



## **AGENDA & BUSINESS PAPERS**

Notice is hereby given, in accordance with the provision of the *Local Government Act 1993* that a meeting of Uralla Shire Council will be held in the Council Chambers, 32 Salisbury Street, Uralla.

## **ORDINARY COUNCIL MEETING**

### **22 October 2024**

**Commencing at 4:00 PM**



### **Statement of Ethical Obligations**

The Mayor and Councillors are bound by the Oath/ Affirmation of Office made at the start of the Council term to undertake their civic duties in the best interests of the people of Uralla Shire and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the *Local Government Act* or any other Act, to the best of their skill and judgement.

It is also a requirement that the Mayor and Councillors disclose conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with Council's Code of Conduct and Code of Meeting Practice.

Toni Averay

**General Manager**

## AGENDA

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- 1 OPENING & WELCOME**
- 2 PRAYER**
- 3 ACKNOWLEDGEMENT OF COUNTRY**
- 4 WEBCAST INFORMATION**
- 5 APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS**
- 6 DISCLOSURE & DECLARATION OF INTEREST/S**

## 7 CONFIRMATION OF MINUTES

### 7.1 Confirmation of Minutes Ordinary Meeting held 24 September 2024

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<b>Department:</b>	<b>General Manager's Office</b>
<b>Prepared By:</b>	<b>Executive Assistant</b>
<b>Authorised By:</b>	<b>General Manager</b>
<b>Reference:</b>	UINT/24/17099
<b>Attachments:</b>	1. Minutes of Ordinary Meeting held 24 September 2024 <a href="#">↓</a>

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#### RECOMMENDATION

That Council adopts the minutes of the Ordinary Meeting held 24 September 2024 as a true and correct record.





















**8 URGENT, SUPPLEMENTARY, AND LATE ITEMS OF BUSINESS (INCLUDING PETITIONS)**

**9 WRITTEN REPORTS FROM DELEGATES**

Nil

**10 PUBLIC FORUM**

Nil

**11 MAYORAL MINUTE**

Nil

**12 NOTICE OF MOTION/QUESTIONS WITH NOTICE**

Nil

**13 REPORT OF COMMITTEES**

Nil

## 14 REPORTS TO COUNCIL

### 14.1 State of the Shire Report - End of Term 2021-2024

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<b>Department:</b>	<b>Corporate &amp; Community</b>
<b>Prepared By:</b>	<b>Executive Support Officer</b>
<b>Authorised By:</b>	<b>Director Corporate &amp; Community</b>
<b>Reference:</b>	UINT/24/16913

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<b>Attachments:</b>	1. State of the the Shire Report - End of Term 2021-2024 <a href="#">↓</a>
	2. Uralla Community Strategic Plan 2022-2031 <a href="#">↓</a>

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#### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	4. We are an independent shire and well-governed community
<b>Strategy:</b>	4.1. Informed and collaborative leadership in our community

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#### SUMMARY

This report presents the End of Term 2021-24 State of the Shire Report. The State of the Shire Report is an opportunity for the outgoing Council to reflect on progress towards achieving the priorities of the *Community Strategic Plan 2022 2031(CSP)* during its term in office. A copy of the CSP is attached to this report.

The aim of a CSP is to set out the long-term aspirations of the community. While Council facilitates the development of the CSP, the vision, outcomes and objectives belong to the whole community. It is important to note that local businesses, community groups, other levels of government, non-government organisations and residents all contribute to the achievement of our desired future.

#### RECOMMENDATION

That Council

1. Notes the contents of *The State of Shire End of Term 2021-2024 Report*; and
2. Submits the Report with the Financial Statements for year end 2024 to the NSW Office of Local Government.

#### REPORT

##### Background:

The State of Shire Report – End of Term 2021-2024 Report is required under the *Local Government Act 1993* and is an opportunity for the outgoing Council to reflect on the progress towards achieving the priorities of the *Community Strategic Plan 2022-2031* during its term in office.

The aim of a Community Strategic Plan is to set out the long-term aspirations of the community. Council facilitates the development of the CSP. However, the vision, outcomes and objectives belong to the whole community and recognise that business, other levels of government, non-government organisations and the community must contribute in order to achieve our desired future.

The State of Shire Report – End of Term 2021-2024 Report is framed around the four CSP pillars:

- Society
- Economy



- Environment
- Leadership

**Issues:**

Council embarked on a significant community engagement exercise in the development of the CSP, with residents sharing their aspirations and hopes, and prioritising our community objectives for the future, over its 10-year timeframe. The CSP will be refreshed in 2024/25 in line with the new Council term and will be adopted by Council in June 2025.

It should be noted that assessment of some of the measures outlined in the CSP are reliant on data from the 5-yearly ABS National Census. In acknowledging that the 2021 census data is the only available for this report, alternative data has been provided in some instances to demonstrate current trending.

**Sustainability Assessment:**

The State of the Shire report presents information to show the delivery against the State objectives set out in the Uralla Community Strategic Plan (CSP) during the term of Council in the following areas:

- Society
- Economy
- Environment
- Leadership

**CONCLUSION:**

The State of the Shire Report is an opportunity for the outgoing Council to reflect on progress towards achieving the priorities of the Uralla Community Strategic Plan 2022-2031 (CSP) during its three-year term (Dec 2021-Sept 2024) in office.

























































































































## 14.2 Loans as at 30 September 2024

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<b>Department:</b>	<b>Corporate &amp; Community</b>
<b>Prepared By:</b>	<b>Senior Finance Officer</b>
<b>Authorised By:</b>	<b>Director Corporate &amp; Community</b>

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### SUMMARY

This report provides Council with a reconciliation of borrowings as at the end of the reporting month.

### RECOMMENDATION

That Council notes that the total loan position as of 30 September 2024 is \$1,278,455.

### REPORT

This report is provided to inform Council of the reconciliation of borrowings on a monthly basis. A reconciliation of borrowings for the month of September confirmed that the loan position as of 30 September 2024 is \$1,278,455.

The table below has been modified to provide details of interest applied and instalments paid since the last report.

### Uralla Shire Council Loans at 30 September, 2024

<b>Loan no.</b>	<b>Purpose</b>	<b>Balance as at 31 Aug 2024</b>	<b>Interest Applied</b>	<b>Instalment Paid</b>	<b>Balance as at 30 Sept 2024</b>
165	MGH Property	16,375	119	751	15,743
187	Undergrounding Power and Main Street Upgrade	22,589	190	2,510	20,269
188	Paving and Power Undergrounding	9,343	75	548	8,870
189	Bridge Construction	124,215	999	2,650	122,563
190	Bridge construction & industrial land development	1,111,010	-	-	1,111,010
<b>Total</b>		<b>1,283,532</b>	<b>1,383</b>	<b>6,460</b>	<b>1,278,455</b>

### Conclusion

I, Mustaq Ahammed, Manager Finance & IT hereby certify that the above borrowings have been made in accordance with the requirements of the *Local Government Act 1993 (the Act) (Chapter 15, Part 12 – sections 621 to 624) and the Local Government (General) Regulation 2021 (the Regulation) (Section 230)*.



### 14.3 Investments as at 30 September 2024

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<b>Department:</b>	<b>Corporate &amp; Community</b>
<b>Prepared By:</b>	<b>Senior Finance Officer</b>
<b>Authorised By:</b>	<b>Director Corporate &amp; Community</b>

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#### SUMMARY

This Report contains a summary of bank accounts, term deposits, cash management accounts and investments in structured credit instruments. The investments have been made in accordance with Section 625 of Local Government Act 1993, Regulation 212 of the NSW Local Government (General) Regulations 2021, and Council's Investment Policy 2019.

#### RECOMMENDATION

That Council notes the cash position as of 30 September 2024 consisting of:

- cash and overnight funds of \$3,195,469;
- term deposits of \$24,350,000;
- total convertible funds of \$27,545,469 (\$3,195,469 + \$24,350,000) (including restricted funds).

#### REPORT

Current term deposits of \$24,350,000 spread over the next twelve months will receive a range of interest from 5.00% to 5.49% with an average rate of 5.24%. Council's General Fund bank balances (refer to the Schedule of Cash at bank and Term deposits below) have been reconciled to the bank statement as of 30 Sep 2024.

An additional table has been added to this report to provide movement of term deposits with different banks.

#### KEY ISSUES

##### Official cash rate

The current official cash rate as determined by the Reserve Bank of Australia (RBA) is 4.35% as at the date of this report. The timing of potential interest rate changes will be guided by the incoming data and the RBA Board's assessment of the outlook for inflation and the labour market. The changes in interest rates have resulted in higher investment returns this year.

## McMaugh Gardens - Bond Liability

As per the Department of Health's prudential guidelines, the council is advised to disclose the amount of McMaugh Garden's bond liability in the investment report.

McMaugh Garden's Bond liability status as of 30 September 2024 is shown below:

Opening Balance as at 01/07/2024	Bond Addition	Bond Release	Closing Balance as at 30/09/2024
4,025,000	775,275	250,000	4,550,275

## Restricted and Unrestricted Cash, Cash Equivalents, and Investments

Of the amount of cash disclosed in this report, not all the cash is available for unrestricted use by Council. Most of the cash has been set aside to meet external restrictions, being those funds that have been provided for specific purposes such as developer contributions, government grants, loans, water supplies, sewer services and Aged Care Bonds. Additionally, a portion of the cash has been set aside to cover future commitments that Council has made relating to asset renewals, remediation works or leave provisions.

