUSLY

11. MANAGEMENT REPORTS

11.1 BOMBOWLEE CREEK ROAD LAND ACQUISITION

M258/21 RESOLVED: THAT COUNCIL:

1. Receive this report on Bombowlee Creek Road Land Acquisition.
2. Proceed to acquire the following land by agreement and where agreement is unable to be reached by the compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 and by authority contained in the Roads Act for the purpose of public road;
 - a. Proposed Lot 35 DP1236404 being part of Lot 1 DP528841 located at 993 Bombowlee Creek Road, Tumut, NSW, 2720
 - b. Proposed Lot 36 DP1236404 being part of Lot 22 DP1054576 located at 996 Bombowlee Creek Road, Tumut, NSW, 2720
 - c. Proposed Lot 37 DP1236404 being part of Lot 302 DP750991 located at 1036 Bombowlee Creek Road, Tumut, NSW, 2720
 - d. Proposed Lot 38 DP1236404 being part of Lot 20 DP1018866 located at 1121 Bombowlee Creek Road, Tumut, NSW, 2720
 - e. Proposed Lot 39 DP1236404 being part of Lot 1 DP840407 located at 1070 Bombowlee Creek Road, Tumut, NSW, 2720
3. Endorse compensation being paid to the effected landowners as per valuation reports obtained by Council and advice received from the registered property valuer.
4. Approve the attachment of the Council 'seal' as per Policy.
5. Note that minerals are to be excluded from this acquisition.
6. Note that these acquisitions are not for the purpose of resale.

7. Approve that the necessary applications be made to the Minister for Local Government and the Governor, if acquisition with agreement is unable to be reached.
8. Approve that the Chief Executive Officer be provided with authority to finalise the land acquisitions and sign any documentation necessary to give effect to this resolution.
9. Approve that upon acquisition the land be dedicated as public road under *Section 10 of the Roads Act 1993*.

Cr Cor Smit/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY

11.2 SNOWY VALLEY COUNCIL'S DRAFT RURAL LANDS STUDY (RLS)

M259/21 RESOLVED:
THAT COUNCIL:

1. Receive and note the report on the Draft Rural Lands Study.
2. Release the Draft Rural Lands Study for public exhibition for a period of 56 days.
3. Adopt the Draft Rural Lands Study as a key reference document for the development of a new SVC Local Environment Plan, if no submissions are received on the day after the completion of the public exhibition.

Cr Julia Ham/Cr John Larter

CARRIED UNANIMOUSLY

12. MINUTES OF COMMITTEE MEETINGS

12.1 MINUTES - ABORIGINAL LIAISON COMMITTEE MEETING - 20 OCTOBER 2021

M260/21 RESOLVED:
THAT COUNCIL:

1. Receive the report on the Minutes – Aboriginal Liaison Committee Meeting – 20 October 2021
2. Note the Minutes of the Aboriginal Liaison Committee meeting held Wednesday 20 October 2021
3. Adopt the following recommendations from the minutes:
 - a) RECONCILIATION ACTION PLAN UPDATE
THAT COUNCIL:
 1. Use the terms 'First Nations' or 'Aboriginal' when referring to Local Aboriginal people throughout the Reconciliation Action Plan.
 2. Send the Reconciliation Action Plan to Reconciliation Australia for review upon changes.

b) COMMITTEE MEMBER RESIGNATIONS AND APPLICATIONS

THAT COUNCIL:

1. Accept committee member resignations from Bernadette Radford — Director of TKNIC, John Casey - Director of TKNIC, and Lorna Casey - Director of TKNIC.
2. Accept Committee member application from June Wolter — Director of TKNIC.
3. Advertise for committee membership nominations through an Expression of Interest from the Toomaroombah Kunama Namadgi Indigenous Corporation

c) INTERPRETATIVE WALKING TRIAL AT MURRAYS CROSSING TUMBARUMBA

THAT COUNCIL:

1. Consider and commence implementation of the interpretative walking trial in Tumbarumba that begins at Murrays Crossing and links up with the Rail Trail.
2. Name the Interpretive walking trail " Gudja Gudja Mura "
3. Consider including Gudja Gudja Mura" in the Tracks and Trails Masterplan.

d) FUTURE MEETINGS IN 2022

THAT COUNCIL:

1. Consider scheduling Aboriginal Liaison Committee meetings for 2022 as per the Committees Term of Reference to be held Quarterly commencing at 10am on the third Wednesday of the month, first meeting to be held 16 February 2022.

Cr Geoff Pritchard/Cr John Larter

CARRIED UNANIMOUSLY

12.2 MINUTES - AUDIT RISK AND IMPROVEMENT COMMITTEE - 03 NOVEMBER 2021**M261/21 RESOLVED:**

THAT COUNCIL:

1. Receive the report on the Minutes – Audit Risk and Improvement Committee – 03 November 2021;
2. Note the Minutes of the Audit Risk and Improvement Committee meeting held on 03 November 2021.

Cr Cate Cross/Cr John Larter

CARRIED UNANIMOUSLY

13. CONFIDENTIAL

Nil.

This meeting being the final meeting for the term, the Mayor paid tribute to the retiring councillors, thanked them for their efforts during the past term and invited them each to say a few words.

There being no further business to discuss, the meeting closed at 4.07pm.

**THE MINUTES OF THE COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS
BRIDGE STREET TUMBARUMBA AND VIA VIDEO LINK, ON TUESDAY 11 JANUARY
2022 COMMENCING AT 2.01PM**

PRESENT: Councillor Johanna (Hansie) Armour, Councillor Ian Chaffey, Councillor Julia Ham, Councillor James Hayes, Councillor Sam Hughes, Councillor Michael Ivill, Councillor John Larter, Councillor Brent Livermore, Councillor Trina Thomson.

IN ATTENDANCE: Chief Executive Officer Matthew Hyde, Executive Director Infrastructure Heinz Kausche, Executive Director Community and Corporate Paul Holton, Executive Chief of Staff Shelley Jones, Chief Financial Officer Susanne Andres and Executive Assistant Jeannie Moran-Fahey.

1. ACKNOWLEDGEMENT OF COUNTRY

An acknowledgement of the traditional custodians of the land was delivered by the Chief Executive Officer.

2. APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE

No apologies or Leave of Absence received. Request for remote attendance by Cr Brent Livermore.

M1/22 RESOLVED:

It was moved and seconded to agree to the remote attendance of Cr Livermore.

Cr Julia Ham/Cr Trina Thomson

CARRIED UNANIMOUSLY

3. DECLARATIONS OF PECUNIARY INTEREST

Nil.

4. ADMISSION OF LATE REPORTS

Nil.

5. GOVERNANCE AND FINANCIAL REPORTS

As the first order of business, the Returning Officer Chief Executive Officer Matthew Hyde in the position of Chair for the purpose of conducting the election of Mayor and Deputy Mayor called for a mover and seconder for Item 5.1: '*Election of Mayor and Deputy Mayor for the Period Ending September 2023*'.

5.1 ELECTION OF MAYOR AND DEPUTY MAYOR FOR THE PERIOD ENDING SEPTEMBER 2023**M2/22 RESOLVED:
THAT COUNCIL:**

1. Receive the report on the election of mayor and deputy mayor for the period ending September 2023.
2. Receive and invite nominations for the election of mayor and deputy mayor.
3. Proceed with the election of the mayor and deputy mayor, in the event of there being more than one candidate, by using:
 - c. Open ballot by way of show of hands, noting that an open ballot is required should Council choose to meet virtually and not in person.
4. Conduct the election for mayor and deputy mayor in accordance with Schedule 7 of the Local Government (General) Regulation 2021
5. Elect a mayor in accordance with Sections 225, 226, 227 and 230 of the Local Government Act 1993 for a period ending September 2023.
6. Elect a deputy mayor in accordance with Section 231 of the Local Government Act 1993 for a period ending September 2023.
7. Confirm the successful candidates by resolution.
8. Following the election, approve for all nomination documents (and ballot papers if used) used in connection with the election of the mayor and deputy mayor to be destroyed.
9. Task the Chief Executive Officer to advise the NSW Office of Local Government and Local Government NSW of the result of the election.

Cr Julia Ham/Cr Trina Thomson

CARRIED UNANIMOUSLY

The Returning Officer advised that three nominations have been received for the position of Mayor, those being:

- Cr Hayes
- Cr Ham
- Cr Chaffey

The Returning Officer advised that the nominations meet requirements and called for voting for the position of Mayor via open ballot (show of hands) for each of the nominated councillors, results being:

- Cr Hayes - 3
- Cr Ham – 1
- Cr Chaffey – 5

The Returning Officer declared that Cr Chaffey has won the position of Mayor.

5.1.1 ELECTION OF MAYOR AND DEPUTY MAYOR FOR THE PERIOD ENDING SEPTEMBER 2023**M3/22 RESOLVED:**

A motion was moved and seconded that Cr Chaffey be declared as the successful councillor for the position of Mayor.

Cr Michael Ivill/Cr Sam Hughes

CARRIED UNANIMOUSLY

The Returning Officer called for voting for the position of Deputy Mayor, agreed to be for the same amount of time as for the position of Mayor, based on the three nominations received for the position with the open voting results being:

- Cr Hayes – 2
- Cr Ham – 2
- Cr Thomson – 5

The Returning Officer declared that Cr Thomson has won the position of Deputy Mayor.

5.1.2 ELECTION OF MAYOR AND DEPUTY MAYOR FOR THE PERIOD ENDING SEPTEMBER 2023**M4/22 RESOLVED:**

A motion was moved and seconded that the result of Cr Thomson be declared as the successful councillor for the position of Deputy Mayor.

Cr Julia Ham/Cr Sam Hughes

CARRIED UNANIMOUSLY**5.2 COUNTBACK ELECTION TO FILL COUNCILLOR VACANCIES IN FIRST 18 MONTHS FOLLOWING THE 2021 LOCAL GOVERNMENT ELECTION****M5/22 RESOLVED:
THAT COUNCIL:**

1. Receive the report on Countback Election to fill Councillor Vacancies in First 18 Months following the 2021 Local Government Elections.
2. Pursuant to section 291A(1)(b) of the Local Government Act 1993 (the Act), Snowy Valleys Council declares that casual vacancies occurring in the office of a councillor within 18 months after the last ordinary election of councillors for the Council on 4 December 2021 are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act

3. Directs the Chief Executive Officer to notify the NSW Electoral Commissioner of the Council's decision within 7 days of this resolution being made

Cr James Hayes/Cr Michael Ivill

CARRIED UNANIMOUSLY

5.3 CONFIRMATION OF OATH OR AFFIRMATION OF OFFICE BY COUNCILLORS

**M6/22 RESOLVED:
THAT COUNCIL:**

1. Receive the report on Confirmation of Oath or Affirmation of Office by Councillors.
2. Confirms that the following councillors took an oath or affirmation of office on 5 January 2022:
 - a. Cr Johanna (Hansie) Armour
 - b. Cr Ian Chaffey
 - c. Cr Julia Ham
 - d. Cr James Hayes
 - e. Cr Sam Hughes
 - f. Cr Michael Ivill
 - g. Cr John Larter
 - h. Cr Brent Livermore
 - i. Cr Trina Thomson
3. Requests the Chief Executive Officer to record the taking of the oath or affirmation by each councillor in the minutes of this meeting.

Cr Trina Thomson/Cr Michael Ivill

CARRIED UNANIMOUSLY

There being no further business to discuss, the meeting closed at 2.10pm.

10. GOVERNANCE AND FINANCIAL REPORTS**10.1 2022 SCHEDULE OF ORDINARY COUNCIL MEETING DATES AND TIMES**

REPORT AUTHOR: GOVERNANCE OFFICER
RESPONSIBLE DIRECTOR: EXECUTIVE CHIEF OF STAFF

EXECUTIVE SUMMARY:

Council meeting dates are determined annually and in advance to support the effective forward planning of Council business and reporting processes.

In 2021 council meeting dates for ordinary meetings were held on the third Thursday of each month, except for December which was held on the second Thursday, commencing at 2pm and alternating between the Council Chambers in Tumut/Tumbarumba and via Video Link.

In March 2020, the Minister for Health and Medical Research, the Hon. Brad Hazzard MP, issued the Public Health (COVID-19 Gatherings) Order 2020 (the Public Health Order). This has allowed for Council meetings to be held entirely remotely by audio-visual link.

Section 365 of the Local Government Act 1993 prescribes that council is required to meet at least 10 times each year, each time in a different month. This proposed schedule shall be required to comply with this requirement.

RECOMMENDATION:**THAT COUNCIL:**

1. **Receive the report on the 2022 Schedule of Ordinary Council meeting dates.**
2. **Determine a Schedule of Ordinary Council Meeting dates and times for 2022, ensuring that the requirements of s.365 of the Local Government Act 1993 are adhered to.**
3. **Approve the following Ordinary Council meeting dates for 2022 commencing at 2pm to be held in the Tumut Council Chambers:**

Thursday 17 February 2022

Thursday 17 March 2022

Thursday 21 April 2022

Thursday 19 May 2022

Thursday 16 June 2022

Thursday 21 July 2022

Thursday 18 August 2022

Thursday 15 September 2022

Thursday 20 October 2022

Thursday 17 November 2022

Thursday 8 December 2022

BACKGROUND:

This report sets the Council meeting schedule for the 2022 year.

REPORT:

The determination of meeting dates and times allows the appropriate scheduling of Council business and reporting processes and provides advanced notice of meeting dates to the community.

