



**SNOWY VALLEYS COUNCIL  
EXTRAORDINARY MEETING**

**AGENDA**

**Thursday, 02 May 2024**

THE MEETING WILL BE HELD AT 2:00 PM  
IN THE COUNCIL CHAMBERS 76 CAPPER STREET TUMUT AND  
VIA VIDEO LINK

## Statement of Ethical Obligations

Councillors are reminded of the oath or affirmation of office they made under section 233A of the Local Government Act 1993 and the obligation under Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

### 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](http://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 General Manager.

**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;

<http://www.snowyvalleys.nsw.gov.au/Council/Governance/Policies>



Thursday, 02 May 2024

In the Council Chambers 76 Capper Street Tumut and Via Video Link

2:00 PM

## AGENDA

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## **1. ACKNOWLEDGEMENT OF COUNTRY**

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Snowy Valleys Council proudly acknowledges the traditional owners and custodians of this land and water and pay respects to their Elders past and present.

## **2. APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE**

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## **3. DECLARATIONS OF PECUNIARY INTEREST**

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*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. GOVERNANCE AND FINANCIAL REPORTS

### 4.1. DRAFT 2024-2025 DELIVERY PROGRAM / OPERATIONAL PLAN, BUDGET, FEES & CHARGES, REVENUE POLICY AND LONG-TERM FINANCIAL PLAN - FOR PUBLIC EXHIBITION

**REPORT AUTHOR: CORPORATE PLANNING OFFICER**

**RESPONSIBLE DIRECTOR: DIRECTOR COMMUNITY AND CORPORATE**

#### **EXECUTIVE SUMMARY:**

The *Local Government Act 1993* requires Council to adopt its annual Operational Plan and Budget by 30 June each year, outlining the activities to be undertaken in the next financial year (i.e. from 1 July), as part of a Delivery Program. The Local Government Regulation 2021 requires that the Operational Plan and Budget include an annual Revenue Policy.

This report presents a draft of the Delivery Program and the Operational Plan 2024-2025 including the draft 2024-2025 Budget together with the draft 2024-2025 schedule of Fees & Charges, 2024-2025 Revenue Policy and Long Term Financial Plan be endorsed for public exhibition purposes.

#### **RECOMMENDATION:**

##### **THAT COUNCIL:**

1. **Endorse the following Integrated Planning & Reporting (IP&R) documents to be placed on public exhibition for a minimum period of 28 days commencing 3 May 2024:**
  - a. **Draft Combined Delivery Program and 2024-2025 Operational Plan including:**
    - i. **Draft 2024-2025 Operational Budget**
    - ii. **Draft 2024-2025 Capital Works Budget**
  - b. **Draft 2024-2025 Fees & Charges**
  - c. **Draft 2024-2025 Revenue Policy**
  - d. **Draft Long Term Financial Plan**

#### **BACKGROUND:**

The purpose of this report is to place the draft combined Delivery Program and 2024/2025 Operational Plan, 2024/2025 Budget, Fees & Charges, Revenue Policy and Long Term Financial Plan on public exhibition to allow for community comments and submissions.

Section 402-406 of the *Local Government Act 1993 Act* requires Council to undertake a comprehensive review of its Delivery Program, Operational Plan, Revenue Policy and Fees & Charges by 30 June each year. The plan must be exhibited for public comment and submission for a minimum of 28 days.

**REPORT:**

The Integrated Planning and Reporting Framework requires a number of strategic planning and resourcing documents, with alignments to the term of the elected council. The requirements includes a Community Strategic Plan, Long Term Financial Plan, a Delivery Program for the term of the Council and an Operational Plan that sets out Council's projects and activities for the coming 12 month.

**Draft Combined Delivery Program and 2024-2025 Operational Plan**

The draft combined Delivery Program and 2024-2025 Operational Plan is Council's response to the aspirations contained in the Community Strategic Plan, *Towards 2042*. The Deliver Program and Operational Plan describes Council's commitment to the community during its term of office, and is set out by Council's service areas to enable a better understanding of the costs of Council's service and how well Council delivers projects and services it is responsible for.

Services, projects and programs from each service area all directly align to objectives from the Delivery Program. Each service area has identified key outputs for the year, as well as the level of service to be delivered within allocated budget.