Most of the Council's cash is externally restricted and not available for day-to-day operational expenditure. As per unaudited financial statements for the year ending 30 June 2024, the amount of unrestricted cash reported in the draft financial statements is \$1,879,186. Council updates its restriction status at the end of each quarter, and the updated restriction status is provided with the quarterly budget review statements.

### CASH AT BANK AND TERM DEPOSITS ARE PRESENTED IN THE TABLE BELOW

#### Uralla Shire Council

#### Operating/Business/Investments accounts as at 30 September, 2024

Institution	Account	Closing Balance 31 August 2024
National Australia Bank	Main Account	\$49,101
National Australia Bank	Trust Account	\$31,296
Regional Australia Bank	Cash Account	\$27,758
Professional Funds (0.15% above RBA cash rate)	Cash Account	\$3,087,314
<b>Total Cash and Overnight Funds</b>		<b>\$3,195,469</b>
Term Deposits	Investments	24,350,000
<b>Total funds available as at 30 September, 2024</b>		<b>\$27,545,469</b>

#### Movement of Term Deposit Investments by Bank

Name of the Bank	S&P Rating	Allowable Investment Limit %	Max Investment Allowed	Opening	Movement	Closing	% of Actual Investment
				Investments 01/09/24	during the Month	Investments 30/09/24	
National Australia Bank	AA-	30%	7,305,000	7,300,000	-	7,300,000	30%
Bank of Queensland	A-2	30%	7,305,000	3,000,000	- 500,000	2,500,000	10%
Westpac Banking Corporation	A-1+	30%	7,305,000	6,000,000	- 800,000	5,200,000	21%
Commonwealth Bank	A-1+	30%	7,305,000	-	-	-	0%
Regional Australia Bank	A-2	30%	7,305,000	4,050,000	2,300,000	6,350,000	26%
Suncorp	A-1	30%	7,305,000	3,000,000	-	3,000,000	12%
<b>Total</b>				23,350,000	1,000,000	24,350,000	100%

**List of Term Deposits as at 30 September, 2024**

Name of the Bank	Term	Interest rate	Maturity	Investment
				Amount
Westpac Banking Corporation	11 months	5.37%	01/10/2024	700,000
National Australia Bank	5 months	5.13%	01/10/2024	500,000
National Australia Bank	7 months	5.00%	03/10/2024	500,000
National Australia Bank	11 months	5.34%	08/10/2024	700,000
Regional Australia Bank	12 months	5.20%	13/10/2024	700,000
Westpac Banking Corporation	12 months	5.49%	14/11/2024	1,500,000
Bank of Queensland	12 months	5.40%	04/12/2024	500,000
Westpac Banking Corporation	12 months	5.34%	04/12/2024	1,000,000
Westpac Banking Corporation	12 months	5.34%	04/12/2024	1,000,000
Regional Australia Bank	12 months	5.40%	05/12/2024	800,000
Regional Australia Bank	12 months	5.40%	05/12/2024	750,000
Suncorp	12 months	5.22%	13/12/2024	1,000,000
Suncorp	12 months	5.22%	13/12/2024	500,000
National Australia Bank	6 months	5.15%	23/12/2024	500,000
Suncorp	10 months	5.05%	13/01/2025	1,000,000
National Australia Bank	12 months	5.15%	29/01/2025	1,000,000
Suncorp	12 months	5.10%	07/02/2025	500,000
National Australia Bank	12 months	5.15%	11/02/2025	1,000,000
National Australia Bank	8 months	5.30%	13/03/2025	500,000
Bank of Queensland	9 months	5.30%	04/04/2025	1,000,000
National Australia Bank	11 months	5.15%	17/04/2025	1,000,000
National Australia Bank	10 months	5.30%	23/05/2025	500,000
Regional Australia Bank	9 months	5.02%	30/05/2025	800,000
Westpac Banking Corporation	11 months	5.27%	02/06/2025	1,000,000
Bank of Queensland	11 months	5.28%	02/06/2025	1,000,000
National Australia Bank	12 months	5.45%	02/07/2025	500,000
National Australia Bank	12 months	5.45%	04/07/2025	600,000
Regional Australia Bank	11 months	5.05%	22/07/2025	500,000
Regional Australia Bank	11 months	5.05%	22/07/2025	1,000,000
Regional Australia Bank	12 Months	5.00%	21/08/2025	800,000
Regional Australia Bank	12 months	5.00%	28/08/2025	1,000,000
<b>Total</b>				<b>24,350,000</b>

**CERTIFICATION:**

I, Mustaq Ahammed, Manager – Finance & IT, hereby certify that the above investments have been made in accordance with the Section 212 of the Local Government (General) Regulation 2021, and section 625 of the Local Government Act 1993, and Council’s investment policy.

#### 14.4 Monthly Finance Report for September 2024

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**Department:** Corporate & Community  
**Prepared By:** Manager Finance  
**Authorised By:** Director Corporate & Community  
**Reference:** UINT/24/14265

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**Attachments:** 1. Monthly Financial Statements-September 2024 [↓](#)

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#### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

**Goal:** 4. We are an independent shire and well-governed community  
**Strategy:** 4.1. Informed and collaborative leadership in our community  
4.2. A strategic, accountable and representative Council

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#### SUMMARY

The purpose of this report is to provide an overview of the Council's financial performance up to the reporting date, along with analytical comments on significant variances with the budget.

#### RECOMMENDATION

**That Council receives the attached Monthly Finance Report for September 2024.**

#### REPORT

This report provides for the information of Councillors the Income Statement and CAPEX Summary, including a breakdown by fund, for the month ending 30 September 2024.







## 14.5 Debt Recovery Update

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<b>Department:</b>	<b>Corporate &amp; Community</b>
<b>Prepared By:</b>	<b>Manager Finance</b>
<b>Authorised By:</b>	<b>Director Corporate &amp; Community</b>
<b>Reference:</b>	UINT/24/16873

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### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	4.	We are an independent shire and well-governed community
<b>Strategy:</b>	4.2.	A strategic, accountable and representative Council

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### SUMMARY

At the Ordinary meeting of 25 June 2024, it was noted as part of the budget review process that outstanding rates had been increasing. Debt recovery initiatives were subsequently implemented and the total amount of rates arrears as at 30 September 2024 has been reduced by \$357,672 to \$983,468.

This report provides an update on the actions taken by officers to recover the outstanding debts to date following the review of Council's debt recovery process.

### RECOMMENDATION

That Council notes the debt recovery update report.

### REPORT

#### Historical background:

Historically, a debt collection agency was engaged to assist with debt recovery for the Council. However, during the COVID lockdowns, debt recovery processes were paused by many Councils, including Uralla Shire Council (USC).

In June 2024 it was identified that rate arrears had increased significantly over the past few years. As a result, Council initiated the debt recovery process in accordance with the USC Debt Recovery Policy 2020 (the Policy). The process involves a reminder letter to ratepayers with outstanding debt, with a follow-up reminder letter 14 days later if required. Any ratepayers with a debt greater than \$1,000 are then referred to a debt recovery agency.

#### Outcome of Reminder Letters:

The first reminder letter was sent on 16 July 2024 to 498 property owners with outstanding rates exceeding \$100. A second reminder was issued on 8 August 2024 to 309 property owners with outstanding rates over \$100 as of 31 July 2024. Since follow-up efforts began in July, the council has recovered \$357,672. Additionally, 27 payment arrangements totalling \$106,333 have been finalised. By 30 September 2024, arrears from the 2023-24 period had decreased to \$983,486 (refer Table below: Movements of Arrear Rates as of 30 September 2024).



### Movement of arrear rates as of 30 September 2024

Outstanding Range (Amount)	Number of Owners	Number of Properties	Arrear as of			Arrear as of 30 Sep 2024
			30 Jun 2024	Payment Received	Legal Fees Added	
\$100,000 and above	1	13	102,224	-	-	102,224
Between \$50,000 and \$99,999	-	-	-	-	-	-
Between \$20,000 and \$49,999	2	3	63,859	2,366	-	61,493
Between \$10,000 and \$19,999	25	33	366,545	30,640	5,732	330,173
Between \$5,000 and \$9,999	31	35	331,941	98,717	6,210	227,015
Between \$1,000 and \$4,999	92	101	391,684	157,354	1,468	232,862
Between \$500 and \$999	29	32	63,652	42,610	-	21,042
Between \$100 and \$499	29	31	34,643	25,985	-	8,658
	209	248	1,354,550	357,672	13,410	983,468

#### Next Steps in the Debt Recovery Process:

Council has engaged SR Law, an authorised Local Government debt collection agency with significant experience in regional local government, to assist with the next phase of the debt recovery process in accordance with the current Debt Recovery Policy (2020) and the Hardship Policy (2020), mindful of the impact of financial stress on the wellbeing of Uralla shire ratepayers.