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**Integrated Planning and Reporting Framework:****CSP Outcome 2028**

Theme 4: Communication & Engagement

Delivery Outcomes

4.1 Partner with local communities to create an ongoing culture of engagement to aid Council decision making

Operational Actions

4.1.2 Deliver Council meetings that facilitate community access and engagement

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	Council are able to optimise meetings to ensure issues are addressed for the community. Council meetings provide transparency over decision making and can now be delivered virtually to improve accessibility.	Nil
Environmental	Nil	Nil
Economic	Council meets to ensure economic and strategic management is sound and transparent	Nil
Governance	It is essential that Council is able to meet with all Councillors to ensure good governance of Council business. Council is required to meet at least 10 times during the course of a year under <i>Section 365 of the Local Government Act 1993</i> .	Nil

Financial and Resources Implications

Nil

Costs and Benefits:

Nil

Policy, Legal and Statutory Implications:

Council meetings are governed by the Model Code of Meeting Practice as issued by the Office of Local Government.

Council business is governed by the *Local Government Act 1993*.

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

To address business in an optimal manner, it is important to have as many Councillor representatives as possible at each meeting. This proposal aims to maximise attendance.

The meeting calendar ensures forward planning for Council business and decision making.

OPTIONS:

Council may opt to amend the meeting schedule including meeting day and time.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Council will make available on its website the schedule of adopted meetings for 2022 and through the appropriate internal communication channels to staff.

ATTACHMENTS

Nil

10. GOVERNANCE AND FINANCIAL REPORTS**10.2 2022 MEETING CALENDAR**

REPORT AUTHOR: GOVERNANCE OFFICER
RESPONSIBLE DIRECTOR: EXECUTIVE CHIEF OF STAFF

EXECUTIVE SUMMARY:

The 2022 Meeting Calendar has been developed to provide an easy reference guide of the dates of Snowy Valleys Council hosted meetings. This will assist Councillors, committee members, staff and the community with planning and meeting attendance.

RECOMMENDATION:**THAT COUNCIL:**

- 1. Receive the report on 2022 Meeting Calendar as at 20 January 2022.**
- 2. Endorse the 2022 Meeting Calendar as at 20 January 2022.**
- 3. Add the Ordinary Council meeting dates as resolved at this meeting.**
- 4. Amend any dates or times that may conflict with proposed Ordinary Council meetings.**

BACKGROUND:

Each year council considers and endorses a complete calendar of council hosted and organised meetings for the coming year. This includes

- Ordinary Council meetings (added once resolved at this meeting)
- Advisory Committee meetings
- Major Events
- External meetings of significance

REPORT:

Changes to Ordinary Council meetings are to be resolved at a council meeting.

Changes to Advisory Committee meetings can be made through the Committees Terms of Reference or by the Chair of the Committee.

Councillors and Committee members will be notified in advance of any change to a meeting date.

The Youth Council Committee (Tumut and Tumberumba) meeting dates have not been included due to insufficient committee members attending meetings in the past, current drives are being held with surrounding schools and advertisements to gauge interest to seek new members to apply to be on the Youth Council Committees. Meeting dates will continue to be updated on Council's website.

The following external meetings are included as they are relevant for Councillor's attention:

- Special Local Government NSW Annual Conference – 27 February–2 March 2022
Sydney
- The National General Assembly - ALGA – 19-22 June 2022 – Canberra

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**Integrated Planning and Reporting Framework:****CSP Outcome 2028**

Theme 4: Communication & Engagement

Delivery Outcomes

4.5 Council demonstrates strong leadership through a governance framework which drives progress towards achieving the community vision

SUSTAINABILITY ASSESSMENT:

Nil

Financial and Resources Implications

Coordinating council and committee meetings involves staff time.

Costs and Benefits:

Nil

Policy, Legal and Statutory Implications:

Nil

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

The meeting calendar ensures forward planning for Council business and decision making

OPTIONS:

Nil

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

By providing an endorsed 2022 Meeting Calendar it provides certainty to Councillors, Committee members, staff and the community as to when meetings will take place and enables greater participation and access.

ATTACHMENTS

- 1 2022 Meeting Calendar (under separate cover)

10. GOVERNANCE AND FINANCIAL REPORTS**10.3 COMMITTEES AND NOMINATION OF DELEGATES FOR 2022-2024**

REPORT AUTHOR: GOVERNANCE OFFICER
RESPONSIBLE DIRECTOR: EXECUTIVE CHIEF OF STAFF

EXECUTIVE SUMMARY:

The purpose of this report is to present to Council the list of Committees for 2022-2024.

Council is required to review and appoint councillor delegates to each of the committees where indicated in the attachment. Not all committees in the list require councillor representation.

The list of committees in the attachment is displayed in sections that reflect the different types of Committees that Council is either responsible for or provides a representative to. These include:

- Community Committees
- Advisory Committees
- Working Groups
- External Committees.

RECOMMENDATION:**THAT COUNCIL:**

1. **Receive the report on Committees and Nomination of Delegates for 2022-2024.**
2. **Review and nominate councillor delegates and alternate delegates to each of the Committees where a delegate is required as indicated in the attachment.**
3. **Remove the following committees from the list for the reasons listed below:**

Climate Change Adaptation Committee – as per report to this meeting.

Children’s Services Committee–Snowy Valleys – this is not a formal committee.

RMS Consultative Committee – This committee is no longer active.

South East Australian Transport Strategy Inc – Membership of Committee has not been current since 2019.

4. **Advise each committee of their councillor and/or staff delegate for the 2022-24 period.**

BACKGROUND:**Council Committees**

The establishment and support of Council Committees reflects Snowy Valleys Councils commitment to involve the community in the provision of Council functions, with the aim of enhancing the opportunities for the towns and villages within the Local Government Area.

A committee’s primary role is to accept the responsibility for a function of Council through a delegation under the Local Government Act 1993. These functions can include the provision of services and/or management of Council-owned facilities, such as public halls or recreation reserves.

Under section 355 of the Local Government Act 1993, Council is able to delegate some of its functions to a committee. These committees are operated in accordance with the *Council Committees Policy* and the *Council Committees Operation Manual*.

In accordance with the Council Committees Policy section 4.2,

Committees are established by resolution of Council to manage a function on Council's behalf. Members of that committee are considered and appointed to the committee by Council in accordance with the committees adopted Terms of Reference. Members of committees are considered Council officials under Councils Code of Conduct.

In determining whether or not to appoint a committee, Council will consider the following:

- *Whether the activity being performed is a Council function*
- *In the absence of the committee, would Council still undertake the function*

Council will not appoint committees to overcome the inability of community groups to obtain insurance cover or any other factor inhibiting the functioning of the community group, such as financial distress or lack of volunteers.

Council determines the functions and membership of committees through the development of Terms of Reference for each committee operating under Council's delegation.

There are two types of Council Committees.

- Community Committees

Community Committees are delegated by the Council to perform certain functions of the Council (such as managing a Council owned facility) and may have Councillors or Council employees as delegates. Membership consists of community members who are required to be registered and inducted volunteers of Council as per Councils Volunteer Policy. These members must be appointed to the committee by Council.

- Advisory Committees

Advisory Committees whose membership may include experts, professionals, government employees, community representatives and Council employees as well as councillors. Advisory committees are often used by Council to obtain expert advice on complex matters.

Working Group

Working groups are groups of people, usually volunteers, that come together for a purpose and have a dedicated staff delegate. They are not required to follow a formal committee governance structure regarding reporting requirements etc. There is no councillor delegate required and no recommendations provided to Council via meeting minutes.

External Committees

In addition to Council Committees there are committees that are operated externally to Council that require Council representation. Representation can be provided by councillors or staff delegates. The external committees themselves advise Council of the representation required. The committees are often advisory in nature and generally do not require a report to Council.

REPORT:

Appointment of councillor delegates to committees is usually for a four year term, which aligns with the term of the elected Council unless there are any proposed change to the arrangements.

The Chief Executive Officer appoints staff delegates.

Council is encouraged to undertake a review of Committees each year following discussion with committee members and key support staff to ensure that the committee remains relevant to meeting the needs of the community and can be adequately resourced.

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**Integrated Planning and Reporting Framework:
CSP Outcome 2028**

Theme 4: Communication & Engagement

Delivery Outcomes

4.1 Partner with local communities to create an ongoing culture of engagement to aid Council decision making

Operational Actions

4.1.1 Support councillors in their community engagement activities, including councillor attendance at community meetings

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	Community engagement	Nil
Environmental	Nil	Nil
Economic	Transparency and collaboration exist between the Council and Committees	Committees must be open to sharing information and about economic outcomes of the committee's work
Governance	Council supports the committees by ensuring governance obligations are met	Committees must be open to complying with obligations

Financial and Resources Implications

There is a mandatory requirement for Community Committees, that operate independent bank accounts, to submit an annual financial report to Council as per the *Council Committees Operation Manual*.

Costs and Benefits:

Financial Costs	Financial Benefits	Benefits	Opportunities
Council resources are required to support Committees	Committees assist Council to manage facilities & services	Allows communities to participate in the work of committees to manage facilities or services	Enhances the relationship between community & Council

Policy, Legal and Statutory Implications:

Committees are governed by the Local Government Act 1993 (NSW) and related regulations. For Community and Advisory Committees, the *Council Committees Policy and Operations Manual* apply as well as individual committee Terms of Reference.

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

Committees that do not operate by meeting basic governance and accounting standards create a risk to council. Providing a dedicated councillor and staff delegate, ensures communication between the committee and Council and will therefore assist Council to identify emerging risks associated with the committees.

OPTIONS:

Nil

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Nil

ATTACHMENTS

- 1 DRAFT 2022-2024 List of Committees and Their Delegates (ID1915016) (under separate cover)

10. GOVERNANCE AND FINANCIAL REPORTS**10.4 DELEGATIONS FROM COUNCIL TO THE GENERAL MANAGER, MAYOR AND COUNCIL COMMITTEES**

REPORT AUTHOR: COORDINATOR GOVERNANCE & RISK
RESPONSIBLE DIRECTOR: EXECUTIVE CHIEF OF STAFF

EXECUTIVE SUMMARY:

In accordance with Part 3, Delegations of Functions, under the *Local Government Act 1993*, Council must review and by resolution, delegate functions of the Council under this or any other Act within the first 12 months of each term of Council.

This report presents to Council the delegation of the functions of the Council to the General Manager (Chief Executive Officer), the Mayor and the Council Committees in accordance with Section 377 of the *Local Government Act 1993*.

The Chief Executive Officer (CEO) has the position of the General Manager for the Snowy Valleys Council.

RECOMMENDATION:**THAT COUNCIL:**

- 1. Receive the report on Delegations from Council to the General Manager (Chief Executive Officer), Mayor and Council Committees.**
- 2. Revoke any previous delegations to the General Manager (Chief Executive Officer), Mayor and Council Committees.**
- 3. Delegate to the General Manager, the Mayor and the Council Committees, the delegations as provided in the “Delegations from Council to the General Manager, Mayor and Council Committees” document attached to this report.**

BACKGROUND:

In accordance with Section 380 of the *Local Government Act 1993*,

Each council must review all its delegations during the first 12 months of each term of office.

To avoid any potential future litigation, it is important that Council regularly reviews its delegations to ensure that they are compliant with current legislation.

REPORT:

Attached to this report is a copy of the recommended delegations following a comprehensive review. The delegations were developed following consultation with the Office of Local Government as well as Council’s legal advisers who have developed a series of delegation registers for the majority of their Council clients.

Delegations are essentially administrative devices designed to enable the elected Council to concentrate and focus on policy development and strategic areas of the Council and allow the smooth running of an organisation in accordance with the various Acts and Regulations applicable to Local Government. Section 377 of the *Local Government Act 1993* describes the general powers of the Council’s ability to delegate and requires a Council resolution in order to delegate its powers to the General Manager and to any other person or body except employees. Thereafter the General

Manager may delegate any of the functions in accordance section 378 of the *Local Government Act 1993* to any person or body (including another employee of the Council). It is only the General Manager who can sub-delegate functions to employees.

Council recommends that all previous delegations to the General Manager, Mayor and Committees be revoked, including but not limited to the following delegation from resolution M220/18

Delegate authority to the General Manager to vary the number of FTE staff from 242 by up to 5 percent without the need to seek Council approval.

Council is recommending that all delegable functions, other than those listed in section 377 be delegated to the General Manager, subject to the three following items.

Limitations for tenders

In addition, the recommendation is for an upper limit of \$500,000 for the acceptance of tenders to be delegated to the General Manager subject to *377(1)(i) the acceptance of tenders to provide services currently provided by members of staff of the council* which cannot be delegated and must always be by resolution of the Council.

Delegation to write off debts owed to the Council

The General Manager has the delegations to write off individual rate charges or debts owed to the Council up to a maximum limit of \$5,000 (including GST).

Planning Delegations (information provided by Manager Growth and Activation)

A review of Council's planning delegations under section 377 of the *Local Government Act 1993* to the General Manager has been undertaken to provide increased understanding, guidance and community confidence around the types of developments that will be considered under delegated authority and those applications that will be considered by full Council. The review has aimed to achieve a contemporary approach to Council's existing instrument of delegations and also provide consistency with NSW State Government guidelines.