Major project expenditure items contained in the Draft combined Delivery Program and 2024/2025 Operational Plan include:

**Tumut Multi-Purpose Centre**

Construction of a new multi-purpose centre, located at Lockridge Park, Tumut. The total value of this project is estimated at \$13M.

**Khancoban Sewer Treatment Plant Replacement**

Replacement of the sewer treatment plant at Khancoban. The first stage of the project is estimated at \$3M for 2024/25.

**Tumut Aerodrome**

Modification of the Tumut Aerodrome and associated facilities in line with the grant received as part of disaster recovery funding. The total value of this project is estimated at \$12M.

**Draft Budget for 2024/2025**

The draft budget has been prepared in accordance with Section 405 of the *Local Government Act 1993* and the Essential Elements outlined in the NSW Office of Local Government Integrated Planning and Reporting (IP&R) Guidelines and Handbook (2021).

The 2024/2025 draft budget outlines Council's committed expenditure for the forthcoming financial year. The draft budget has been framed around maintaining services, maintaining exiting infrastructure and implementing the Capital Works program inclusive of externally funded projects. The 2024/25 Operational Plan incorporates a direct reference to the Snowy Valleys Council 2024/25 Operational Budget. This feature enables the reader to identify how projects and individual services are funded.

Council maintains three independent funds – a General fund (inclusive of waste services), a wastewater fund and a water fund. Any surplus in the Water or Sewerage funds after meeting the respective cost of those services, must be retained in constrained reserves for the respective funds. That is, Council cannot use surpluses from its Water or Sewerage revenues to fund other activities. Council must report on the fund types separately and use of constrained reserves for the water or sewer service must be used on the water and sewer services respectively, unless otherwise approved by the Minister.

	<b>Surplus/(Deficit) \$'000s Including Capital grants and Cont.</b>	<b>Surplus/(Deficit) \$'000s Excluding Capital grants and Cont.</b>
General	\$25,502	<b>-\$ (3,528)</b>
Water	\$1,420	<b>\$1,220</b>
Wastewater (Sewerage)	\$2,047	<b>\$1,837</b>
<b>CONSOLIDATED</b>	<b>\$28,969</b>	<b>-\$ (471)</b>

While the forecast net operating result attributable to Council inclusive of capital grants and contributions is strong, there is a net consolidated **deficit** when capital revenues are excluded.

The operating budget indicates that Snowy Valleys Council will have a consolidated (all three funds together) operating **deficit** excluding capital grants and contributions of \$471,340 driven by a loss of \$3,528M in the General fund. These figures have improved slightly from previous years due to the sale of lots contained within Snow View Estate Stage 3 being sold during the 2024/25 financial year.

Salary and Wages related expenditure totals \$23M, which includes an estimated Local Government (State) Award increase of 3.5% and other employee related expenses such as Employee Leave Entitlements and Superannuation.

### **Draft 2024/2025 Fees & Charges**

The Fees and Charges 2024-25 Schedule sets out the fees that Council will charge for services and programs. The proposed fees have been set in accordance with Council's revenue policy, which requires consideration of a number of factors including community service obligations, the cost of service provision, whether the goods or services are provided on a commercial basis, and the capacity of the user to pay. Miscellaneous fees and charges not subject to individual detailed review have been increased by CPI. The fees and charges are made up of fees provided under relevant legislation, fees determined by Council and recommendations from the Local Government Association of NSW.

### **Special Rates Variation (SRV)**

Council resolved in February 2024 to apply for a special rate variation of 12.5% (incl. rate peg) over three (3) years (total cumulated increase 42.38%). Council is still awaiting the outcome from the application however the draft 2024/25 budget does not include the proposed variation. The SRV scenario outlined in the Long Term Financial Plan includes the proposed SRV increase and demonstrates the impact on Council's revenue.

### **Draft 2024/2034 Long Term Financial Plan**

The draft Long Term Financial Plan (LTFP) is an important part of Council's strategic planning process. The LTFP is where Council projects the financial realities of its ability to contribute to the community's vision for the future. It outlines the pressures and economic drivers behind Council's expected long-term future. Expected growth rates are aligned with community expectations of service delivery and community projects and the social outcomes outlined in the Community Strategic Plan. The LTFP must be for a minimum of 10 years and is updated annually in line with Council strategies. It extends on the operational budget contained within the operational plan for 2024-25.