By 4 November 2024, SR Law will review each ratepayer cohort (*referred to as 'Outstanding Range' in the above table*), and recommend an appropriate debt recovery approach based on the cohort size, duration of the arrears, number of properties involved per ratepayer, and the cost to service the debt recovery. Recommendations could range from a Letter of Demand to a letter offering a payment plan solution on SR Law letterhead. Council will review SR Law recommendations and provide instructions.

Ratepayers who have already entered into a payment plan (currently numbering 27, or 13% of ratepayers with debts) will continue to be managed by the Finance team.

SR Law will also provide a quote for consultation to draft revisions of the Debt Recover Policy (2020) and the Hardship Policy (2020) in accordance with current best practice for small/regional Councils.

The draft revised policies are to be presented at the December Audit and Risk Improvement Committee (ARIC) prior to a final report to Council.

#### CONCLUSION

In partnership with SR Law, Council will adopt a case management approach towards debt recovery of rate arrears. SR Law has commenced the legal phase of debt recovery, on behalf of Council. The wellbeing of ratepayers will be factored into the debt recovery process with information provided about financial counselling and other available support services. Monthly reporting to Council on the status of debt recovery progress will continue.

#### Community Engagement/Communication

Community consultation of the revised Debt Recovery Policy once reviewed. Ongoing positive and supportive communication with ratepayers who have outstanding rates.

#### Policy and Regulation

- Uralla Shire Council Debt Recovery Policy 2020
- Local Government Act 1993
- Local Government Regulations (General) 2005
- Local Government Code of Accounting Practice and Financial Reporting
- Australian Accounting Standards.

**Financial/Long Term Financial Plan**

There is a negative impact on cash flow management when outstanding debts are not collected on time.

**Workforce/Workforce Management Strategy**

A new procedure for the debt recovery is required to be implemented.

**Legal and Risk Management**

Incorrect contact details for ratepayers due to address changes and the council not notified. The risk is mitigated through phone calls, email, and other forms of research to establish correct contact details and update the council database.

## 14.6 Renewable Benefit Sharing Policy

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<b>Department:</b>	<b>Infrastructure &amp; Development</b>
<b>Prepared By:</b>	<b>Planning Officer Strategic</b>
<b>Authorised By:</b>	<b>Director Infrastructure &amp; Development</b>
<b>Reference:</b>	UINT/24/16907

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**Attachments:** 1. Draft Amended - Renewable Energy Community Benefit Policy 2024 [↓](#)

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### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	2. We drive the economy to support prosperity
	3. We are good custodians of our environment
<b>Strategy:</b>	2.2. Grow and diversify employment, through existing and new businesses
	3.2. Maintain a healthy balance between development and the environment

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### SUMMARY

At its Ordinary Meeting held on 23 July 2024 Council resolved to make minor amendments and re-exhibit the draft Renewable Energy Community Benefit Sharing Policy.

The policy was exhibited from 23 August 2024 until 20 September 2024 and one (1) submission was received.

### RECOMMENDATION

That Council:

1. Notes the submission received.
2. Adopts the Renewable Energy Community Benefit Sharing Policy without further amendment.

### REPORT

The policy was amended to require a contribution from projects related to battery storage and any other technologies associated with renewable energy, to clarify how funds would be administered, and include specific mention of Uralla's local housing strategy currently under development.

<b>Submission Summary</b>	<b>Officer Response</b>
Regarding Part 6. The submission raised concerns about the long-term role of the Community Advisory Body, suggesting it should remain active until the Fund is exhausted, unless the community agrees to its dissolution. The submitter suggested that the Advisory Body should continue its role in community consultation and providing advice on the use of funds, as long as volunteers are available.	Officer acknowledges the concern and considers that it is implicit in the policy that the Community Advisory Body will operate insofar as funds are available for allocation.  The policy states: "A Community Advisory Body will provide advice to Council on the projects to which community benefit funds will be allocated."

### CONCLUSION

Further amendments to the policy do not need to be considered at this stage.













## 14.7 Draft Terms of Reference - Renewable Energy Community Benefit Community Advisory Body

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<b>Department:</b>	<b>Infrastructure &amp; Development</b>
<b>Prepared By:</b>	<b>Planning Officer Strategic</b>
<b>Authorised By:</b>	<b>Director Infrastructure &amp; Development</b>
<b>Reference:</b>	UINT/24/16924

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<b>Attachments:</b>	1. ZNET Uralla - Comments on Renewable Energy Community Advisory Body draft - redacted <a href="#">↓</a>
	2. Draft Terms of Reference – Renewable Energy Community Benefit Sharing Advisory body 12 August 2024 <a href="#">↓</a>

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### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	4. We are an independent shire and well-governed community
	2. We drive the economy to support prosperity
	1. We have an accessible inclusive and sustainable community
<b>Strategy:</b>	4.2. A strategic, accountable and representative Council
	4.1. Informed and collaborative leadership in our community
	2.3. Communities that are well serviced with essential infrastructure
	1.1. A growing community with an active volunteer base and participation in community events

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### SUMMARY

This report discusses the draft Terms of Reference (ToR) for the Renewable Energy Community Benefit Advisory Body which was exhibited from 14 August to 11 September 2024 with only one submission received.

The proposed Advisory Body, once formed, is envisaged to oversee the allocation of funds from Uralla Shire's Renewable Energy Community Benefit Sharing Restricted Fund. The sole submitter's response to the draft Terms of Reference has raised significant concerns regarding the complexity, feasibility, and ultimate workability of the proposed volunteer responsibilities.

On a related front Uralla has recently been awarded selection for the *Striking a New Deal* initiative. This initiative offers Council 12 months of expert engagement support and assistance.

Based on Council's future access to the *Striking a New Deal Initiative*, which was not at Council's disposal at the time the current Terms of Reference were compiled, this report now recommends that Council consider delaying the Advisory Body's establishment. That would allow time for a review of the ToR to include deeper and broader community engagement utilising the *Striking a New Deal* expert resources.

### RECOMMENDATION

#### That Council:

- 1. Delay the establishment of the Community Advisory Body until the Striking a New Deal project is substantially progressed.**
- 2. Review and revise the draft Terms of Reference on the basis on broader, more substantive community and stakeholder engagement as part of the Striking a New Deal project.**

## **REPORT**

At its Ordinary Meeting on 23 July 2024, Council resolved to exhibit the draft Terms of Reference (ToR) for the Renewable Energy Community Benefit Community Advisory Body (CAB).

The purpose of the CAB is to advise Uralla Shire Council on the allocation of funds from the Renewable Energy Community Benefit Sharing Restricted Fund, ensuring that renewable energy projects benefit both current and future generations in Uralla Shire.

The draft Terms of Reference (ToRs) were exhibited from 14 August - 11 September 2024 and one (1) submission was received.

### **Communication and Engagement**

The draft Terms of Reference (ToRs) were exhibited from 14 August - 11 September 2024 and one (1) submission was received.

The draft was shared by email with previous submitters to the Renewable Energy Benefit Sharing Policy and posted online. It was also highlighted in a Facebook post. However, there was no further promotion of the ToR. One reason for this limited engagement is the challenge of conveying the complex story of the Advisory Body's role through available communication channels.

It is recommended that a more strategic communication effort is needed, one that places the Advisory Body within the broader context of the Renewable Energy Zone (REZ), the Benefit Sharing Policy, Voluntary Planning Agreements (VPAs), and related matters. This could involve a dedicated webpage, newsletter series, targeted engagement with local media, or other methods.

The lack of community engagement and input (despite significant efforts by Council to engage) with the design of the Community Advisory Body is problematic.

The Advisory Body is expected to play a broad consultative role, helping the community understand the positive and negative impacts of the Renewable Energy Zone (REZ) and guiding the design of engagement processes for funding proposals.

### **Striking a New Deal (SaND) project**

In August, as the draft ToR was exhibited, Uralla and Walcha's joint application for the *Striking a New Deal* initiative was successful. The SaND project will partner with one rural or regional body to provide in-kind community engagement and participation support for 12 months. Our application received letters of support from ZNET, the Uralla Business Chamber, and ReD4NE.

The initiative, funded by [Boundless Earth](#) and led by [The Next Economy](#), [RE-Alliance](#), and [Foundation for Rural & Regional Renewal](#), aims to support regions affected by energy transitions.

Between August 2024 and August 2025, SaND project will co-design and assist Uralla and Walcha Councils in delivering community and stakeholder engagement programs that help achieve better social and economic outcomes from local energy projects.

In Uralla, the focus will be on activating our community benefit sharing program, with the Advisory Body playing a key governance role. Since the draft ToR envisions the CAB overseeing high-impact, long-term projects, it is logical to align its design with the SaND project.

This project bears some resemblance to the 1995 Creative Village Project in which Uralla was supported by the Arts Council, as well as design academics and students from the University of NSW, to undertake significant community engagement. Arguably, the Creative Village project set key strategic directions for placemaking for the following 20 years.