It has been recommended that the General Manager be delegated all powers under the *Environmental Planning and Assessment Act 1979* and associated *Regulation 2000* with the exception of five (5) categories including (i) conflict of interest matters, (ii) Public Interest Matters, (iii) Departures from development Standards, (iv) Applications not supported on grounds of merit; and (v) modification applications involving Councillor imposed conditions.

An introduction of a new category of conflict of interest aims to ensure appropriate controls for probity and transparency in decision making processes involving staff (or a relative) that have decision making powers under the *EPA Act* and are seeking to make applications for development with Council. This has also been broadened to include Councillors and also members of parliament. The delegation also seeks to exclude routine development of a minor nature that would otherwise be considered as complying development so as not to create unnecessary delays in assessment processes and associated resource burdens.

A Public interest matters category has been included to address contentious development whereby notifiable development may receive ten (10) or more unique submissions. Proforma submission or petitions would under the category be counted as one submission. The number of submissions defines a threshold of community interest that is consistent with standards utilized by the NSW Department of Planning, Industry and Environment however separate guidelines are being contemplated to enable Councillors to call up an application where they consider widespread community interest should warrant an application to be considered and determined at a full Council level that has not achieved the threshold of ten (10) submissions. This could be pursued through a separate process whereby three (3) Councillors request an application to be considered by full Council and the matter would then be presented to full Council for determination. The delegations also seeks to define what a unique submission is to ensure that there is clarity as to what Council would consider as a proforma submission or an individual or unique submission.

A category has also been introduced to provide guidance surrounding departures from development standards. Development Standards are numerical and non numerical standards within an Environmental Planning Instrument including a Local Environmental Plan or a State Environmental Planning Policy but does not include a development control plans. Departures from development standards in excess of 10% are proposed to be considered and determined by full Council and not under staff delegation, however, departures to development control standards are recommended to continue to be considered by the Manager Growth and Activation and the Executive Director Corporate and Community on a merit basis following assessment and recommendation by assessment staff as the legislation recognizes these plans as guides only.

An amendment has been recommended to Council's previous delegations concerning applications which are not supported by Council staff to only proposed to include applications that are not supported on grounds of merit. Applications whereby Council seeks to obtain additional information that is either not supplied or not supplied to the required standard is recommended to be excluded from this category. This will enable staff to determine applications by way of refusal in the instances where there is insufficient information to enable a proper assessment under section 4.15 of the Environmental Planning and Assessment Act 1979. The recommended changes also enable efficiency in assessment and determination processes whilst also providing appropriate controls for consideration of applications that are considered by Council staff to lack appropriate merit.

Applications for modification of development consent under sections 4.55 including sections 4.55(1), s4.55(1a) and s 4.55(2) are recommended to be continued to be assessed and determined under delegated authority to the General Manager. In the instance where a specific control or condition of development consent has been applied by resolution of the Council then any modification to such condition(s) should be referred back to the elected Council for determination and not determined under delegated authority. This enables routine modifications to be considered and determined in a responsive and efficient manner however provides the appropriate controls to enable Council imposed conditions to only be considered for modification by the elected Council.

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

CSP Outcome 2028

Theme 4: Communication & Engagement

Delivery Outcomes

4.5 Council demonstrates strong leadership through a governance framework which drives progress towards achieving the community vision

Operational Actions

Choose Operational Plan Activity

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	Nil	Nil
Environmental	Nil	Nil
Economic	Nil	Nil
Governance	Having the correct delegations assigned to the correct positions under the Local Government Act 1993 and other legislation is paramount to good governance.	Nil

Financial and Resources Implications

There is no financial or resource implications that apply directly to the adoption of these recommendations.

There is a reduction in the number of reports to be presented to Council regarding the acceptance of tenders.

Costs and Benefits:

There is a budget allocated every year for the legal advice and the software system associated with management of the delegations register.

Policy, Legal and Statutory Implications:

Part 3, Delegations of Functions, under the Local Government Act NSW 1993

Snowy Valleys Council Delegations Policy

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

If the delegations are not appropriately assigned, the enforceability of decisions and actions taken may be compromised and there may be legal and administrative risks for the Council

Procurement and acceptance of tenders presents a significant risk to Council and procurement in any public organisation is always a high-risk activity and a significant number of controls must be put in place to ensure confidence that procurement processes are free from influence and corruption and the outcomes provide best value to the community.

The Quarterly Budget Review includes a listing of all contracts entered into by Council during the quarter that are greater than \$150,000 as required under legislation. It is intended to highlight those that have been determined through tender by the General Manager in the Quarterly Budget Review.

OPTIONS:

To review the limit on acceptance of tenders and reduce the limit from \$500,000 to a set amount.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Not required

ATTACHMENTS

- 1 DRAFT Delegations from Council to General Manager, Mayor and Committees (ID3150036) (under separate cover)

10. GOVERNANCE AND FINANCIAL REPORTS**10.5 DRAFT CODE OF MEETING PRACTICE - FOR PUBLIC EXHIBITION**

REPORT AUTHOR: GOVERNANCE OFFICER
RESPONSIBLE DIRECTOR: EXECUTIVE CHIEF OF STAFF

EXECUTIVE SUMMARY:

The purpose of this report is to present to the Council the revised Snowy Valleys Council Code of Meeting Practice for endorsement.

The new Model Code of Meeting Practice for Local Councils in NSW (Model Meeting Code) was prescribed under the *Local Government (General) Regulation 2021* (The Regulation) on 12 November 2021. Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code within 12 months of the local government elections. A council's adopted meeting code must not contain provisions that are inconsistent with the mandatory provisions.

The repeal date for section 237 of the Regulation which exempts councils from the requirement under clause 5.2 of the previous iteration of the Model Meeting Code for councillors to be personally present at meetings in order to participate in them has been extended to 30 June 2022. If councils have not adopted a new meeting code that allows councillors to attend meetings by audio-visual link, they will not be permitted to do so after that date.

RECOMMENDATION:**THAT COUNCIL:**

- 1. Receive the report on Code of Meeting Practice – For Public Exhibition**
- 2. Consider and provide feedback on the sections of the Code of Meeting Practice, if required.**
- 3. Place the Draft Code of Meeting Practice on public exhibition for 42 days.**
- 4. Report to be presented to council prior to 30 June 2022 for adoption.**
- 5. Following adoption, the document is communicated throughout Council ensuring staff and Councillors are aware of the revised document.**

BACKGROUND:

The Model Meeting Code comprises of mandatory and non-mandatory provisions. As per section 360 of the Local Government Act 1993, councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code no later than 12 months after the ordinary council elections. Councils' adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions as long as they are not inconsistent with the mandatory provision.

Councils are required to consult with their communities prior to adopting a code of meeting practice. Under section 361 of the Local Government Act 1993 *Snowy Valleys Councils Code of Meeting Practice* must be placed on public exhibition for not less than 28 days with submissions to be received for not less than 42 days.

REPORT:

In the attached *Snowy Valleys Councils Code of Meeting Practice*, major additions by the Office of Local Government are indicated in red font, (joint organisation have been deleted).

Until a council adopts a new code of meeting practice, its existing code of meeting practice will remain in force up until six months from the date on which the new Model Meeting Code was prescribed (12 November 2021 – 12 May 2022). If a council fails to adopt a new code of meeting practice within this period, any provisions of the council's adopted meeting code that are inconsistent with the mandatory provisions of the Model Meeting Code prescribed under the Regulation will automatically cease to have any effect to the extent that they are inconsistent with the mandatory provisions of the Model Meeting Code.

The new Model Code contains:

- new provisions that allow councils to permit individual councillors to attend meetings by audio-visual link and to hold meetings by audio-visual link in the event of natural disasters or public health emergencies. The provisions governing attendance at meetings by audio-visual link are non-mandatory.
- Amendment made to the provision governing the webcasting of meetings and disorder at meetings to reflect amendments to the Regulation since the previous iteration of the Model Meeting Code was prescribed.
- Amendment made to require that council business papers include a reminder to councillors of their oath or affirmation of office, and their conflict of interest disclosure obligations.

The Model Meeting Code applies to all meeting of council and committees of council of which all the members are councillors.

Council committees whose members include persons other than councillors may follow the *Council Committees Operations Manual* for guidance.

LG Circular 21-35 - 2021 Model Code of Meeting Practice for Local Councils in NSW is attached and contains further information.

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**Integrated Planning and Reporting Framework:
CSP Outcome 2028**

Theme 4: Communication & Engagement

Delivery Outcomes

4.3 Council has sound organisational health and has a culture which promotes action, innovation, accountability and transparency

Operational Actions

4.3.2 Continue to streamline council processes to improve integration and build user confidence

SUSTAINABILITY ASSESSMENT:**Financial and Resources Implications**

There will be no significant increase to budgets or resources by adopting this document. There have been no significant changes to the current documents which have any budget implications.

Costs and Benefits:

Nil

Policy, Legal and Statutory Implications:

Complies with *section 360 – 364 of the Local Government Act 1993*

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

By not adopting a Code of Meeting Practice that is based on the Model Code of Meeting Practice is a direct breach of section 360, 361, 362, 363, 364 of the *Local Government Act 1993*.

The Code of Meeting Practice ensures that meetings are conducted in a consistent and transparent way.

OPTIONS:

Should Council not be supportive of the draft as presented, relevant feedback can be incorporated and the documents re-submitted for consideration. However, this may result in not meeting the 30 June 2022 cut-off date for adoption.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

These documents will be placed on public exhibition and notification given via local newspapers, website, radio and facebook.

ATTACHMENTS

- 1 DRAFT Code of Meeting Practice - (ID3136638) (under separate cover)
- 2 LG Circular 21-35 - 2021 Model Code of Meeting Practice for Local Councils in NSW (under separate cover)

10. GOVERNANCE AND FINANCIAL REPORTS**10.6 CONFIRMATION OF ATTENDEES, VOTING DELEGATES AND MOTIONS FOR LGNSW CONFERENCE 28 FEBRUARY - 2 MARCH 2022**

REPORT AUTHOR: EXECUTIVE CHIEF OF STAFF
RESPONSIBLE DIRECTOR: CHIEF EXECUTIVE OFFICER

EXECUTIVE SUMMARY:

The Local Government NSW (LGNSW) Conference is the primary policy making event for the New South Wales local government sector. LGNSW member councils are invited each year to submit motions for discussion and debate to the conference.

Those motions that are resolved at the Conference will inform the update of the LGNSW Policy Platform which guides LGNSW in its advocacy on behalf of the local government sector.

RECOMMENDATION:**THAT COUNCIL:**

1. **Receive the report on Confirmation of attendees, voting delegates and motions for LGNSW Conference 28 February – 2 March 2022 in Sydney.**
2. **Confirm councillor attendees for the LGNSW Conference.**
3. **Confirm the two (2) voting delegates for voting on motions as being the mayor and deputy mayor.**
4. **Review and confirm the following motions as resolved at September 2021 ordinary meeting of council (M199/21):**
 - a. **That LGNSW calls on the NSW Government to acknowledge the long term financial sustainability challenges of local government, and to specifically address:**
 - i. **The detrimental impacts on council financial sustainability as a result of cost shifting to local government by both the Federal and NSW Governments, such as:**
 - (1) **The transfer of the emergency services levy to Councils**
 - (2) **The requirement to provide concessions (eg. pensioner concessions) without adequate compensation payments**
 - (3) **The failure to provide appropriate indexation for fees and charges prescribed under State legislation**
 - (4) **The vesting of Rural Fire Service assets in council, leaving councils to bear the cost burden of depreciation**
 - (5) **The transfer of management of Crown Lands to local councils without appropriate compensation to alleviate the financial and resource burden on councils for the development of Plans of Management**

- ii. **The antiquated rating system and its restrictions on council's ability to raise appropriate levels of revenue to fund the provision of an increasing range of services to their communities**
 - iii. **The impediment of maintaining Rural Centre employment numbers for merged councils in achieving long term efficiencies and savings**
 - iv. **The lack of ongoing operational funding for new and upgraded assets once they are commissioned under a capital funding stream**
 - v. **The inequity of taxation distribution among the 3 tiers of Australian government, including the reduction of the Financial Assistance Grants Scheme grant as a percentage of total taxation revenue**
 - b. **That LGNSW calls on the NSW Government to clarify and expedite the matters relating to the Boundaries Commission independent statutory review announced on 20 July 2021:**
 - i. **The Terms of Reference (ToR) for the Boundaries Commission be placed on Public Exhibition and the Minister's intent on the purpose and role be made clear in an attached briefing paper;**
 - ii. **The Minister include a section in the ToR relating to the evaluation of de-amalgamation under Section 218C and that this be at no cost to the ratepayers of the Council making the request;**
 - iii. **The Minister expedite the finalisation of the ToR once public exhibition is complete;**
 - iv. **The Minister immediately seeks expressions of interest for members for the Boundaries Commission and fill any vacancies with persons suitably qualified to fulfill the roles expected under the ToR.**
5. **Consider the following additional motion for submission to the LGNSW Conference:**
- a. **That the NSW Government facilitate a comprehensive review of the structural, regulatory and funding frameworks for streetlighting including:**
 - i. **A review of the pricing framework;**
 - ii. **A review of the current code for the provision of Public Lighting;**
 - iii. **Support for progressing smart innovation and new technologies;**
 - iv. **Quality assurance for billing to eliminate discrepancies and errors;**
 - v. **A review of the current ownership and maintenance arrangements for street lighting across the State, noting the complexities of the existing arrangements and the cost and resource liabilities currently imposed on Local Councils associated with the management of these assets.**

BACKGROUND:

The LGNSW Conference is the pre-eminent policy making event for the local government sector. Resolutions of the Conference help determine the policies and priorities for LGNSW and the sector.