As indicated above the LTFP includes the proposed SRV scenario based on existing levels of service delivery and maintaining the growing Capital base. Scenario 1 (base case) shows Council's expected financial position with reliance on the rate cap estimated at 5% for 2024-25 and 2025-26, reducing to 3% on 2026-27 and thereafter 2.5%. Under Scenario 1, Council would continue to incur deficits before Capital grants and contribution of in excess of \$3.5 million in each year of the LTFP (general fund). This is not sustainable.



Scenario 2 includes the proposed SRV which aims to enable Council to maintain current service levels, adequately fund ongoing asset maintenance, reduce Council's reliance on external grant funding for asset renewals and ensure Council's financial sustainability.

## **LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**

### **Integrated Planning and Reporting Framework:**

#### **Community Strategic Plan Theme**

Theme 5 - Our Civic Leadership

#### **Community Strategic Plan Objectives**

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community

#### **Delivery Program Principal Activities**

5.4 Maintain and deliver a governance framework that guides good decision making, accountability and legislative compliance

5.5 Provide effective short and long term financial management to deliver financial sustainability

## **FINANCIAL AND RESOURCES IMPLICATIONS:**

Council's financial position is discussed through the body of the report.

The cost of delivering on these draft plans is outlined in the draft 2024-2025 budget.

These plans continue to deliver on Council's IP&R obligations and attempt to fulfil the aspirations of the Community Strategic Plan and Delivery Strategy on those areas within Council's span of control and influence.

## **POLICY, LEGAL AND STATUTORY IMPLICATIONS:**

Under the *Local Government Act 1993*, Council is required to develop and publicly exhibit documents in the Integrated Planning and Reporting (IP&R) Framework for a minimum of 28 days and consider submissions made.

All Councils in NSW use the IP&R Framework to guide their planning and reporting activities. The requirements for IP&R are set out in the *Local Government Act 1993* (the Act) and the Local Government (General) Regulations 2021 (the Regulations). The guidelines are issued under section 402-406 of the Act and the Regulation.

## **RISK MANAGEMENT / COST BENEFIT ANALYSIS:**

There is a risk that the draft plans provided with this report are not understood well by the community and therefore, a detailed communications and engagement approach will be applied as outlined below.

Forward estimates in the LTFP particularly exposed to the changing economic conditions over the extended life of the Plan. Cash flow estimates are subject to timing of payments and receipts.

## **OPTIONS:**

1. Council endorses the plans as presented and places them on public exhibition.
2. Council may opt to amend the plans and place them on public exhibition.
3. Council may opt not to endorse any of the plans presented at this time, being aware that Councils are mandated to have the plans adopted by 30 June 2024.

**COUNCIL SEAL REQUIRED:**

No

**COMMUNITY ENGAGEMENT AND COMMUNICATION:**

It is a statutory requirement that the Draft Budget 2024/2025, combined Delivery Program and 2024/2025 Operational Plan, Fees and Charges 2024/2025, Revenue Policy 2024/2025, and Long-Term Financial Plan following Council's initial consideration, be placed on public exhibition for a period of not less than 28 days. Following this, Council must consider any public comments submitted before the plans can be adopted.

It is proposed to exhibit these documents from 3 May 2024 to 31 May 2024. A report will be prepared for Council's at the June's Council meeting advising of the results of the community consultation and recommending final adoption. Until the Delivery Program and Operational Plan (including Budget) is adopted, Council is unable to levy rates and charges for the financial year for which the plan is prepared.

Consultation is designed to provide the community with the opportunity to comment on the proposed initiatives and actions over the next year. Council will consider feedback in determining to adopt the final plans and budget.

As part of the exhibition period, a variety of communication methods will be used, to not only promote the public exhibition period but also promote the purpose of the documents.

**ATTACHMENTS**

1. Draft Delivery Program and 2024/2025 Operational Plan including Operational Budget & Capital Work Budget - for Public Exhibition
2. Draft 2024/2025 Revenue Policy - for Public Exhibition
3. Draft 2024/2034 Long Term Financial Plan - for Public Exhibition
4. Draft 2024/2025 Fees & Charges - for Public Exhibition

## **5. CONFIDENTIAL**

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## **6. MEETING CLOSURE**

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