### **Scope of responsibility**

Feedback from the sole submitter raised concerns about the workload, feasibility, and achievability of the CAB's proposed responsibilities. Specifically, they noted:

*"[Undertaking the responsibilities outlined in the draft ToR] is quite an onerous and complex task for volunteers and will certainly require much more than 4 meetings p.a. in at least the first 2 years.*

*We also wonder whether the scope of responsibilities proposed are fair, reasonable, realistic and feasible for a group of volunteers?*

*We propose that the scope of the responsibility needs to be re-thought and better balanced with the responsibilities of Council (organisation staff, Mayor and Councillors)."*

It is clear that expectations for the CAB are very high and that its currently proposed responsibilities are very extensive. The concerns raised by the submitter may reflect that the current approach is premised on unrealistic expectations. Given that the timing and amount of community benefit payments are still uncertain there is no immediate need to establish the CAB. This allows time for further development of the governance framework and for increasing community understanding of the benefit sharing opportunity.

It may be several years before payments are received, and so far, the only Voluntary Planning Agreements that have been negotiated are with Neoen (Thunderbolt Wind Farm) and Vestas (Winterbourne Wind Farm).

For those reasons this report recommends that Council:

- Delay the establishment of the Community Advisory Body until the Striking a New Deal project is substantially progressed.
- Reviews and revises the draft Terms of Reference on the basis of broader, more substantive community and stakeholder engagement as part of the Striking a New Deal project.

## **CONCLUSION**

In summary, the establishment of the CAB requires careful consideration to ensure its structure and responsibilities are both manageable and productive for volunteers and are aligned with the broader goals of the community benefit sharing program. The community development support provided by the SaND project is an opportunity to refine this governance framework to better position our community benefit sharing program for long-term success.





































## 14.8 Further Appointments needed for Councillor Delegates on External Committees

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**Department:** General Manager's Office  
**Prepared By:** Executive Assistant  
**Authorised By:** Director Infrastructure & Development  
**Reference:** UINT/24/16252

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**Attachments:** 1. New England Bush Fire Management Committee call for Representative [↓](#)

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### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

**Goal:** 4. We are an independent shire and well-governed community  
**Strategy:** 4.1. Informed and collaborative leadership in our community

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### SUMMARY

Council has received further requests for staff and Councillors to be appointed to external committees, namely: the New England Bush Fire Management Committee and the Thunderbolt Community Consultation Committee. This report recommends Council appoints representatives.

### RECOMMENDATION

That Council appoint:

- i. Cr ..... to be the representative on the New England Bush Fire Management Committee (BFMC) for the full term of Council.
- ii. Cr ..... to be the representative on the Thunderbolt Community Consultative Committee (TCCC) for the full term of Council.

### REPORT

#### New England Bushfire Management Committee

The New England Bush Fire Management Committee (BFMC) has requested Council nominate a relevant staff member and a Councillor to work with the BFMC for bush fire management purposes.

The General Manager has nominated our Manager Civil Infrastructure as the staff representative given his expertise and local knowledge of the Shire.

Council have been invited to nominate a Councillor with expertise in bush fire management to support the review and updates of the Bush Fire Management Plan, Operational Coordination Plan, Fire Access and Fire Trail Plan along with annual Works Plan within Uralla Shire.

#### Thunderbolt Community Consultation Committee

The Thunderbolt Community Consultation Committee (TCCC) is a State-led process and a condition of the State Significant Development consent for the Thunderbolt Wind Farm. The Committee has resumed regular quarterly meetings after Neoen received their consent for Thunderbolt Wind Farm. Cr Burrows is currently on the register as Council's representative and has been invited to continue as a non-voting of the TCCC.

The TCCC is chaired by Wej Prentice who is drawn from a pool of chair people employed by the State for State Significant Development or Infrastructure processes. The Committee is made up of a representative from Walcha and Uralla Shire Councils respectively and around six community representatives.

The role of the committee is to provide a conduit for Neoen to provide information about the Thunderbolt Wind Farm project and receive feedback. The process does not overlap with any existing community engagement program of Neoen or Council.

## CONCLUSION

Councillor delegates appointed to committees and external bodies represent Council and provide advice back to Council. Minutes of committee meetings are reported back to Council through Councillor Delegate Reports to ordinary meetings following each respective committee meeting.

The following, Table A, was resolved by Council with the relevant delegates for Committees and external bodies in the Ordinary Meeting held 24 September 2024.

<b>COUNCIL COMMITTEES</b> (Table A)	
<b>Audit Risk and Improvement Committee (ARIC)</b>	Cr A Blakester
<b>Australia Day Committee</b>	Cr S Burrows Cr T O'Connor
<b>GM Performance Review Committee</b>	Mayor Deputy Mayor Cr K Arnold
<b>S355 Bundarra Hall Committee</b>	Cr L Doran Cr J Philp
<b>S355 Uralla Township Environs Committee</b>	Cr L Petrov Cr K Arnold
<b>EXTERNAL</b>	
<b>Arts North-West Strategic Advisory Council (SAC)</b>	Cr A Blakester General Manager (alternate)
<b>Central Northern Regional Library</b>	Cr L Petrov
<b>Rural Fire Service Liaison Committee</b>	Cr J Philp General Manager
<b>(Department of Planning) - Northern Regional Planning Panel</b>	General Manager Cr S Burrows (Panel Member) Cr D Mailler (Panel Member) Cr T O'Connor (Alternate Panel Member) Cr L Doran (Alternate Panel Member)
<b>(TfNSW) - Uralla Local Traffic Committee</b>	Cr D Mailler
<b>MAYORAL APPOINTMENTS</b>	
<b>Community Safety Precinct Committee (Not currently active)</b>	Mayor
<b>Country Mayors Association</b>	Mayor
<b>Coalition of Renewable Energy Mayors (CoREM)</b>	Mayor General Manager

## **COUNCIL IMPLICATIONS**

### **Community Engagement/Communication**

Committees are a mechanism for community engagement and provide an avenue for community feedback to Council on relevant issues.

### **Policy and Regulation**

Committees are governed by respective Terms of Reference for each committee.

### **Financial/Long Term Financial Plan**

Costs associated with Committee meetings are absorbed into Council's existing budget. There are no attendance fees.

### **Asset Management/Asset Management Strategy**

Not relevant

### **Workforce/Workforce Management Strategy**

Council staff support Committees with administration and meeting spaces.

### **Legal and Risk Management**

Committees and members of committees are required to adhere to relevant Terms of Reference.

### **Performance Measures**

Committee meeting minutes are reported to Council and actions updated to subsequent meetings.

### **Project Management**

Committees are overseen by relevant officers who attend as appropriate and provide technical advice on identified issues.







## 14.9 Integrated Water Cycle Management Project (Strategic Water Planning Study)

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<b>Department:</b>	<b>Infrastructure &amp; Development</b>
<b>Prepared By:</b>	<b>Project Officer Water &amp; Sewer</b>
<b>Authorised By:</b>	<b>Director Infrastructure &amp; Development</b>
<b>Reference:</b>	UINT/24/17002

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<b>Attachments:</b>	1. GANTT Chart Strategic Water Program <a href="#">↓</a>
	2. DRAFT Uralla Shire Council Press Release Oct 2024 <a href="#">↓</a>

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### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

<b>Goal:</b>	3. We are good custodians of our environment
<b>Strategy:</b>	3.4. Secure, sustainable and environmentally sound water-cycle infrastructure and services

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### SUMMARY

The purpose of this report is to advise Council of the status of the critical Integrated Water Cycle Management Project (Strategic Water Planning Study) which is being funded under the Safe and Secure Water Program of the Department of Climate Change, Energy, the Environment and Water (the Department).

### RECOMMENDATION

**That Council notes the status report for the Integrated Water Cycle Management Project**

### REPORT

#### SUMMARY

The purpose of this report is to advise Council of the status of the critical Integrated Water Cycle Management Strategy Project (Strategic Water Planning Study) which is being funded under the Safe and Secure Water Program of the Department of Climate Change, Energy the Environment and Water.

At the Ordinary Meeting of Council held on 21 May 2024 Council considered a report and resolved:

- 1. That Council notes the funding available under the Deed of Agreement which includes a review of water supply options within the scope of the Integrated Water Cycle Management (IWCM) plan as submitted by Public Works Advisory and the completion date of December 2024 as required by the Department of Climate Change, Energy and Environment and Water.*
- 2. That Council authorises the expenditure of up to a maximum of \$551,806 (\$496,625 being grant funded and \$55,180 being Council funded) for the engagement of Public Works Advisory to carry out the tasks agreed between the Department of Climate Change, Energy and Environment and Water, Public Works Advisory, and the Council to deliver:*
  - Mandatory milestone studies valued at \$405,603; and,*
  - Optional studies valued at \$146,203 subject to approval by the Department of Climate Change, Energy and Environment.*
- 3. That Council authorises the expenditure of \$398,544 (\$358,689 being grant funded and \$39,854 being Council funded) to deliver:*

- *project management valued at \$187,689; and,*
- *the engagement of a communication consultant valued at \$72,000; and, chemical treatment studies valued at \$99,000.*

The now agreed scope of works (refer attached GANTT Chart) is to be completed in accordance with the Department's Regulatory and Assurance Framework 2022 and based on methodologies developed by NSW Public Works Advisory (PW).