It is a key event for local government where councillors come together to share ideas and consider issues that shape the way the sector functions and is governed.

LGNSW member councils are invited to submit motions to the Conference to advance the sector wide policy agenda.

Motions are strategic local government issues which affect members state-wide and introduce new or emerging policy issues and actions.

REPORT:**Attendance**

Attendance at the Local Government NSW Annual Conference provides an opportunity to network with Local Government colleagues and for Councillors in attendance to receive briefings on sector issues to inform decisions that constitute good governance and civic leadership for the community.

Attendance also provides the opportunity for Council and senior management to discuss advocacy priorities for the year ahead with various members of parliament.

The draft program is attached for Councillors information.

Voting Delegates

Financial members of LGNSW are required to nominate the names of their voting delegates for voting on motions. The number of voting delegates that Snowy Valleys Council is entitled to send is two (2). Voting delegates must be an elected member of council in accordance with the Local Government Act 1993.

This report recommends that should attendance be approved, the voting delegates be the Mayor and Deputy Mayor.

Motions

The following motions were confirmed by Snowy Valleys Council resolution M199/21 at the September 2021 ordinary meeting for submission to the LGNSW Conference, being consistent with Council's identified sustainability challenges and adopted Sustainability Plan:

**M199/21 RESOLVED:
THAT COUNCIL:**

1. Receive the report on Voting Delegates and Proposed Motions for the Local Government NSW (LGNSW) Annual Conference 2021.
2. Authorise the mayor and deputy mayor as Snowy Valleys Council's voting delegates for the LGNSW Board Elections and the LGNSW Annual Conference.
3. Authorise the Chief Executive Officer to advise LGNSW of the voting delegates.
4. Approve the following motions for submission to the LGNSW Annual Conference 2021:

- a. That LGNSW calls on the NSW Government to acknowledge the long term financial sustainability challenges of local government, and to specifically address:
- i. The detrimental impacts on council financial sustainability as a result of cost shifting to local government by both the Federal and NSW Governments, such as:
 - (1) The transfer of the emergency services levy to Councils
 - (2) The requirement to provide concessions (eg. pensioner concessions) without adequate compensation payments
 - (3) The failure to provide appropriate indexation for fees and charges prescribed under State legislation
 - (4) The vesting of Rural Fire Service assets in council, leaving councils to bear the cost burden of depreciation
 - (5) The transfer of management of Crown Lands to local councils without appropriate compensation to alleviate the financial and resource burden on councils for the development of Plans of Management
 - ii. The antiquated rating system and its restrictions on council's ability to raise appropriate levels of revenue to fund the provision of an increasing range of services to their communities
 - iii. The impediment of maintaining Rural Centre employment numbers for merged councils in achieving long term efficiencies and savings
 - iv. The lack of ongoing operational funding for new and upgraded assets once they are commissioned under a capital funding stream
 - v. The inequity of taxation distribution among the 3 tiers of Australian government, including the reduction of the Financial Assistance Grants Scheme grant as a percentage of total taxation revenue
- b. That LGNSW calls on the NSW Government to clarify and expedite the matters relating to the Boundaries Commission independent statutory review announced on 20 July 2021:
- i. The Terms of Reference (ToR) for the Boundaries Commission be placed on Public Exhibition and the Minister's intent on the purpose and role be made clear in an attached briefing paper;
 - ii. The Minister include a section in the ToR relating to the evaluation of de-amalgamation under Section 218C and that this be at no cost to the ratepayers of the Council making the request;
 - iii. The Minister expedite the finalisation of the ToR once public exhibition is complete;
 - iv. The Minister immediately seeks expressions of interest for members for the Boundaries Commission and fill any vacancies with persons suitably qualified to fulfill the roles expected under the ToR.

Cr Julia Ham/Cr Cate Cross

CARRIED UNANIMOUSLY

Further, a resolution passed at the meeting of the Canberra Region Joint Organisation (CRJO) board meeting in November requires member councils to consider preparation of a motion to the LGNSW Conference calling on the state government to initiate a review of the structural, regulatory and funding frameworks for the provision of streetlighting in NSW.

Information provided by the Chief Executive Officer of the CRJO to support the request for council to consider a motion is as follows:

Streetlights in NSW are owned by the three Distributed Network Supply Provider (DNSP's), Essential Energy, Endeavour Energy and Ausgrid. There is a long back story to this structural arrangement where in a nutshell, streetlights were swept up in the State asset strip of County Councils in the 1990s and have become the "orphan child" of DNSPs; typically, poorly managed and resourced.

DNSPs are not incentivized to innovate or reduce the energy consumption of streetlights. Councils pay for infrastructure at the direction of DNSPs. Costs are managed through the Australian Energy Regulator (AER).

The CRJO has been a member of the Southern Lights initiative for some time but recently elected to withdraw. Continued discussions across the JO Network indicate that streetlighting continues to be a contested and expensive issue for many Councils and so a new approach to collaboration is sought.

Touchpoints in the frameworks that lend themselves to a collective approach are:

- 1. AER submission – every 5 years the AER releases a Determination that sets the pricing framework for DNSP charges for streetlighting. Typically there is at least a 2.5 year consultation period prior to the final Determination being made. The DNSPs are required to put their anticipated costs forward for the next period which are reviewed by the AER and consumers like local government. Typically, we find that the pricing put forward is opaque and that substantial work needs to be done to validate what is being asked for, and they always ask for more.*
- 2. NSW mandatory streetlighting code reviewed – after more than a decade of lobbying the NSW Public Lighting Code is now mandatory. This means that the DNSP's Licence which is issued by IPART is held to account in part by its performance in meeting streetlighting benchmarks. The Code is the only way that councils can hold DNSP's to account in relation to the promises that are made to the AER in relation to service provision. The Code is reviewed annually and fully reviewed every 3 years. A full review is due 2022..*
- 3. Supporting and progressing smart innovation – our experience to date across all DNSPs has been a resistance to adopting change and there has been a divide and conquer approach to councils who want to adopt new technology. A whole of state approach would go a long way to addressing the problem, in addition councils are now duplicating arguments and research to justify the adoption of the technologies with DNSPs.*
- 4. Quality assurance in billing – we have been finding that there are some significant discrepancies in billing and we have been addressing these on a one-by-one basis. However we are sure these are the tip of the iceberg and that a whole-of-state approach would be far more efficient way of dealing with the problem, perhaps on a DNSP by DNSP basis. As reporting on billing and performance are now part of the reporting to IPART in relation to their licensing getting the quality assurance right is important.*

Potential value to member Councils of LGNSW leadership

There are approximately 163,000 lights in the Essential Energy footprint covering 84 Councils. Being regional and rural, near 100% of these Councils do not have the resource to manage advocacy. All of these Councils are having LED upgrades. Few understand the process and indeed Essential Energy have a poor understanding of their own asset. Costs and risks to Councils are significant through this period of change. Given the rate of change and the potential of streetlights in smart city/community upgrades arguably Essential Energy will manage its risk through adding a premium in any billing arrangement.

LGNSW requests that Councils consider the alignment of any proposed motions against the LGNSW Fundamental Principles and Position Statements (attached).

Motions are to be submitted in accordance with the LGNSW Conference Submission Guide (attached).

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

CSP Outcome 2028

Theme 4: Communication & Engagement

Delivery Outcomes

4.6 Council builds strong relationships with other organisations to advocate for our communities

SUSTAINABILITY ASSESSMENT:

The proposed motions articulate the endemic sustainability issues for local councils, the intent of which is to bring to the attention of the NSW Government for acknowledgement and action.

Financial and Resources Implications

Council has a budget to support councillor participation in conferences.

There are no costs associated with the submission of motions to the conference.

Policy, Legal and Statutory Implications:

Motions for the LGNSW Conference should align with LGNSW Fundamental Principles and Position Statements and be consistent with the Conference Motions Submissions Guide (attached).

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

Nil

OPTIONS:

Council can opt not to attend the conference.

Council can limit the attendance to the voting delegates, being the mayor and deputy mayor.

Council can approve other councillors to be the voting delegates for Snowy Valleys Council, rather than the mayor and deputy mayor.

Council can opt to remove, add or amend the proposed motions.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

The proposed motions are informed by Councillor engagements with staff, the adopted Sustainability Plan, the communities of the Snowy Valleys and member councils of the Canberra Region Joint Organisation.

ATTACHMENTS

- 1 LGNSW Policy Platform (under separate cover)
- 2 LGNSW Conference Motions Submissions Guide (under separate cover)
- 3 LGNSW Special Conference Draft Program 2022 (under separate cover)

10. GOVERNANCE AND FINANCIAL REPORTS**10.7 BUDGET 2022/23 - BUDGET PRINCIPLES**

REPORT AUTHOR: CHIEF FINANCIAL OFFICER
RESPONSIBLE DIRECTOR: CHIEF EXECUTIVE OFFICER

EXECUTIVE SUMMARY:

Budgetary governance is an important pillar within the overall framework of public governance. This report presents the budget principles to be followed when preparing the 2022/23 budget. The budget forms part of Council's operational plan and will be adopted by Council prior to the financial year after public exhibition.

RECOMMENDATION:**THAT COUNCIL:**

- 1. Receive the report on Budget 2022/23 – Budget Principles.**
- 2. Adopt the Budget Principles as follows:**
 - a) Council is committed to pursue a sound and sustainable fiscal policy;**
 - b) Performance, evaluation, and value for money are integral to the budget process and Council's financial management;**
 - c) The budget presents a comprehensive, accurate and reliable account of Council finances;**
 - d) Operational budgets are closely aligned with Council's medium-term strategic priorities;**
 - e) Capital budgets align with Council's strategic asset management plans and long-term strategic priorities;**
 - f) Council facilitates public engagement and inclusive, participative, and realistic debate on budgetary choices;**
 - g) Budget execution is actively planned, managed, and monitored;**
 - h) Council actively advocates for operational support from other levels of government.**
- 3. Request the CEO to present a balanced budget for the 2022/23 financial year for adoption by Council prior to the beginning of the financial year.**

BACKGROUND:

The budget is a central policy document of Council, showing how annual and long-term objectives will be prioritised and achieved. The budget sits alongside other policy instruments within the IP&R framework such as the community strategic plan, the delivery program, and the operational plan. Council's budget along with Council's workforce and asset management plans aims to turn community strategies and aspirations into reality. It shows how resources are to be raised and allocated for the delivery of Council services.

REPORT:

In preparing the 2022/23 budget and long-term financial plan, Council officers will apply the following principles:

1. Council is committed to pursue a sound and sustainable fiscal policy
2. Performance, evaluation, and value for money are integral to the budget process and Council's financial management
3. The budget presents a comprehensive, accurate and reliable account of Council finances
4. Operational budgets are closely aligned with Council's medium-term strategic priorities
5. Capital budgets align with Council's strategic asset management plans and long-term strategic priorities
6. Council facilitates public engagement and inclusive, participative, and realistic debate on budgetary choices
7. Budget execution is actively planned, managed, and monitored
8. Council actively advocates for operational support from other levels of government

Table 1 – Budget principles 2022/23

The attached budget principles 2022/23 document contains comments reflecting the meaning and aim of each principle.

Council's budget is a financial document comprising revenue and expenses over the year. There are three types of budgets:

- Balanced budget

In a balanced budget estimated operational expenditure is equal to estimated operational revenue. Sustainable financial management requires Council to balance its budget over the long-term.

- Surplus budget

In case of a surplus budget, the expected operational revenue surpasses the estimated operational expenditure in a financial year. This implies that Council's operational earnings are greater than the cost of services it delivers to the community.

- Deficit Budget

In case of a deficit budget, the estimate operational expenditure exceeds the estimated operational revenue. In recent years, Council has consistently posted deficit budgets. However, a deficit budget leads to debt accumulation, using up of community wealth accumulated in previous years and is unsustainable in the long-term.

Council's long-term financial plan (LTFP) acknowledges the principles of sound financial management in the *Local Government Act 1993*, which include two key elements:

- Responsible and sustainable spending (aligning general revenue and expenses and achieving a small operating surplus); and
- Responsible and sustainable infrastructure investment (adequate provision in maintenance and renewal).

To achieve financial sustainability Council thus aims to deliver a (small) operating surplus in the long-term.

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**Integrated Planning and Reporting Framework:****CSP Outcome 2028**

Theme 4: Communication & Engagement

Delivery Outcomes

4.3 Council has sound organisational health and has a culture which promotes action, innovation, accountability and transparency

SUSTAINABILITY ASSESSMENT:

The budget principles provide guidance in the preparation of annual budgets.

Financial and Resources Implications

In preparing next year's budget and long-term financial plan, Council officers will apply the endorsed budget principles.

Costs and Benefits:

Communication of budget principles allows for efficient preparation of the upcoming budget.

Policy, Legal and Statutory Implications:

Under S.405 of the *Local Government Act 1993*, Council must adopt an Operational Plan before the beginning of each financial year, detailing the activities and actions to be undertaken by the Council during that year. The Operational Plan must include a detailed budget for the actions to be undertaken in that year. Clause 203 of the *Local Government (General) Regulation 2021* requires that budget review statements and a revision of estimates must be reported to the council within 2 months after the end of each quarter.

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

N/A

OPTIONS:

Council may endorse only some budget principle and/or add others.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Budget principles will be communicated to all budget-responsible officers. The budgets and long-term financial plan will be put on public exhibition for community feedback.

ATTACHMENTS

- 1 Budget Principles 2022 (under separate cover)

10. GOVERNANCE AND FINANCIAL REPORTS**10.8 APPLICATION FOR SPECIAL RATE VARIATION 2022/23 AND 2023/24**

REPORT AUTHOR: CHIEF FINANCIAL OFFICER
RESPONSIBLE DIRECTOR: CHIEF EXECUTIVE OFFICER

EXECUTIVE SUMMARY:

To present Council with the community feedback received during the Special Rate Variation consultation period November 2021 and recommend that Council proceed with an application for a section 508A (permanent) Special Rate Variation commencing in the 2022/23 financial year for the purpose of maintaining existing services, enhancing financial sustainability, and funding infrastructure maintenance and renewal.

The proposed Special Rate Variation comprises a permanent Special Rate Variation of 15.7% (including rate peg) in 2022/23 and 17.5% (including rate peg) in 2023/24.

RECOMMENDATION:**THAT COUNCIL:**

1. Receive the report on Application for Special Rate Variation 2022/23 and 2023/24.
2. Receive the community engagement outcomes report on Council's proposed Special Rate Variation Application.
3. Acknowledge the feedback received from the community during the community engagement and public exhibition process in 2021 and provide this to IPART as part of the Special Rate Variation application.
4. Adopt the updated Long-Term Financial Plan 2021/32 after public exhibition in October/November 2021, noting that no public submissions were received.
5. Proceed with a permanent Special Rate Variation application for the purpose of maintaining existing services, enhancing financial sustainability, and funding infrastructure maintenance and renewal.
6. Make an application to the Independent Pricing and Regulatory Tribunal (IPART) under section 508A of the Local Government Act 1993 for increases to the ordinary rate income of 15.7% in 2022/23 (including the rate peg) and 17.5% in 2023/24 (including the rate peg), representing a total cumulative increase of 35.95% over the two-year period, to be a permanent increase retained within the rate base.
7. Adopt the submission to IPART, consisting of IPART application form Part A Special Variation 2022/23 and IPART Application form Part B Special Variation 2022/23.
8. Authorise the Chief Executive Officer to undertake any necessary minor administrative or editorial changes to the submission to IPART.
9. Consider the implementation of the Special Rate Variation (if successful) during the deliberations of Council's Delivery Program, operational plan and budget 2022/23.

BACKGROUND:

On 21 October 2021 Council decided to continue with an application for a Special Rate Variation (SRV) and inform the Independent Pricing and Review Tribunal (IPART) of its intent to apply under section 508A of the *Local Government Act 1993* for an SRV of 17.5% in 2022/23 and 17.5% in

2023/24 to be a permanent increase retained within the rate base, for the purpose of maintaining existing services, enhancing financial sustainability, and funding infrastructure maintenance and renewal. Council also endorsed the updated Long-Term Financial Plan (LTFP) for public exhibition and requested that further community consultation be undertaken as required in the NSW Office of Local Government *Guidelines for the Preparation of an Application for a Special Variation to General Income 2020*.

The following report outlines the community consultation outcomes and the completed Special Variation Application for consideration and determination of an application for an SRV. Attachments to the report include the Final Engagement report, feedback submissions, updated long-term financial plan, and a number of information sheets and guidelines pertaining to an SRV application.

REPORT:

Council resolved to adopt the IP&R documents at its ordinary meeting on 17 June 2021. Significant feedback from the community regarding the SRV scenario was received during the exhibition period of the IP&R documents, and Council committed to further investigation and community consultation to be conducted between July and October 2021 about the potential requirement for an SRV, as per options within the LTFP. In October 2021 Council decided to inform IPART of its intent to apply for an SRV. Further community engagement was undertaken in November 2021.

To assist with community consultation and future decision making about an SRV, Council engaged Morrison Low Consultants in May 2021 to:

- review Council's current baseline budget and financial forecasts
- assess the contributors to Council's financial sustainability challenges
- independently assess and provide independent advice to the community and Councillors on the long-term financial sustainability of Council
- provide advice to community and Councillors on options to close any financial sustainability gap.

Morrison Low have provided a detailed report summarising the outcome and implications of the community engagement for both phases of community consultation, which is attached to this report.

The majority community opinion was that current assets, services, service levels and the level of fees and charges are highly valued and important. This confirms previous feedback where the community generally expressed their intent to keep services at the level they are currently provided for. Current feedback shows that 60% of community members who participated in polls preferred the lowest proposed SRV and only 26% the highest SRV. The Local Government Act requires Council to sustainably manage its assets, resources, and finances. As such, Council has little option but to increase its revenue or significantly reduce costs through service reductions to close the financial gap of continuing operational deficits. However, the community engagement has shown strong opposition to both service reductions and an SRV. In combination, these diametrically opposing opinions result in a financially unsustainable Council.

After undertaking the first phase of community consultation around the introduction of an SRV, Council determined to continue the application process based on a 17.5% plus 17.5% SRV over two years. These consisted of a 15% SRV plus 2.5% rate peg in each financial year 2022/23 and 2023/24, and to be permanently retained in the rate base. The decision to submit the SRV application is now required.

On 13 December 2021 IPART announced the rate peg for Snowy Valleys Council for 2022/23 at 0.7%. This is 1.8% below the expected rate peg that was previously advised by IPART to be used for the purpose of community engagement around a proposed SRV. It is noted that the 2022/23 rate peg has been reduced by 0.2% which was brought forward to 2021/22 to assist Councils with the costs associated with the Council elections. However, the IPART approved rate peg does not cover the considerable cost increases Council experienced over the past years and anticipated for 2022/23. Employee costs will rise by 2.5% from 1 July 2022 due to statutory award and

superannuation increases. The consumer price index at September 2021 stood at 3% for the year and costs such as construction and fuel have risen considerably above this level. Due to the lower than anticipated rate peg Council expects a budget shortfall of between \$150K to \$200K for the 2022/23 year which will compound into future years. This shortfall will have to be covered by savings across the organisation, for example through service level reductions, asset rationalisation or increased fees and charges. Local Government NSW and Local Government Professionals NSW are both advocating for a change to the rate peg calculation to reflect the real implications on NSW Local Governments. In addition to the above examples the rate peg methodology does not consider income losses that were experienced in the past year due to COVID.

Morrison Low and Council officers now recommend adjusting the SRV application to 15.7% (including the announced rate peg of 0.7%) in 2022/23 and 17.5% (including rate peg) in 2023/24 to avoid a significant reduction to current assets, services and large increases to fees and charges. It is noted that should Council add additional assets and/or increase services and service levels in the future, offsetting savings in the form of service and asset reductions will be required to avoid reverting to an operating deficit. Council's LTFP was updated and following endorsement at the October Council meeting was put on public exhibition. No feedback was received from the community about the updated LTFP. Updated advice and information from IPART, Morrison Low, and internal feedback has been received since closing the public exhibition period and the LTFP has been updated reflecting the new information now available. This information is of minor and administrative nature and has not changed the essence of the plan but is important for the completion of the SRV application to IPART.

The cumulative effect of the SRV, a 15% plus 15% SRV plus rate peg of 0.7% in 2022/23 and 2.5% in 2023/24 results in a rate rise of 35.95% (compounded) over the two years. The SRV (including rate peg) will raise additional rates income of \$1.37M in year 1 and \$1.59M in year 2, totalling \$2.96M over two years. This equates to an average annual increase of approximately \$154 and \$180 respectively, with an estimated two-year average increase of \$334. In addition, Council will pursue productivity savings through employee cost savings of \$600K annually from 2022/23 and continue to implement actions of the Financial Sustainability Plan. The proposed SRV requires only minimal service level adjustments.

The proposed SRV scenario allows Council to:

- maintain service levels as close as possible to current levels,
- fund ongoing maintenance,
- fund renewal of infrastructure assets,
- increase capacity to renew deteriorating assets,
- ensure and improve financial sustainability,
- reduce reliance on external grant funding for asset renewals.

Options

Should Council not proceed with the SRV application, proceed with a reduced SRV application and/or implementation, or should Council be unsuccessful in its application, the LTFP predicts indefinite operating deficits for the General Fund if current operations continue. Of immediate concern is the prediction in the base case scenario that unrestricted cash for the general fund will be exhausted by 2024/25. Without an SRV, Council will be required to quickly undertake a combination of asset rationalisation and reduction of services and service levels, including the removal of associated staff positions across a number of service areas. These services and assets were outlined in the *Close the Gap Information Paper* provided to the community with the SRV engagement information which is also attached to this report.

- *Asset rationalisation*, including, but not limited to investment properties, Batlow Memorial Park Amenities, Khancoban Store, Khancoban Shopping Centre, Roths Corner Medical Centre, Snowy Valleys Council Chambers Tumbarumba, Tumbarumba Retirement Village, Tumbarumba Rotary Park, Tumbarumba Showground/Stadium, Tumut Museum, Tumut

Neighbourhood Centre, Tumut Railway Precinct, Tumut Boys Club, Tumut Community Centre Complex and Radio Office, Tumut Saleyards, and Old Tumut Bridge;

- *Service Reductions*, including, but not limited to removal of community grants and donations, outsourcing of community transport, aged and disabled support, aged housing, children services, leasing of saleyards, caravan parks, swimming pools and aerodromes, and re-considering delivery models or cease community development, economic affairs, tourism and area development, rural transaction centre and road safety services;
- *Service Level Changes*, including, but not limited to reductions in operating hours for libraries, customer service centres, MSO, pools, children services, visitor centres, events, and community facilities, reduction of maintenance programs for roads, cemeteries, parks and buildings, re-introduction of swimming pool entry fees, reduction to water billing cycles, and reduction of organisational support and community service functions.

To achieve financial sustainability as required under the Act, Council will be required to effect savings of the following magnitude in addition to the \$600K savings committed to. To avoid continuing with operational deficits, these savings will need to be implemented within a reasonably short timeframe and finalised during the 2022/23 financial year. As outlined in the LTFFP continuation of indefinite budget deficits is not a sustainable future for Snowy Valleys Council.

- Reduced SRV of 12.5% plus 12.5% plus rate peg of 0.7% and 2.5% in 2022/23 and 2023/24 respectively
 - \$600K efficiency savings
 - \$700K savings consisting of
 - \$4.8M asset rationalisation, resulting in \$220K annual savings
 - Six hours per week service reductions, resulting in \$30K annual savings
 - Transfer/ceasing services of net costs \$400K per annum
 - 8% increase to all fees and charges (except statutory fees), resulting in \$50K additional revenue
 - It is estimated that a reduction of 5 to 6 full-time employee equivalents (FTE) will be required (in addition to the 6 FTEs already committed to)
- Reduced SRV of 7.5% plus 7.5% plus rate peg of 0.7% and 2.5% in 2022/23 and 2023/24 respectively
 - \$600K efficiency savings
 - \$1.7M savings consisting of
 - \$7.3M asset rationalisation, resulting in \$330K annual savings
 - Twelve hours per week service reductions, resulting in \$60K annual savings
 - Transfer/ceasing services of net costs \$1.2M per annum
 - 18% increase to all fees and charges (except statutory fees), resulting in \$110K additional revenue
 - It is estimated that a reduction of 15 to 17 FTEs will be required (in addition to the 6 FTEs already committed to)
- No SRV
 - \$600K efficiency savings
 - \$4.0M savings consisting of
 - \$9.7M asset rationalisation, resulting in \$440K annual savings
 - 190 hours per week service reductions, resulting in \$950K annual savings
 - Transfer/ceasing services of net costs \$2.5M per annum
 - 25% increase to all fees and charges (except statutory fees), resulting in \$150K additional revenue
 - It is estimated that a reduction of 42 to 47 FTEs will be required (in addition to the 6 FTEs already committed to)

Should Council be successful in its application for an SRV, Council must then deliberate the implementation of the SRV during the adoption of its Delivery Program, Operational Plan and Budgets.

While Council must sustainably manage its finances, it is not obliged to implement any approved SRV or an SRV to the full amount approved. Council may implement additional cost savings initiatives during budget establishment as outlined above as an alternative and defer part of the SRV. Any deferral can be applied in a later financial year if required.

IPART requirements

When preparing an application for a SRV, IPART requires councils to actively engage residents in discussions about any proposed increase above the rate peg and will consider how effective each council's community inclusion has been before determining an application to increase rates above the set peg. As part of the application, Councils need to show IPART that there is:

- community awareness of their plans
- a demonstrated need for higher increases to charges
- a reasonable impact on ratepayers
- a sustainable financing strategy
- a history of well-documented council productivity improvements

Following the submission of an application to IPART, IPART will also assess other relevant information, including communication from ratepayers received during a public exhibition process. IPART can wholly or partially approve or reject a council's application.

IPART Guidelines

The Office of Local Government releases a set of guidelines each year for the preparation of an application for a special variation to general income. Copies of the most recent IPART fact sheet and SRV guidelines are attached to this report. IPART will assess each application against a number of criteria.

- The need for, and purpose of a different revenue path for Council's General Fund to be clearly articulated and identified in Council's IP&R documents.

Comment: Council's adopted original and updated LTFP includes the proposed special rate variation as a preferred scenario and clearly articulates the reason for the SRV. The updated LTFP was put on public exhibition during November 2021 as part of wider community consultation on the SRV application.

- Evidence that the community is aware of the need for and extent of a rate rise. Council must undertake a comprehensive community engagement strategy using a variety of methods available.