Working with Council Officers and the Department, PW has developed a detailed plan and costing to undertake the scope of the work to develop the Water Strategy. The Department has signed the Deed of Agreement (17 April 2024) and has accepted the PW scope of work and its costings and offered a grant to Council to utilise PW to undertake the specific tasks as set out in their final Proposal dated 20 October 2023.

The Department has also provided additional grant funding to Council for the employment of a Project Manager; a communications and community engagement consultant; and a support Consultant to undertake further investigations into water quality issues and required treatments.

The grant offered by the Deed of Agreement by the Department is up to \$855,315.00 (GST exclusive) based on a projected total project cost of \$950,350.00, or actual project costs whichever is the lesser. Council's requirement will be to fund 10% of the end cost (expected to be \$950,350). Council's maximum expenditure exposure will be \$95,035 if the entire project budget is expended.

### **Background**

Consultants SMEC and NSW Public Works completed a quantitative assessment of Uralla's water security in 2013 and 2015. Water security is determined in terms of the reliability of the bulk water supply to meet projected demand for water. The 2015 study states *"modelling indicates that the Uralla water supply system would need to be augmented to provide a secure yield which matches the dry year demand."*

The Department of Primary Industry and Environment (DPIE) encouraged revision of earlier water security assessments to incorporate the record-breaking drought of 2018-20 and the latest methods to assess climate change impacts. This modelling is essential to re-calculate the actual secure yield of Kentucky Creek Dam and the size of required source augmentation or new water supplies.

Water security assessment is a key part of the Integrated Water Cycle Management plan (IWCM) for which Council is eligible for 90% funding from the Department of Climate Change, Energy and Environment and Water (DCCEEW). NSW Public Works Advisory is the ideal body to undertake the IWCM as it is highly experienced in development of these plans and as a state government agency can be engaged under s55(3)(b) of the Local Government Act without tender.

Subsequently, a Deed of Agreement, dated 5 March 2024, was signed by the General Manager. The Deed of Agreement includes the participation of Public Works to undertake the tasks, as agreed with by Council staff, as set out in its proposal (Strategic Planning Uralla Shire Council) dated 20 October 2023 and in compliance with a set of Milestones. The Deed of Agreement was subsequently signed by the Department's Director of Grants Programs on 17 April 2024.

### **Current situation**

In accordance with the funding Deed of Agreement Council has undertaken the following steps:

- Employed a full-time Project Manager to manage the project (commenced 22 April 2024).
- Commissioned PW to undertake the mandatory tasks as set out in its proposal dated 20 October 2023 (Note: the Deed provides funding for an additional 6 Provisional Items including a workshop and presentation of the draft strategy to Council). The program on delivering on the mandatory Items are illustrated in the attachment (GANTT Chart).

- Commissioned a Public Relations consultant, Becscomm Pty Ltd to undertake a comprehensive community engagement program to involve the various community groups in the process. The work entails a comprehensive program of stakeholder and community engagement activities, attendance at the PW workshops and community and Council briefing sessions and reporting.
- Organised a workshop (25<sup>th</sup> September) with representatives of the Department of Climate Change and NSW Health at which some 12 representatives, including three independent consultants and Znet, attended to review and discuss the arsenic incident dating from November 2019 to February 2020 as a first step to managing the potential for further arsenic contamination in the short term and to ensure that longer term mitigation measures are included in the Strategic Water Planning Study.
- Council has advertised and held interviews for a support communications resource to assist with the community engagement and communication program. It is anticipated that the successful candidate will commence work soon.

All the above activities are funded within the Deed of Agreement. The program of work and tasks being undertaken by PW and the community engagement is being coordinated and managed by the Project Manager. The communication and involvement with the community will be greatly assisted by the support communications person.

The work with PW has commenced with Council staff providing, in recent weeks, a comprehensive set of information on the water and sewer system, community usage and the treatment processes and its performance (ref GANTT Chart of work and its timing).

In relation to the risk of arsenic contamination of the water supply some essential studies have been identified including the sampling of the sediment in the dam and in surface and groundwater and are underway. Proposed studies include the review of management of sediment going into the dam, identifying short term opportunities for managing arsenic contamination and the scoping of studies for managing the longer-term risk.

In conjunction with the Department's Advanced Operational Support team, studies have been undertaken at the Kentucky Water Treatment Plant to improve performance of the processes while at the same time efforts have been aimed at improving drinking water and aesthetic quality.

Bathymetric studies are nearing completion which will provide improved information and a more accurate yield of the Kentucky Dam supply. A similar study is likely to be undertaken for the Bundarra Water Supply scheme storages.

Staff have prepared a press release, to accompany the adoption of the recommendations of Council, to communicate the commencement of the Strategic Water Planning Study.

### **Next Steps**

The important Milestones to be achieved under the Deed of Agreement and which align with the Tasks set out in the attached GANTT Chart:

1. Milestone 3 – Issues Paper: Submit a draft issues paper to the Department for review – 18 April 2025
2. Milestone 4 – Water Security Assessment: Submit Draft Water Security Assessment to the Department for review – 25<sup>th</sup> June 2025.
3. Milestone 7 – Submit Options Report to Department for Review – 25<sup>th</sup> June 2025.

To achieve these important milestones the following Workshops and Meetings have been identified:

- Workshop 1 – Water Security from Monday 17<sup>th</sup> of March 2025 onwards
- Workshop 2 – Presentation of draft Issues Paper findings from Monday 07<sup>th</sup> of April 2025 onwards
- Online Technical Options Review Meeting Wednesday 25<sup>th</sup> of June 2025
- Workshop 3 – Presentation of draft strategy report findings from Monday 15<sup>th</sup> of September 2025 onwards

As part of the work program Council and Public Works have negotiated the following deliverables and the timeframe.

#### **Deliverables**

- Draft Water Security report Friday 14<sup>th</sup> of March 2025
- Draft Issues Paper report Friday 4<sup>th</sup> of April 2025
- Final Issues Paper report Friday 18<sup>th</sup> of April 2025
- Draft Options Assessment Report Tuesday 24<sup>th</sup> of June 2025
- Final Options Assessment Report Wednesday 25<sup>th</sup> of June 2025
- Draft Strategy Report Friday 29<sup>th</sup> of August 2025
- Final Strategy Report Monday 15<sup>th</sup> of September 2025
- Drought and Emergency Response Contingency Plan Monday 29<sup>th</sup> of September 2025

The various reports prepared by PW and Becscomm will:

- identify risks in managing town water and sewerage services and offer opportunities for improvement.
- provide a comprehensive 30-year strategy for resourcing with appropriate community input.
- ensure any necessary capital works are essential and appropriately sized for the provision of appropriate, affordable, and cost-effective urban water services that meet community needs and protect public health and the environment into the future.
- inform and support Council's Asset Management Planning by identifying the appropriate capital investment plan and by attracting co-funding (grants) under SSWP Stream 1 for essential high priority capital works.

NSW DCCEEW has put together a training material package to educate new Councillor's on their obligations for water and sewerage management. The material is located here:

<https://water.dpie.nsw.gov.au/our-work/local-water-utilities/councillor-training>

## **CONCLUSION**

Water security requires solutions that work locally and are cost-effective at scale. To survive a severe drought a community needs access to a large storage of water at the start of the drought. Solutions are capital-intensive and will require external funding. Bodies in control of funding expect Council to take an evidence-based approach to options development and feasibility assessment. The Strategic Water Planning Study is the appropriate vehicle for progressing such an evidence-based exploration of options including viability and high-level costings and the community acceptance and willingness to pay.

## **COUNCIL IMPLICATIONS**

### **Community Engagement/Communication**

Informed community engagement of water supply options will include information on viability of each option to provide better water security, construction and operational costs, regulatory requirements, and risks. These will be addressed within the Strategic Water Planning Study.

**Policy and Regulation**

Nil.

**Financial/Long Term Financial Plan**

Council is eligible for further funding for capital works emanating from the IWCMP under the Safe and Secure Water Program (SSWP). A review of water supply options will give high-level cost estimates for design and construction works.

**Asset Management/Asset Management Strategy**

Development of alternate water supply will be capital-intensive, requiring access to capital grants. It is important to demonstrate to funding bodies that a rational, evidence-based approach has been taken in options development and a business case consistent with Treasury guidelines.

**Workforce/Workforce Management Strategy**

Nil. Succession planning is a known issue in the Water & Sewer operations team, but this is normally considered in the W&S Strategic Business Plan rather than the IWCMP.

**Legal and Risk Management**

Secure water supply and quality to the communities of Uralla and Bundarra are a key risk especially with variations resulting from climate change.

**Performance Measures**

Completion of assessment of alternate water supply options and a level of community acceptance.

**Project Management**

A dedicated project manager has been employed to manage both the IWCM and the groundwater projects; 90% funding is available under the IWCM and 100% funding under the groundwater project.









## 14.10 Civil Infrastructure Works Report

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<b>Department:</b>	<b>Infrastructure &amp; Development</b>
<b>Prepared By:</b>	<b>Manager Civil Infrastructure</b>
<b>Authorised By:</b>	<b>Director Infrastructure &amp; Development</b>

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### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

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<b>Goal:</b>	2.	We drive the economy to support prosperity
	4.	We are an independent shire and well-governed community
<b>Strategy:</b>	2.3.	Communities that are well serviced with essential infrastructure
	4.1.	Informed and collaborative leadership in our community
	4.2.	A strategic, accountable and representative Council
	4.3.	An efficient and effective independent local government

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### SUMMARY

This report presents an update for works on grant funded projects and specific maintenance.