Comment: The community satisfaction survey in April 2021 showed that 79% of respondents were aware of the option for Council to investigate a Special Rate Variation to increase rates from 2022 as outlined within the LTFP that was exhibited in April 2021, adopted in June 2021 and updated in October 2021. Community engagement between July and September 2021 and during November 2021 provided the opportunity for all community members to obtain detailed information about the proposed SRV, the rationale for an SRV and to provide feedback.

Across the three engagement periods, namely the 2021/22 IP&R, and phase one and two SRV engagement processes some eight percent of the community responded in some form. Through the IP&R process Council received 549 submissions, including 495 signed letters opposing the introduction of an SRV that were hand delivered at the Tumut community meeting. The phase 1 engagement resulted in 15 online submission, 62 responses to the website poll and 30 people attending one of the nine virtual community meetings. The phase 2 engagement resulted in 15 online submissions and five people attending a virtual meeting,

however, not all were present for the full session. The attached report outlines the community engagement process and results.

- The impact on affected ratepayers must be reasonable, having regard to both the current rate levels, existing ratepayer base, and proposed purpose of the variation. The Delivery Program and LTFP need to clearly show the impact of the SRV on the community. Consideration of the community's capacity and willingness to pay rates and establish that the proposed rate increases are affordable.






Comment: Council has commissioned a *Capacity to Pay Report* which outlines the impact on ratepayers. The Delivery Program is currently under review for adoption in June 2022 and the updated LTFP is attached to this report.

- The relevant IP&R documents must be exhibited, approved, and adopted by Council prior to Council applying to IPART for a special rate variation.

Comment: Council adopted the IP&R documents in June 2021 and these documents are currently under review for the newly elected Council to adopt in June 2022. They will be exhibited as required under the IP&R framework.

- The IP&R documents or Council's application must explain the productivity improvements and cost containment strategies council has realised in past years and plans to realise over the proposed special variation period.

Comment: Council has achieved cost reductions which are included in the current financial year and future budgets and has committed to further savings of \$600K. A Financial Sustainability Plan was adopted alongside Council's IP&R documents in June 2021. Details are included in Council's SRV application.

IPART requirement	Satisfied by SVC	Comment/Action
Rate Revenue path in IP&R documents		Preferred scenario in 2021/22 Long-Term Financial Plan
Community Awareness and Engagement		April 2021 79% aware plus further evidence in documentation
Reasonable Capacity to Pay		Morrison Low prepared Snowy Valleys Capacity to Pay report which is publicly available
iPart documents updated and exhibited		June 2021 and October/November 2021
Productivity savings documented		Financial Sustainability Plan Implemented

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

CSP Outcome 2028

Theme 4: Communication & Engagement

Delivery Outcomes

4.3 Council has sound organisational health and has a culture which promotes action, innovation, accountability and transparency

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	Ensuring adequate services are provided to the community, and transparent planning to provide confidence in Council's ability to deliver on the community's priorities	The proposed rates increases may be seen as having potential social impacts
Environmental	Planning for the provision of services that improve environmental outcomes within Council's area of influence	Environmental impacts identified will need to be identified and managed
Economic	The LTFP assists in improving community and investor confidence in the region through demonstration of gradual improvements and sound financial management	There may be a perception that Council needs to be more than an enabler/supporter in economic development requiring additional resources
Governance	This report is required to demonstrate to the community and government the appropriateness and transparency of Council's decision-making processes	The new Council may feel it has not had the opportunity to receive sufficient information before applying to iPART

Financial and Resources Implications

The re-adoption of the Long-Term Financial Plan will incur associated expenses and resources for successful implementation over the years.

Costs and Benefits:

Considerable costs in excess of \$150K have been incurred to date in the delivery of community consultation and the drafting of an application to IPART. These costs are recognised in the 2021/22 budget. A repeat of this process in the future is likely to have similar costs plus relevant escalations and is not considered to be an efficient use of public resources.

Policy, Legal and Statutory Implications:

Compliance with S508(a) of the *Local Government Act 1993* and associated guidelines and regulations.

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

There is a risk that the SRV information provided was not well understood by the community. A detailed communications and engagement approach has been used to allow for dissemination of information and engagement with the community to minimise this risk, however, it is impossible to mandate understanding of the choices versus perception of the choices.

OPTIONS:

- a) Council endorse the report and recommendations
- b) Council amend the recommendations
- c) Council reject the recommendations

Alternative resolution should Council not proceed with the SRV application:

RECOMMENDATION:**THAT COUNCIL:**

1. *Receive the report on Application for Special Rate Variation 2022/23 and 2023/24.*
2. *Receive the community engagement outcomes report on Council's proposed Special Rate Variation Application.*
3. *Acknowledge the feedback received from the community during the community engagement and public exhibition process in 2021.*
4. *Not proceed with a permanent Special Rate Variation application.*
5. *Not adopt the updated Long-Term Financial Plan 2021/32 after public exhibition and continue to use the original Long-Term Financial Plan 2021/31 as adopted on 17 June 2021 until the end of the current financial year.*
6. *Instruct the Chief Executive Officer to immediately initiate the process to reduce services and assets, including the removal of associated staff positions across service areas as identified in this report.*
7. *Request a further report from the Chief Executive Officer outlining the proposed reductions in services and assets prior to presenting the draft IP&R suite, including the operational and capital budgets for 2022/23.*

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Extensive external consultation has been undertaken which is outlined in the report attachment. The Long-Term Financial Plan was put on public exhibition for a period in excess of 28 days. If the Council chooses to proceed with the application, the community will have further opportunity for feedback:

1. to IPART once Council's application is lodged
2. to Council (if approved by IPART) during the public exhibition of the 2022/23 IP&R documents

ATTACHMENTS

- 1 IPART SRV Fact sheet 15/11/2021 (under separate cover)
- 2 IPART SRV Guidelines 2022/23 (under separate cover)
- 3 Community Engagement Report January 2022 (under separate cover)
- 4 SVC Revised LTFP January 2022 (under separate cover)
- 5 SVC Application Form A (under separate cover)
- 6 SVC Application Form B (under separate cover)
- 7 Community Information SRV - Assessment of options - Close the Gap (under separate cover)
- 8 Capacity to Pay Report August 2021 (under separate cover)

10. GOVERNANCE AND FINANCIAL REPORTS

10.9 DISCLOSURE OF POLITICAL DONATIONS AND ELECTORAL EXPENDITURE FOR COUNCILLORS

REPORT AUTHOR: GOVERNANCE OFFICER
RESPONSIBLE DIRECTOR: EXECUTIVE CHIEF OF STAFF

EXECUTIVE SUMMARY:

Councillors and mayors elected at the local government elections on 4 December 2021 must submit political donation and electoral expenditure disclosures to the NSW Electoral Commission periodically for their term in office. The first disclosures must be submitted by 25 February 2022.

NSW Councils that held a Local Government Election on 4 December 2021 have been requested by the NSW Electoral Commission to provide information relating to councillors disclosure obligations at the first ordinary meeting of council.

RECOMMENDATION:

THAT COUNCIL:

1. **Receive the report on Disclosure of Political Donations and Electoral Expenditure for Councillors.**
2. **Note the disclosure obligations of elected officials as requested by the NSW Electoral Commission.**

BACKGROUND:

Elected members must submit political donation and electoral expenditure disclosures to the NSW Electoral Commission for the remainder of their term.

REPORT:

There are three types of disclosures to submit each year as an elected member: two half-yearly disclosures of political donations made and received and an annual disclosure of electoral expenditure incurred.

In relation to the 2021/22 financial year, an elected member must also submit disclosures in their capacity as a candidate. These being two half-yearly disclosures of political donations made and received and an annual disclosure of electoral expenditure incurred.

The relevant periods that each disclosure covers and the lodgement periods for disclosures for 2021/2022 are:

Disclosure type	Disclosure period	Disclosure lodgement period	Disclosure due
1 st half-yearly political donations disclosure	1 July 2021 to 31 December 2021	1 January 2022 to 25 February 2022	25 February 2022
2 nd half-yearly political donations disclosure	1 January 2022 to 30 June 2022	1 July 2022 to 28 July 2022	28 July 2022
Annual electoral expenditure disclosure	1 July 2021 to 30 June 2022	1 July 2022 to 22 September 2022	22 September 2022

If an elected member was the lead candidate of a group of candidates at the local government elections they must submit the above disclosures not only as a candidate and elected member, but also on behalf of the group.

If no political donations are made or received or no electoral expenditure is incurred, 'Nil' disclosure forms must still be submitted.

Disclosures can be made directly through the [Funding and Disclosure Online portal](#), the NSW Electoral Commission's secure, accessible and convenient online portal for electoral participants.

More information for councillors about electoral funding obligations of elected members can be found on the NSW Electoral Commission [website](#). The *Electoral Funding Act 2018* can be accessed on the [NSW Legislation website](#).

The attached Fact Sheet provides general information on the disclosures due 25 February 2022.

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

CSP Outcome 2028

Theme 4: Communication & Engagement

Delivery Outcomes

4.5 Council demonstrates strong leadership through a governance framework which drives progress towards achieving the community vision

Operational Actions

4.5.6 Prepare and coordinate requirements for 2021 council elections

SUSTAINABILITY ASSESSMENT:

Nil

Financial and Resources Implications

Nil

Costs and Benefits:

Nil

Policy, Legal and Statutory Implications:

Councillor obligations under the *Electoral Funding Act 2018*.

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

The *Electoral Funding Act 2018 No 20* lists the following objects of the Act:

- a) to establish a fair and transparent electoral funding, expenditure and disclosure scheme,
- (b) to facilitate public awareness of political donations,
- (c) to help prevent corruption and undue influence in the government of the State or in local government,
- (d) to provide for the effective administration of public funding of elections, recognising the importance of the appropriate use of public revenue for that purpose,
- (e) to promote compliance by parties, elected members, candidates, groups, agents, associated entities, third-party campaigners and donors with the requirements of the electoral funding, expenditure and disclosure scheme.

Failure of elected representatives to adhere to the requirements of the Electoral Funding Act 2018 may result in penalties for the individual councillor and/or bring Council and the individual into disrepute.

OPTIONS:

Nil

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Nil

ATTACHMENTS

- 1 Fact Sheet - Disclosing Political Donations - NSW Electoral Commission (under separate cover)

10. GOVERNANCE AND FINANCIAL REPORTS

10.10 STATEMENT OF INVESTMENTS - NOVEMBER 2021

REPORT AUTHOR: FINANCE OFFICER
RESPONSIBLE DIRECTOR: CHIEF FINANCIAL OFFICER

EXECUTIVE SUMMARY:

This report provides an overview of Council's cash and investment portfolio performance as at 30 November 2021.

RECOMMENDATION:

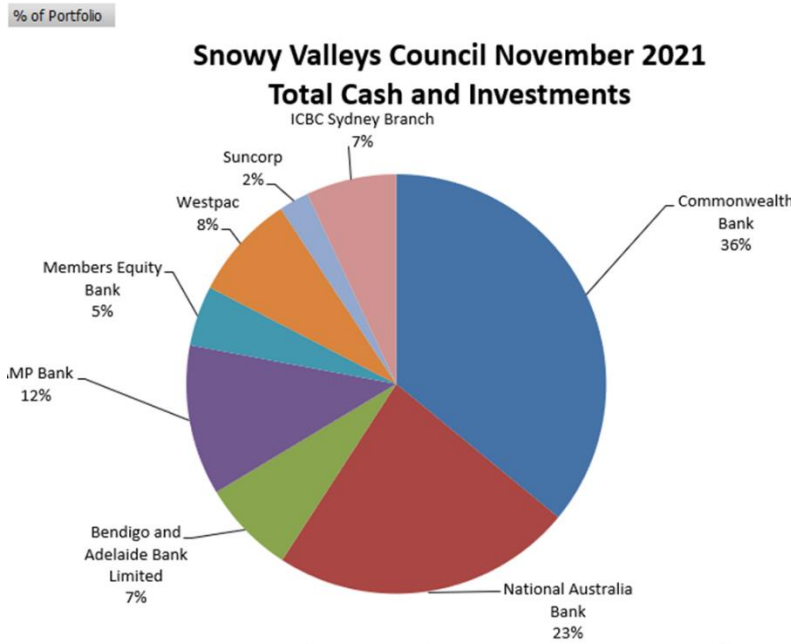
THAT COUNCIL:

1. Receive the report on Statement of Investments – November 2021.

REPORT:

In accordance with Clause 212 of the Local Government (General) Regulations 2005, a monthly report is required to be submitted to Council detailing all investments of Council.

Combined Cash & Investments Table		30/11/2021					
Cash & 11am at call Accounts	Current Month	Last Month	Movement	Type	Interest Rate%		
Commonwealth Bank	\$ 9,261,168	\$ 2,004,260	\$ 7,256,908	W/Acct	0.10%		
Commonwealth Bank	\$ 6,245,289	\$ 6,844,126	-\$ 598,837	At Call (BOS)	0.20%		
Commonwealth Bank	\$ 1,366	\$ 20,682	-\$ 19,316	Gen-Roth	0.10%		
Total Cash & At Call Investments	\$ 15,507,823	\$ 8,869,068	\$ 6,638,755		0.14%		
Term Deposits	Current Month	Last Month	Movement	Lodgement Date	Interest Rate%	Maturity Date	
Bendigo and Adelaide Bank Limited	\$ -	\$ 500,000	-\$ 500,000	25/11/2020	0.50%	25/11/2021	
Bendigo and Adelaide Bank Limited	\$ -	\$ 500,000	-\$ 500,000	25/11/2020	0.50%	25/11/2021	
AMP Bank	\$ 2,000,000	\$ 2,000,000	\$ -	7/12/2020	0.75%	7/12/2021	
Bendigo and Adelaide Bank Limited	\$ 1,057,811	\$ 1,057,811	\$ -	6/01/2021	0.45%	6/01/2022	
Bendigo and Adelaide Bank Limited	\$ 1,057,811	\$ 1,057,811	\$ -	6/01/2021	0.45%	6/01/2022	
AMP Bank	\$ 1,000,000	\$ 1,000,000	\$ -	15/01/2021	0.75%	14/01/2022	
Members Equity Bank	\$ 2,000,000	\$ 2,000,000	\$ -	19/02/2021	0.50%	21/02/2022	
AMP Bank	\$ 2,000,000	\$ 2,000,000	\$ -	18/03/2021	0.75%	18/03/2022	
National Australia Bank	\$ 2,000,000	\$ 2,000,000	\$ -	27/04/2021	0.35%	27/04/2022	
National Australia Bank	\$ 1,000,000	\$ 1,000,000	\$ -	30/07/2021	0.31%	29/04/2022	
Westpac	\$ 2,000,000	\$ 2,000,000	\$ -	30/07/2021	0.32%	29/07/2022	
National Australia Bank	\$ 2,000,000	\$ 2,000,000	\$ -	7/09/2021	0.35%	7/09/2022	
Suncorp	\$ 1,000,000	\$ 1,000,000	\$ -	22/09/2021	0.35%	22/09/2022	
Bendigo and Adelaide Bank Limited	\$ 500,000	\$ -	\$ 500,000	25/11/2021	0.50%	25/11/2022	
Bendigo and Adelaide Bank Limited	\$ 500,000	\$ -	\$ 500,000	25/11/2021	0.50%	25/11/2022	
ICBC Sydney Branch	\$ 1,500,000	\$ 1,500,000	\$ -	8/04/2021	0.65%	11/04/2023	
National Australia Bank	\$ 2,000,000	\$ 2,000,000	\$ -	28/06/2021	0.60%	28/06/2023	
National Australia Bank	\$ 1,000,000	\$ 1,000,000	\$ -	15/07/2021	0.65%	17/07/2023	
National Australia Bank	\$ 2,000,000	\$ 2,000,000	\$ -	30/07/2021	0.65%	31/07/2023	
ICBC Sydney Branch	\$ 1,500,000	\$ 1,500,000	\$ -	8/04/2021	0.85%	8/04/2024	
Westpac	\$ 1,500,000	\$ 1,500,000	\$ -	7/09/2021	0.78%	9/09/2024	
Total Term Deposits	\$ 27,615,623	\$ 27,615,623	\$ -		0.56%		
Total Cash & Investments	\$ 43,123,445	\$ 36,484,691	\$ 6,638,755		0.41%		

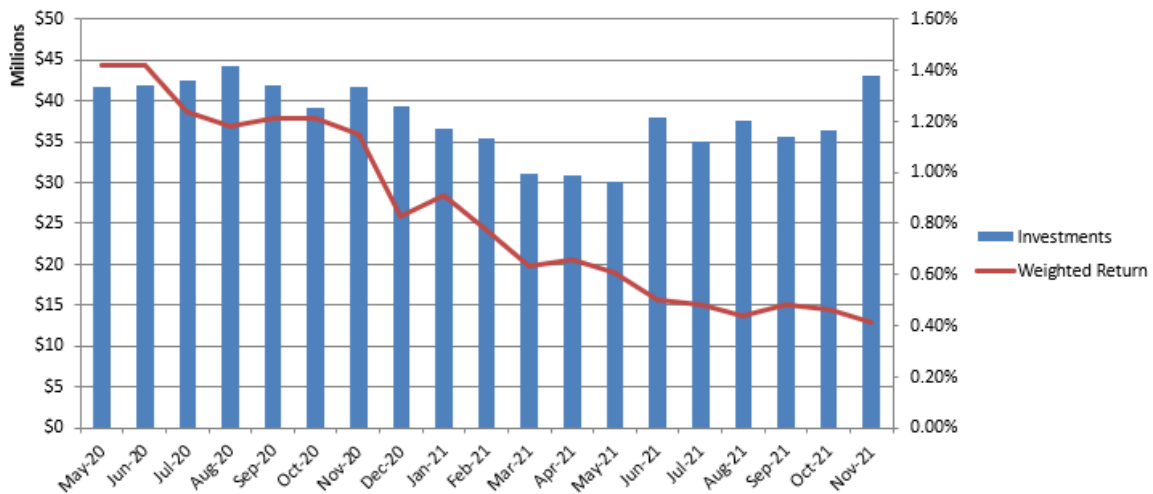


It is hereby certified that the above investments have been made in accordance with Section 625 of the Local Government Act 1993 and the regulations thereunder, and in accordance with the Snowy Valleys Council Investment Policy.

Cash and investments increased \$6.6M during November 2021.

Cash investment rates are starting to level out with the market factoring in forward expectations of rate hikes and longer-term rates increasing. Council’s investment policy requires Council officers to minimise investment risk by spreading investments across several institutions (institutional credit framework) as well as within its investment portfolio (overall portfolio credit framework). These risk minimisation measures impact the achievable rate of return. Council officers continue to monitor the investment market and regularly receive updates from Council’s financial advisors.

SVC Cash Investments and Weighted Return



ATTACHMENTS

Nil

10. GOVERNANCE AND FINANCIAL REPORTS

10.11 STATEMENT OF INVESTMENTS - DECEMBER 2021

REPORT AUTHOR: FINANCE OFFICER
RESPONSIBLE DIRECTOR: CHIEF FINANCIAL OFFICER

EXECUTIVE SUMMARY:

This report provides an overview of Council's cash and investment portfolio performance as at 31 December 2021.

RECOMMENDATION:

THAT COUNCIL:

1. Receive the report on Statement of Investments – December 2021.

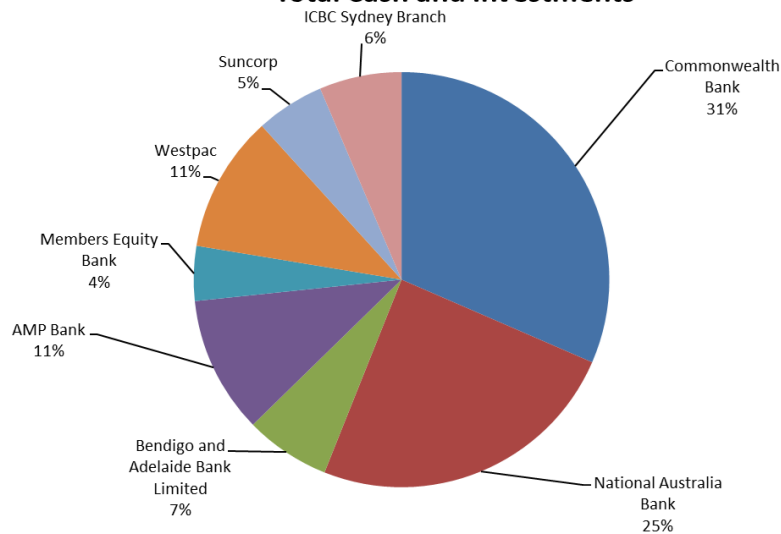
REPORT:

In accordance with Clause 212 of the Local Government (General) Regulations 2005, a monthly report is required to be submitted to Council detailing all investments of Council.

Combined Cash & Investments Table		31/12/2021				
Cash & 11am at call Accounts	Current Month	Last Month	Movement	Type	Interest Rate%	
Commonwealth Bank	\$ 8,525,378	\$ 9,261,168	-\$ 735,790	W/Acct	0.10%	
Commonwealth Bank	\$ 6,246,351	\$ 6,245,289	\$ 1,063	At Call (BOS)	0.20%	
Commonwealth Bank	\$ 10,282	\$ 1,366	\$ 8,916	Gen-Roth	0.10%	
Total Cash & At Call Investments	\$ 14,782,011	\$ 15,507,823	-\$ 725,812		0.14%	
Term Deposits	Current Month	Last Month	Movement	Lodgement Date	Interest Rate%	Maturity Date
AMP Bank	\$ -	\$ 2,000,000	-\$ 2,000,000	7/12/2020	0.75%	7/12/2021
Bendigo and Adelaide Bank Limited	\$ 1,057,811	\$ 1,057,811	\$ -	6/01/2021	0.45%	6/01/2022
Bendigo and Adelaide Bank Limited	\$ 1,057,811	\$ 1,057,811	\$ -	6/01/2021	0.45%	6/01/2022
AMP Bank	\$ 1,000,000	\$ 1,000,000	\$ -	15/01/2021	0.75%	14/01/2022
Members Equity Bank	\$ 2,000,000	\$ 2,000,000	\$ -	19/02/2021	0.50%	21/02/2022
AMP Bank	\$ 2,000,000	\$ 2,000,000	\$ -	18/03/2021	0.75%	18/03/2022
National Australia Bank	\$ 2,000,000	\$ 2,000,000	\$ -	27/04/2021	0.35%	27/04/2022
National Australia Bank	\$ 1,000,000	\$ 1,000,000	\$ -	30/07/2021	0.31%	29/04/2022
National Australia Bank	\$ 1,500,000	\$ -	\$ 1,500,000	1/12/2021	0.40%	1/06/2022
Westpac	\$ 2,000,000	\$ 2,000,000	\$ -	30/07/2021	0.32%	29/07/2022
National Australia Bank	\$ 2,000,000	\$ 2,000,000	\$ -	7/09/2021	0.35%	7/09/2022
Suncorp	\$ 1,000,000	\$ 1,000,000	\$ -	22/09/2021	0.35%	22/09/2022
Bendigo and Adelaide Bank Limited	\$ 500,000	\$ 500,000	\$ -	25/11/2021	0.50%	25/11/2022
Bendigo and Adelaide Bank Limited	\$ 500,000	\$ 500,000	\$ -	25/11/2021	0.50%	25/11/2022
Suncorp	\$ 1,500,000	\$ -	\$ 1,500,000	1/12/2021	0.52%	1/12/2022
AMP Bank	\$ 2,000,000	\$ -	\$ 2,000,000	7/12/2021	1.00%	7/12/2022
ICBC Sydney Branch	\$ 1,500,000	\$ 1,500,000	\$ -	8/04/2021	0.65%	11/04/2023
Westpac	\$ 1,500,000	\$ -	\$ 1,500,000	1/12/2021	0.88%	1/06/2023
National Australia Bank	\$ 2,000,000	\$ 2,000,000	\$ -	28/06/2021	0.60%	28/06/2023
National Australia Bank	\$ 1,000,000	\$ 1,000,000	\$ -	15/07/2021	0.65%	17/07/2023
National Australia Bank	\$ 2,000,000	\$ 2,000,000	\$ -	30/07/2021	0.65%	31/07/2023
ICBC Sydney Branch	\$ 1,500,000	\$ 1,500,000	\$ -	8/04/2021	0.85%	8/04/2024
Westpac	\$ 1,500,000	\$ 1,500,000	\$ -	7/09/2021	0.78%	9/09/2024
Total Term Deposits	\$ 32,115,623	\$ 27,615,623	\$ 4,500,000		0.56%	
Total Cash & Investments	\$ 46,897,633	\$ 43,123,445	\$ 3,774,188		0.43%	

% of Portfolio

Snowy Valleys Council December 2021 Total Cash and Investments

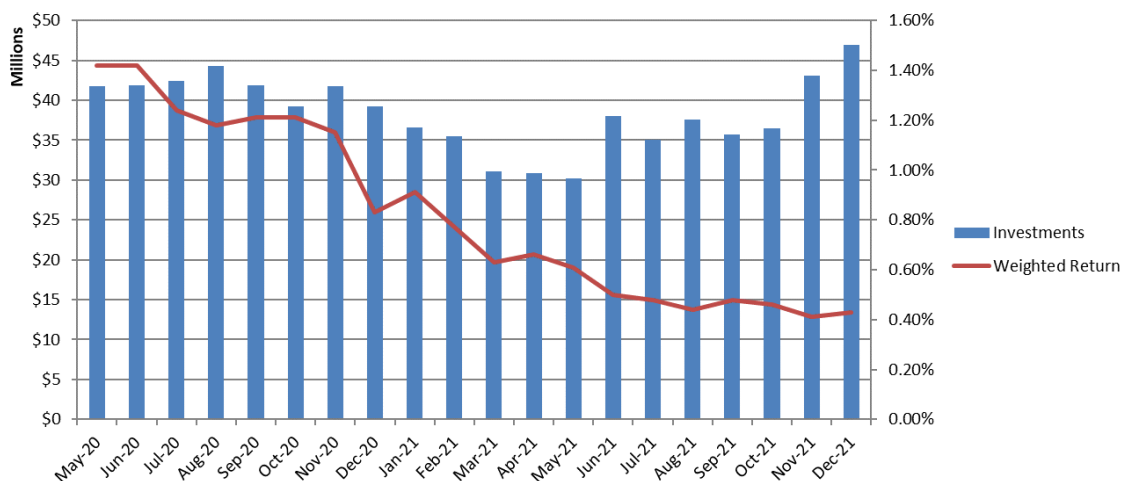


It is hereby certified that the above investments have been made in accordance with Section 625 of the Local Government Act 1993 and the regulations thereunder, and in accordance with the Snowy Valleys Council Investment Policy.