### RECOMMENDATION

**That Council note the Civil Works Report for October 2024**

### REPORT

This report informs Council of the works progress on grant funded projects and specific routine maintenance work in the Shire.

Main Road Maintenance	
MR73 Thunderbolts Way	Bitumen patching of road surface defects is routinely undertaken, particularly monitoring defects to the south of Uralla. Road shoulder grading was completed from Bundarra to Yarrowyck during wet weather when other work types could not be attempted. Further shoulder grading is planned to control vegetation and assist surface drainage off the traffic lanes.
MR124 Bundarra Road	Bitumen road surface defects have been patched. Roadside vegetation control has been cleared in the Invergowrie area with further work required to improve intersection sight lines. Sweeping of loose aggregate build up has been carried out at appropriate side road intersections.
MR132 Barraba Road	Maintenance grading has been completed and patching of the bitumen surface sections where necessary.

Sealed Roads Maintenance	
Urban streets	Routine pothole patching has been carried out in Uralla and Bundarra streets. Dirt build up has been removed from intersections and gutters have been swept to keep drainage clear.
Rural sealed roads	Pothole patching, drainage maintenance and roadside slashing has been undertaken across the road network.

<b>Unsealed Roads Maintenance Grading</b>	
Rural unsealed roads	General maintenance grading has been undertaken in the southern Glenburnie, Wollun and Kentucky areas and Baldersleigh Road and Georges Creek Road in the north.
Bendemeer Road	Intensive work was undertaken to clear obstructed culverts along Bendemeer Road south of Kingstown and along Warrabah Road. Cleaning drainage culverts is critical to minimise any water damage to the pavement surface on gravel roads which was the case on Bendemeer Road. As the site conditions were extremely wet, further shaping and clearing will be included with next grading work if the areas are dry.

<b>Construction underway</b>	
MR73 Thunderbolts Way (Two Mile Creek project)	Guardrail has been replaced on the Two Mile Creek culvert to make the structure safe and compliant. Further work to finish drainage outlets is being programmed with pipes and box culverts ordered.
MR73 Thunderbolts Way (Scrubby Gully project)	Guardrail installations are complete. Wet ground conditions have prevented work to finish culvert headwall and verge embankment backfilling. This will be planned during summer.
MR73 Thunderbolts Way (Laura Creek project)	Survey is complete and design being finalised for rehabilitation of curve sections both sides of Laura Creek bridge. Pipes and box culverts have been ordered for widening of drainage structures.
Kingstown Road (Kentucky Creek Blackspot project)	Guardrail has been installed with pavement widening either side of Kentucky Creek. Large granite rock was removed for safety and to help drainage of the pavement. Embankment protection has been carried out with jute mesh and grass seeding undertaken to regenerate the surface cover on the batters. Safety signage has been installed on the curve and further signage adjustments are being planned. Drainage pit restoration will also be carried out with the remaining funds of the grant.
Terrible Vale Road rehabilitation 8 to 10km	Drainage widening, including some box culverts, is almost complete with some headwalls to be poured. Earthworks have commenced for formation widening.
Hawthorne Drive	Drainage widening of pipe culverts is complete. Vegetation clearing has been done with bulk of material mulched for reuse by Council. Earthworks have commenced on table drain clearing and formation widening.

<b>Bridges</b>	
Rural bridges	Bridge surface drainage has been cleared and cleaning under approach guardrails done such as Munsies Bridge at Gostwyck and others around Bundarra. Further work will be programmed.

Signage	
Signage renewal	Several damaged or misaligned signs have been corrected. Several parking signs in Uralla has been updated with further signs ordered to clarify parking limitations. Additional signage has been installed on several rural grant funded projects to comply with funding requirements including Northeys Road, Hawthorne Drive and Terrible Vale Road.

Town and Parks	
Uralla	Maintenance of playground equipment is ongoing.
	Weed spraying is being undertaken to control growth on sports reserves and roadsides, and along pathways in reserves.
	Arrangements have been made to commence, during October, more intensive maintenance in the CBD area along Bridge Street including median island garden enhancement, weed control in gutters and tree maintenance.
Bundarra	Mowing parks and verges in the town area is routinely undertaken including passive areas on the town approaches.
	Improvements to pram ramps are being investigated.

MAJOR PROJECTS – PROGRAM TARGETS AND STATUS				
Project	Source of Funds	Budget	Target Date for Completion	Status
Kingstown Road, Uralla (9.5 to 10.05km)	Local Roads Community Infrastructure Phase 3	\$252,330	30-Dec-23	Completed
Northeys Road, Uralla (1 to 1.5km)	Local Roads Community Infrastructure Phase 3	\$134,752	30-Dec-23	Completed
Northeys Road, Uralla (1.5 to 2.5km)	Local Roads Community Infrastructure Phase 3	\$277,585	30-Dec-23	Completed
Northeys Road, Uralla (2.5 - 3.25km)	Local Roads Community Infrastructure Phase 3	\$212,232	30-Dec-23	Completed
Gostwyck Road, Uralla (2-2.25,2.5-3.75,5.25-5.75,6.25-6.75km)	Local Roads Community Infrastructure Phase 3	\$410,992	30-Dec-23	Completed
Gostwyck Road, Uralla (8.25 - 9.25km)	Local Roads Community Infrastructure Phase 3	\$277,587	30-Dec-23	Completed
Various Roads Resheeting Uralla Shire Council rural LGA (Hardens)	Local Roads Community Infrastructure Phase 3	\$278,725	30-Dec-23	Completed
Thunderbolts Way MR73, North of Uralla – Ferndale Segment Ch27.7km to 29.2km (1,500m x 8m) (0 at Uralla St, North)	Regional and Local Roads Repair Program	\$780,000	30-Jun-25	Completed
Warwick St, Uralla 2 sections, McCrossin Street to Rock Abbey Road (550m x 6m), & Barleyfields Intersection (600m x 7m)	Regional and Local Roads Repair Program	\$487,500	30-Jun-25	Completed
Bergen Road, Kentucky 1km x 5m comprising 2 discrete sections	Regional and Local Roads Repair Program	\$325,000	30-Jun-25	Completed

Project	Source of Funds	Budget	Target Date for Completion	Status
Mihi Road Mihi, Intermittent patch gravelling 1km	Regional and Local Roads Repair Program	\$86,908	30-Jun-25	Completed
Bundarra Pram Ramps	Local Roads Community Infrastructure Phase 4 A	\$30,106	30-Jan-25	Project scoping underway
Park Street Pathway	Local Roads Community Infrastructure Phase 4 A	\$75,000	30-Jan-25	Project to be scoped.
John Street Pathway	Local Roads Community Infrastructure Phase 4 A	\$75,000	30-April-25	Project to be scoped.
King Maitland Street Roundabout	Local Roads Community Infrastructure Phase 4 A	\$390,000	30-May-25	Project scoping underway
Noalimba Avenue Footpath	Local Roads Community Infrastructure Phase 4 A	\$26,000	30-April-25	Project to be scoped.
Terrible Vale Road Culvert Crossing	Local Roads Community Infrastructure Phase 4 B	\$100,000	30-April-25	Consultant scope being compiled
Rocky River Culvert Crossing	Local Roads Community Infrastructure Phase 4 B	\$243,847	30-April-25	Awaiting results of geotechnical investigation
Kingstown Road Heavy Patching 37 to 42km	Roads to Recovery 2019-24 Program	\$369,837	30-Jun-24	Completed
Terrible Vale Road rehabilitation 8 to 10km	Roads to Recovery 2019-24 Program	\$519,659	30-Nov-24	Project commenced, 5% complete
Hawthorne Drive rehabilitation 5.75 to 7.5km (Northeys Rd to Arding Rd)	RERRP program	\$500,000	1-Dec-2024	Project commenced, 5% complete
Plane Avenue Shared Pathway (Rowan Ave to Sports Complex)	Get NSW Active program	\$120,000	20-Dec-2024	Preconstruction commenced
Gostwyck Road rehabilitation 2.5 to 4.0km	RERRP program	\$500,000	1-April-2025	Planning commenced
Faulkner Street Drainage extension	Council Funding	\$60,000	20-Dec-2024	Materials ordered
Hill Street Drainage extension	Council Funding	\$10,000	28-Feb-2025	Materials ordered
Thunderbolts Way MR73, Two Mile Creek	Restart NSW Project 2724	\$797,591	30-Jun-25	90% complete
Thunderbolts Way MR73, Scrubby Gully	Restart NSW Project 2724	\$1,972,262	30-Jun-25	80% complete
Thunderbolts Way MR73, Laura Creek	Restart NSW Project 2724	\$1,172,929	30-Jun-25	No site works 2% complete

## **CONCLUSION**

The Civil Works Report provides Council with information on the progress of works to the start of October 2024.

## **COUNCIL IMPLICATIONS**

### **Community Engagement/Communication**

Council's progress on works is conveyed to the community through Facebook, website information, Councillor Bulletins and Council reports.