Cash and investments increased \$3.774M during December 2021.

Cash investment rates are starting to level out with the market factoring in forward expectations of rate hikes and longer-term rates increasing. Council’s investment policy requires Council officers to minimise investment risk by spreading investments across several institutions (institutional credit framework) as well as within its investment portfolio (overall portfolio credit framework). These risk minimisation measures impact the achievable rate of return. Council officers continue to monitor the investment market and regularly receive updates from Council’s financial advisors.

SVC Cash Investments and Weighted Return



ATTACHMENTS

Nil

11. MANAGEMENT REPORTS**11.1 CLIMATE CHANGE ADAPTATION ADVISORY COMMITTEE**

REPORT AUTHOR: EXECUTIVE DIRECTOR COMMUNITY AND CORPORATE
RESPONSIBLE DIRECTOR: EXECUTIVE DIRECTOR COMMUNITY AND CORPORATE

EXECUTIVE SUMMARY:

This report presents information on a Climate Change Adaptation Committee for consideration.

The report also outlines initiatives that Council is undertaking in response to Climate Change and actions planned to adapt to the impact Climate Change may have on Council Assets and the Citizens of Snowy Valleys.

In 2020 Council resolved to establish a Climate Change Adaptation Advisory Committee and sought expressions of interest from community members to participate. Only four EOI's were submitted noting that two of the four applications received were from people not within the Snowy Valleys Council local government area, therefore deemed ineligible.

At a Councillor Workshop held in April 2021 it was agreed to make Climate Change a standing monthly item to be included on the Councillor Workshop agenda.

This report recommends retaining that arrangement and not establishing an advisory committee in relation to Climate Change Adaptation.

RECOMMENDATION:**THAT COUNCIL:**

- 1. Receive and note the report on Climate Change Adaptation Advisory Committee.**
- 2. Determine not to establish a Climate Change Adaptation Advisory Committee.**
- 3. Continue addressing matters through actions included within the Operational Plan.**

BACKGROUND:

At its ordinary meeting held on 21 May 2020 Snowy Valleys Council determined to establish a Climate Change Adaptation Advisory Committee. A draft Terms of Reference was prepared, and expressions of interest were called from members of the public to participate in the committee.

The process was advertised in the Tumut and Adelong Times and the Tumbarumba Times, in all editions between 23 October 2020 and 6 November 2020. Following the closure date (14 November 2020) only four Expressions of Interest had been received.

The matter was brought to a Councillor Workshop on 15 April 2021 where it was agreed that the Councillor group should consider matters relating to Climate Change as a regular agenda item at future workshops. Climate Change was subsequently listed on the Councillor Workshop agenda on a monthly basis.

At the Ordinary Meeting of Council held on 18 November 2021, in response to a Notice of Motion tabled by Cr Pritchard, Council resolved the following:

THAT COUNCIL:

- 1. Receive the Notice of Motion regarding the status of the Climate Change Adaptation Committee.*

2. *Request that staff present information on a Climate Change Adaptation Committee to the new Council in 2022 for consideration when they consider committees and representation by Council.*

Cr Geoff Pritchard/Cr Julia Ham

CARRIED UNANIMOUSLY

REPORT: Snowy Valleys Council actively undertakes initiatives and participates in programs to reduce greenhouse gasses emitted through Council Operations.

Council has also undertaken a risk assessment and developed a Climate Change Adaptation Action Plan. This document is provided at attachment 1.

Councillors have received updates regarding these programs, initiatives and plans on a monthly basis at Councillor Workshops since April 2021.

Emissions reduction initiatives undertaken or underway are as follows:

- Renewable Energy - Install renewable energy (solar PV and battery storage) on Council buildings.
Deliverable - continue with the installation of solar photovoltaic systems on Council owned buildings and facilities as deemed feasible.
- Energy Efficiency - roll out energy efficient lighting across the municipality.
Deliverable - upgrade streetlights across the municipality with LEDs.
- Sustainable Transport - ensure Council fleet purchases meet strict greenhouse gas emission requirements and support the uptake of electric vehicles.
Deliverable - ensure Council maintains a modern fleet that complies with the relevant greenhouse gas emission requirements and investigate options for introducing an electric pool vehicle into the fleet for travel between the Tumbarumba and Tumut Offices.
- Sustainable Transport - support cycling through provision of adequate cycle lanes, bike parking and end-of-ride facilities.
Deliverable - development of a Walking and Cycling Masterplan for the SVC Region for the development of existing and proposed trails and cycleways in Snowy Valleys Council.

In the period 14 July to 5 August 2021, researchers Jetty Taverner conducted a Community Engagement Survey as part of the process of developing Council's forthcoming Community Strategic Plan (CSP). It should be noted that based on the survey data Climate Change and Adaptation was not a priority for Snowy Valleys residents.

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

CSP Outcome 2028

Theme 3: Our Environment

Delivery Outcomes

3.1 Demonstrate leadership in environmental sustainability by reducing Council's carbon footprint and supporting the use of clean energy

Operational Actions

3.1.1 Finalise the development of an achievable climate change action plan, using updated risk assessments and forum feedback

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	Council's continued focus on initiatives and actions to adapt to the impact of climate change is socially responsible.	Climate change is a threat to people and infrastructure.
Environmental	Actions taken at every level to reduce emissions are necessary to reduce Climate Change impact on the environment.	Climate change is a threat to our environment.
Economic	Actions taken at every level to reduce emissions are necessary to reduce Climate Change impact on economies.	Climate change also poses a threat to our economy.
Governance	Nil	Nil

Financial and Resources Implications**Costs and Benefits:**

N/A

Policy, Legal and Statutory Implications:

N/A

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

N/A

OPTIONS:

In respect of this matter Council has the following options:

1. Decide in principle to establish a Climate Change Adaptation Advisory Committee and receive a further report on the matter at a future meeting of Council.
2. Defer making a decision on the matter and receive further information at a future meeting of Council.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Researchers Jetty Taverner conducted a Community Engagement Survey as part of the process of developing Council's forthcoming Community Strategic Plan (CSP). It should be noted that based on the survey data Climate Change and Adaptation was not a priority for Snowy Valleys residents.

ATTACHMENTS

- 1 SVC Climate Change Risk Assessment (under separate cover)

12. MINUTES OF COMMITTEE MEETINGS**12.1 MINUTES - DISABILITY INCLUSION ACCESS REFERENCE GROUP MEETING
- 2 NOVEMBER 2021.**

REPORT AUTHOR: MANAGER COMMUNITY SERVICES
RESPONSIBLE DIRECTOR: EXECUTIVE DIRECTOR COMMUNITY AND CORPORATE

RECOMMENDATION:**THAT COUNCIL:**

- 1. Receive and note the report on the Minutes of the Disability Inclusion Access Reference Group meeting held on 2 November 2021.**

BACKGROUND:

The DIARG was formed as an action of the Snowy Valleys Council, Disability Inclusion Action Plan (DIAP) to advise and support the achievement of the actions in the plan.

The DIAP is a legislated plan under the Disabilities Act 2014.

The DIARG meetings assist in monitoring the progress of the SVC DIAP.

REPORT:

At the meeting held on 2 November the following topics were discussed:

- Adoption of previous meeting minutes.
- Adoption of meeting agenda.
- Advocate for the need for DIARG Committee to remain with Council after elections.
- Consultation on Transfer of Community Services Programs.
- Tumut Community Association Bushfire preparedness meeting.
- Tumut Community Association – Website for Community Organisations.

There were no actions recommended for consideration by Council.

The minutes from the meeting are attached.

6.1 Next Meeting

11am Thursday 24 February 2022, venue to be advised.

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**Integrated Planning and Reporting Framework:
CSP Outcome 2028**

Theme 4: Communication & Engagement

Delivery Outcomes

1.2 Provide accessible services and initiatives which support and contribute to wellbeing across all stages of life

Operational Actions

1.2.1 Continue delivery of current Disability Inclusion Access Plan ongoing activities and develop and adopt a new Disability Inclusion Action Plan

SUSTAINABILITY ASSESSMENT:

N/A

Financial and Resources Implications

Nil

Costs and Benefits:

The costs and benefits of the DIARG are intangible and contribute to enhancing the welfare and social inclusion of people with disability in the Snowy Valleys Council local government area.

Tangible actions realised, are those actions of the Snowy Valleys Council Disability Inclusion Action Plan achieved.

Policy, Legal and Statutory Implications:

In accordance with the Disability Inclusion Act 2014, Division 3 Disability Inclusion Action Plans, 12 Requirement for Disability Inclusion Action Plans. Council a *public authority* must have a plan that sets out specific measures to include people with a disability.

In accordance with the Local Government Act, 1993, 375 Minutes, requires Councils' *'to keep full and accurate minutes'*

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

Nil

OPTIONS:

Nil

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Nil

ATTACHMENTS

- 1 20211102 - Minutes - Disability Inclusion Access Reference Group Meeting (under separate cover)

12. MINUTES OF COMMITTEE MEETINGS**12.2 MINUTES - LOCAL TRAFFIC COMMITTEE - 25 AUGUST 2021**

REPORT AUTHOR: ROAD SAFETY OFFICER
RESPONSIBLE DIRECTOR: EXECUTIVE DIRECTOR INFRASTRUCTURE

RECOMMENDATION:**THAT COUNCIL:**

1. **Receive the report on the Minutes – Local Traffic Committee – 25 August 2021**
2. **Note the Minutes of the Local Traffic Committee meeting held on 25 August 2021**
3. **Adopt the following recommendation/s from the minutes:**
 - a) **Item 4.1 – McAuley School Bus Routes:-**
 - I. Receive the report on McAuley School, Capper Street Bus Routes
 - II. Recommend that the bus zone at McAuley Catholic Central School be moved from the East side of Capper Street to the North Side of Carey Street Tumut after the successful application to reroute bus routes.
 - b) **Item 4.2 – McAuley Catholic Central School Upgraded Pedestrian Crossing:-**
 - I. Receive the report on McAuley Catholic Central School, Upgraded Pedestrian Crossing.
 - II. The pedestrian crossing at McAuley Catholic Central School across Capper Street Tumut be upgraded subject to funding according to the plans linked to the funding application.
 - c) **Item 4.3 – McAuley Traffic Arrangements Student Dropoff and Pick Up Zone:-**
 - I. Receive the report on McAuley Traffic Arrangements Student Dropoff and Pick up Zone
 - II. Install a Student Drop Off and Pick up Zone “Kiss and Drop Zone” on the East Side of Capper Street Tumut at McAuley Catholic School subject to successful application to reroute bus routes, the relocation of the bus zone and available funding.
 - d) **Item 4.4 – Driver Reviver Site, Fitzroy Street Tumut:-**
 - I. Receive the report on the Driver Reviver Site, Fitzroy Street, Tumut.
 - II. That the upgraded Driver Reviver site be installed.
 - III. Negotiate with Transport for NSW for necessary permits for access to the site from the Snowy Mountains Highway.
 - e) **Item 4.5 – Event Snowy Valleys Challenge:-**
 - I. Receive the report on Snowy Valleys Cycle Challenge.
 - II. Support the application for the event of the Snowy Valleys Cycle Challenge when Transport for NSW gives concurrence in response to requests for further information.

BACKGROUND:

The Local Traffic Committee is primarily a technical review committee with representatives from Transport for NSW, NSW Police, representatives of elected Members of Parliament and council representatives related to traffic control devices, facilities and events related to roads and transport within the Local Government Area that are not State nor Federal Roads.

REPORT:

A copy of the Local Traffic Committee Minutes are attached to this report.

The next meeting of the Local Traffic Committee is scheduled for the 24 November 2021. This meeting will be held in Tumberumba with Zoom Access.

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**Integrated Planning and Reporting Framework:****CSP Outcome 2028**

Theme 5: Our Infrastructure

Delivery Outcomes

5.3 Provide and partner with other agencies to deliver an effective, safe local transport network

Operational Actions

5.3.1 Deliver a Road Safety Program in partnership with neighbouring Councils and Transport for NSW

SUSTAINABILITY ASSESSMENT:

Sustainability assessments for each of the items considered by the Local Traffic Committee are referenced in the specific reports presented to the committee.

Financial and Resources Implications

Internal resources are utilised to prepare the reports for the Local Traffic Committee and the provision of executive support of the committee.

The delivery of traffic safety initiatives proposed by the Local Traffic Committee are subject to the availability of funding. Council has an allocated budget for the commencement of some road safety initiatives. The items outlined in this report will be actioned as time and resources are available.

Costs and Benefits:

Nil

Policy, Legal and Statutory Implications:

The requirements for Council to maintain a Local Traffic Committee are pertained within the Roads Act 1993, with Terms of Reference being provided by Transport for NSW (A Guide to the Delegation to Councils for the Regulation of Traffic (including the operation of Traffic Committees) RTA 2009).

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

Risk Management Assessments are provided with Special Event Applications.

Risk Management is considered as part of the initiatives by the Local Traffic Committee.

OPTIONS:

Council may choose to:

- Endorse the recommendations made by the Local Traffic Committee as described in this report and its attachments.
- Endorse the recommendations made by the Local Traffic Committee as described in this report and its attachments with amendments.

Reject or defer the report

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Nil

ATTACHMENTS

- 1 Minutes - Local Traffic Committee - 25 August 2021 (under separate cover)