Staff also liaise with the community directly on customer requests for maintenance issues and whenever capital works may impact on property matters.

### **Policy and Regulation**

Procurement Policy

Transport Asset Management Plan

Stormwater Asset Management Plan

### **Financial/Long Term Financial Plan**

The capital works program is undertaken in accordance with the adopted annual budget and grant funding programs. The program aims to follow the long-term financial plan renewing infrastructure at appropriate time and condition intervals of the assets to keep the network operating at a satisfactory level.

### **Asset Management/Asset Management Strategy**

Civil infrastructure works are undertaken as specified in individual Asset Management Plans or within the adopted budget values. Desired minimum level of service is a satisfactory condition focussing on improvement of level 4 and 5 condition assets.

### **Workforce/Workforce Management Strategy**

Council staff and equipment is utilised on works to maximise efficiency of works. Council's staff resources have been particularly stretched in recent months due to leave absences.

### **Legal and Risk Management**

*Local Government Act 1993 (NSW)*

*Roads Act, 1993 (NSW)*

*Work Health & Safety Act 2011 (NSW)*

*Environmental Planning & Assessment Act 1979 (NSW)*

### **Performance Measures**

Performance is measured in the delivery of completed works and within the budget allocation.

### **Project Management**

The infrastructure works program is managed by the Infrastructure and Development Department.

## 14.11 Register Resolutions Actions Status as at 16 October 2024

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**Department:** General Manager's Office

**Prepared By:** Executive Assistant

**Authorised By:** General Manager

**Reference:** UINT/24/17100

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**Attachments:** 1. Resolution Actions Status Report October 2024 [↓](#)

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### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

**Goal:** 4. We are an independent shire and well-governed community

**Strategy:** 4.1. Informed and collaborative leadership in our community

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### SUMMARY

The purpose of this report is to provide Council with the Resolution Action Status updates.

### RECOMMENDATION

**That Council notes the Resolution Actions Status Report as at 16 October 2024.**

### REPORT

Following every council meeting, the resolutions of Council which require action are compiled. This document is referred to as the Resolutions Action Status Report.

The purpose of the Resolutions Action Status Report is to enable Council to monitor progress of resolutions until they are actioned.

Once resolutions have been completed they are removed automatically from the report.

### CONCLUSION

The Resolutions Action Status Report is presented to Council at each Ordinary Meeting.

















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#### 14.12 New England Weeds Authority update

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**Department:** General Manager's Office

**Prepared By:** General Manager

**Authorised By:** General Manager

**Reference:** UINT/24/16838

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**Attachments:** 1. Draft Cashflow NEWA October 2024 [↓](#)

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#### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

**Goal:** 4. We are an independent shire and well-governed community

**Strategy:** 4.3. An efficient and effective independent local government

4.2. A strategic, accountable and representative Council

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#### SUMMARY

The purpose of this report is to inform Council of the state of affairs at the New England County Council (with the operational arm being the New England Weeds Authority, NEWA). Earlier this year, the Minister for Local Government suspended the NEWA Board and appointed an Administrator, Mr John Rayner, to undertake an urgent review of NEWA's financial position and report back to the Minister in August. Mr Rayner's appointment was recently extended to November 2024.

During the course of Mr Rayner's review and in consultation with the member Councils (Armidale, Uralla, Walcha and Glen Innes) it became apparent that the NECC is financially unsustainable, has significant debts that cannot be met, and that member Councils had to cover the outstanding debt until assets can be reviewed and potentially liquidated and a future operating model for weed management determined.

On 25 June 2024, Council noted a confidential update on the NECC/NEWA and resolved to provide additional financial support in the 2024 Budget by way of a contingent liability of \$250,000 to cover potential additional expenses, in addition to Council's budgeted annual contribution.

In July, it was agreed and formally resolved by member Councils that the NECC should be dissolved. Council General Managers were authorised to develop working agreements and arrangements for a new model. Details of Council resolutions are included later in this report.

A further operational review was commissioned by the working group and Paul Quealey of Lambourne Partners was appointed. A final report has now been received by Mr Quealey and is provided under cover of a separate confidential report included in the agenda for this meeting.

This report provides Council with a further update and recommends a joint proposal be prepared to the Minister for Local Government to dissolve the New England County Council.

#### RECOMMENDATION

That Council:

1. Receives and notes the report.
2. In conjunction with the other constituent Councils (namely Walcha, Armidale and Glen Innes), prepares a joint proposal to the Minister for Local Government to dissolve the New England County Council and include the requirements of the Office of Local Government (OLG).

3. Includes in the proposal in (2) above, the transfer of responsibilities under the Biosecurity Act from the New England County Council to the four constituent Councils.
4. Authorises the General Manager to work with the other constituent Councils, the New England County Council, and the Office of Local Government to achieve the earliest possible date for the transfer of Biodiversity Act Responsibilities; and to develop and implement all necessary administrative arrangements.
5. Endorses the proposal for Uralla Council to resume standalone biosecurity services with the potential for an MOU with Walcha Council and other Councils to be reviewed by the General Manager.
6. Advises the Audit Office NSW of Council's commitment to continue to provide financial assistance to ensure the financial sustainability of the New England County Council until it is dissolved.
7. Notes a further report will be provided if additional financial assistance is required pending the Minister's determination.

## **REPORT**

The New England County Council, trading as New England Weeds Authority, is a Local Control Authority for priority and invasive weeds under the NSW Biosecurity Act, 2015. It provides the service for the local government areas of Armidale Regional, Walcha, Uralla Shire and Glen Innes Severn.

By Government Gazette on 17<sup>th</sup> May 2024 the Minister for Local Government suspended the Board of the New England County Council for a period of three months from the date of the gazettal.

The same Government Gazette Notice appointed John Rayner PSM as Interim Administrator for the period during which the Council is suspended by the Order.

The suspension followed serious governance and financial management failures.

The Councillors on the Board at that time retained their positions with the constituent Councils.

The appointment meant that the Interim Administrator took on the role of the Chairperson and Councillors, not the General Manager.

On 16<sup>th</sup> August 2024 the Minister for Local government extended the period of suspension of New England County Council and extended the term of appointment of the Interim Administrator to 17<sup>th</sup> November 2024.

The day-to-day operations of the New England Weeds Authority, required under the Biodiversity Act, have continued; staff operations are not directly impacted by the Suspension Orders.

Those operations are substantially financed by the constituent Councils.

### **Decisions by Constituent Councils**

The New England County Council comprises Walcha, Uralla, Armidale and Glen Innes Councils. The Councils have made the following decisions in respect of the NECC (NECC) and the New England Weeds Authority (NEWA).

#### **Glen Innes Severn Council**

- At the Council Workshop held on 21<sup>st</sup> June the General Manager tabled a report on the NECC matter. The report was noted.
- At the Council meeting of 25<sup>th</sup> July 2024, Council resolved as follows:
  1. *Endorses the winding up of the New England Weeds Authority (NEWA).*

2. Requests the Minister for Local Government to extend the period of administration for a further three months.

3. Supports the General Managers of the member Councils developing future service delivery models noting the importance of maintaining necessary service levels into the future.

### **Armidale Regional Council**

Council resolutions:

- 26<sup>th</sup> June 2024 *“That Council notes the report of 7 June 2024 from the New England Weeds Authority (NEWA) Interim Administrator Mr John Rayner.”*
- 24<sup>th</sup> July 2024

*That Council:*

*a) Notes the attached report of 8 July 2024 from the New England Weeds Authority (NEWA) Interim Administrator Mr John Rayner*

*b) Confirms agreement that the New England Weeds Authority (NEWA) be dissolved, with a target date of November 2024*

*c) Authorises the General Manager to develop a working agreement and arrangement for future service delivery which includes consideration of a new entity via a Lead Council Model*

*d) Notes that an Interim Administrator’s Report will be provided to the Minister for Local Government and a decision will be made about whether the Board will be suspended for a further three months from 17 August 2024; and*

*e) Supports the extension of the Interim Administrator for a further three months beyond 17 August 2024.*

### **Uralla Shire Council**

Council decisions

- Following the Confidential Session of the Council Meeting on 25<sup>th</sup> June 2024, Council resolved *“That Council notes the confidential advice in this report.”*
- 23<sup>rd</sup> July 2024

*That Council:*

*1. Notes the attached report of 8 July 2024 from the New England Weeds Authority (NEWA) Interim Administrator Mr John Rayner.*

*2. Agrees that the New England Weeds Authority (NEWA) be dissolved, with a target date of November 2024.*

*3. Authorises the General Manager to develop a working agreement and arrangement for future service delivery in consultation with the other member Councils, including consideration of a new entity via a Lead Council Model.*

*4. Notes that an Interim Administrator’s Report will be provided to the Minister for Local Government on 17 August 2024 and a decision made about whether the Board will be suspended for a further three months.*

*5. Supports the extension of the Interim Administrator for a further period of three months from 17<sup>th</sup> August 2024”.*

Council’s payments to NEWA this financial year are detailed separately later in this report.

### **Walcha Council**

Council decisions



- 26<sup>th</sup> June 2024

*That Council:*

1. *NOTE the current status of New England Weeds Authority based on advice from the appointed Administrator;*
2. *ALLOCATE an additional \$170,000 in the 2024-2025 Budget that may be requested to assist clearing the outstanding financial liabilities of New England Weeds Authority.*

- 31<sup>st</sup> July 2024

*That Council:*

1. *NOTES the attached report of 8 July 2024 from the New England Weeds Authority Interim Administrator, John Rayner;*
2. *SUPPORTS that the New England Weeds Authority be DISSOLVED with a target date of November 2024;*
3. *AUTHORISES the General Manager to liaise with other members of the New England Weeds Authority General Managers to develop an arrangement and arrange for future service delivery which includes consideration of a new operating model;*
4. *NOTES that an Interim Administrator's Report will be provided to the Minister for Local Government and a decision will be made whether the Board will be suspended for a further three months from 17 August.*

### **Review of Current Service and Future delivery options**

Mr Paul Quealey, Lambourne Partners, was engaged by the County Council and the constituent Councils to inform the Councils on current operations and recommend future service delivery options.

The review is of value in understanding the current operation of NECC, where efficiencies can be achieved and how these can be transferred to a future operating model.

The review focused on

- identifying desired outcomes and whether they are currently being met or not.
- the value and return provided by each classification of employee
- whether the staff numbers in the streams of biosecurity and weed spraying are appropriate
- whether the current zones to which the biosecurity officers are attached are satisfactory
- comparing in-house costs, and benefits/disadvantages for weed spraying against contract spraying

The review made a number of recommendations to best meet Council obligations under the NSW Biosecurity Act across the New England County Council region, including:

- Walcha Shire and Uralla Shire Council's coordinate the completion of biosecurity management services as a joint venture;
- Armidale Regional Council complete biosecurity management services for its region; and
- Glen Ines Severn Council complete biosecurity management services for its region, with a view to establishing a joint venture with Tenterfield Shire Council in completing biosecurity management services.
- Outside of the above, the only other outcome is the potential for a memorandum of understanding across the Councils to allow for easy personnel and resourcing sharing as and when required for each Council completing biosecurity management services individually.

In respect of the recommendation regarding Walcha and Uralla undertaking a joint venture arrangement, the General Managers of both Councils have reviewed the operational and governance implications of such

a proposal and concluded it would not be the best option at this stage. Rather, it was concluded that each Council should operate its own biosecurity service with a potential MOU to be developed for joint weed spraying and other partnership services as appropriate.

A copy of Mr Quealey's review is included as a separate confidential report in this agenda.

## **Legal Obligations**

### Employees

The Local Government Act specifies arrangements for council staff affected by the constitution, amalgamation or alteration of Council areas.

Generally, the Act provides:

- There can be no forced redundancy of affected staff members during the proposal period;
- If a staff transfer occurs employment continues on the same terms and conditions that applied to the staff member immediately before the transfer day;
- Accrued rights of a staff member such as leave and superannuation are not affected by the transfer; and
- There can be no forced redundancy of a transferred staff member for three years.

### Proposal

The Local Government Act provides:

- A Council, County Council, a public authority, the Office of Local Government or the Minister may make a proposal to dissolve a County Council. (Sec 383)
- The Minister must give at least 28 days of a proposal made to the Minister that the Minister decided to proceed with.(Sec 384)
- After considering all representations received concerning the proposal, the Minister may recommend to the Governor that the proposal be implemented, with or without modifications, or may decline to recommend that the proposal be implemented.

The NECC Interim Administrator advised in his August report to the Minister as follows:

*Having observed behaviours and recent performance, considered information from a range of sources including Audit Office NSW and taking into account the NECC size in terms of staff and budget, as Interim Administrator I do not believe such a small Council can meet its legal, governance and financial management requirements and obligations.*

*The key stakeholders, being the four constituent Councils have resolved that the New England County Council be dissolved and a new service delivery model be developed.*

*As Interim Administrator I agree with the decisions taken by the constituent Councils.*

*It is recognised that a number of organisations and individuals will need to consider and support the proposal put forward including:*

- *Constituent Councils,*
- *Department of Primary Industries*
- *Office of Local Government*
- *Minister for Agriculture*
- *United Services Union*
- *Minister for Local Government.*

*and the process under Local Government Act will be followed.*

*As the NECC operation is now substantially funded by the Constituent Councils and considering the timing of the Council elections the November deadline for dissolving NECC is supported. It is appreciated that achieving the deadline is ambitious but necessary.*

The Minister, in his letter of reappointment stated:

*"I note your proposed action in relation to the future of the county Council and the support of constituent Councils. These are matters you are free to pursue, but I do ask that you ensure consultation with the appropriate unions as part of your work."*

#### Procedural considerations

Over recent years, several county councils have been dissolved and the biodiversity responsibilities transferred to the constituent Councils.

The Office of Local Government (OLG) has advised that consultation must occur between the councils concerned and the Department of Primary Industries at officer level before a proposal to dissolve the county council is finalised. The proposal should include a record of the Department's response.

After the proposal has been finalised and lodged, the Minister for Local Government will write to the Minister for Agriculture seeking the latter's view on it. This is normally done before the Minister for Local Government decides whether or not to proceed with the proposal.

The OLG also advised:

*A proposal may be made by a number of councils jointly. However, it is easier if one council makes the proposal to the Minister. In this case, the views of all of the other councils affected can be recorded in the proposal. Those views should be in the form of resolutions passed by those councils.*

A Proclamation will include:

- the requirement to transfer and protect staff under the local Government Act;
- how assets are to be distributed;
- how liabilities will be met; and
- other legal provisions which facilitate a seamless transition.

#### **New England County Council-Current Operations**

The Interim Administrator has advised:

*The County Council is continuing to meet its biodiversity obligations with a minimum of operating staff and reduced administration staff.*

*Its financial situation is dire and apart from receiving income from a small grant and limited work on private land the NECC is reliant on financial support beyond the annual contributions from the constituent Councils.*

*The new, unoccupied depot at the airport business park has been listed for sale. It will not be sold before consultation with constituent Councils Hopefully the sale of this property will cover the additional contributions from the Councils.*

*Other surplus assets will also be sold.*

*The additional financial contributions from the constituent Councils total \$1.2m to date and based on the most recent cash flow analysis are expected to keep NECC afloat until December this year.*

*The reliance on financial contributions from the constituent Councils highlights the need to dissolve the County Council at the earliest possible time. The Office of Local Government has been approached in a bid to streamline the process.*

*At each annual audit the Auditor General's delegate must be able to obtain sufficient appropriate audit evidence or perform alternative testing procedures to enable the delegate to confirm the Council's ability to continue as a going concern.*

*Due to the state of the 2022/23 NECC financial statements presented for audit the delegate was unable to conclude on the Council's ability to continue as a going concern.*

*The Audit Office NSW has suggested that if the constituent Councils are prepared to provide advice of their continued financial commitment to NECC, the delegate may be able to conclude that the NECC has the ability to continue as a going concern.*

### Financial considerations

Along with the other constituent Councils, Uralla Shire Council has provided additional financial support in the 2024 Budget adopted on 25<sup>th</sup> June 2024 as follows:

*Include a contingent liability of \$250,000 to cover potential additional expenses for the New England Weeds Authority (NEWA), in addition to Council's budgeted annual contribution.*

To date two invoiced payments have been made against that contingency - \$119,000 on 13<sup>th</sup> August 2024 and \$90,000 on 11<sup>th</sup> September 2024, in addition to the Uralla Shire Council member contributions for the 2024-25 financial year of \$106,000 on 1<sup>st</sup> July 2024.

Continued financial support by member Councils is essential to meet shared legal obligations until the NECC is dissolved. A cash flow projection as at 10<sup>th</sup> October (attached to this report) indicates that there are sufficient funds to cover operational costs to the end of the calendar year. A further report will be prepared for Council's consideration if additional assistance is required before the Minister's determination.

It is expected that the proposed future disposal of the newly constructed NEWA operations centre will enable constituent Councils to be reimbursed for their additional financial contributions.

### **CONCLUSION**

As one of four constituent Councils, Uralla Shire Council must make decisions about the future of the New England County Council, while ensuring the continued delivery of statutory biosecurity and weed pest management services within the Shire. This report provides the immediate history and summary of the current challenges facing the New England County Council. The recommendations provide a pathway forward.

The General Manager will work with the General Managers of the other constituent councils to develop and progress appropriate administrative arrangements including distribution and allocation of assets, vehicles and equipment; engagement with unions and staff; creation of relevant employee positions and transfer of NEWA staff where agreed; and development of memorandums of understanding for future joint operations as appropriate.



## **15 CONFIDENTIAL MATTERS**

### **RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the *Local Government Act 1993*:

#### **15.1 New England County Council (New England Weeds Authority) Operational Review**

This matter is considered to be confidential under Section 10A(2) - a of the *Local Government Act 1993*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

#### **15.2 McMaugh Gardens Residential Aged Care Facility Business Review - Consultant Report**

This matter is considered to be confidential under Section 10A(2) - d(i) of the *Local Government Act 1993*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**16 COMMUNICATION OF COUNCIL DECISION**

**17 CONCLUSION OF MEETING**