

# **BUSINESS PAPER**

## **ORDINARY MEETING**

**THURSDAY 23RD JULY 2020**

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## WARREN SHIRE COUNCIL

### AGENDA - ORDINARY COUNCIL MEETING

23rd July 2020

**1. OPEN MEETING**

**2. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS**

**3. CONFIRMATION OF MINUTES**

Ordinary Meeting held on Thursday, 25th June 2020.

**4. DISCLOSURES OF INTERESTS**

**5. MAYORAL MINUTE(S)**

**6. REPORTS OF COMMITTEES**

Meeting of the Warren Public Arts Committee  
held on Tuesday, 7th July 2020 ..... (C14-3.29)

Meeting of Manex held on Tuesday, 14th July 2020 ..... (C14-3.4)

Meeting of the Roads Committee  
held on Tuesday, 14th July 2020 ..... (C14-3.28)

Meeting of the Economic Development Committee  
held on Wednesday, 15th July 2020 ..... (C14-3.22)

Meeting of the Ewenmar Waste Depot Sunset Committee  
held on Tuesday, 21st July 2020 (TO BE TABLED) ..... (C14-3.23)

**7. REPORTS TO COUNCIL**

**REPORTS OF DELEGATES**

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Nil.

**POLICY**

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Nil.

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**11. CONCLUSION OF MEETING****PRESENTATIONS**

Nil.

## WARREN PUBLIC ARTS COMMITTEE MINUTES

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Attached are the Minutes of the meeting of the Warren Public Arts Committee held on Tuesday, 7th July 2020.

**RECOMMENDATION:**

That the Minutes of the Meeting of the Warren Public Arts Committee held on Tuesday, 7th July 2020 be received and noted and the following recommendations be adopted:

**ITEM 2.1 NOMINATION OF CHAIRPERSON (C14-3.29)**

Councillor Brett Williamson accepted the nomination as Chairperson and as there was only one (1) nomination; that being Councillor Brett Williamson, he was therefore duly elected as Chairperson.

**ITEM 2.2 COMMITTEE MEMBERSHIP - FIVE (5) COMMUNITY MEMBERS (C14-3.29)**

That the Warren Public Arts Committee consist of the following community members: Alisha Leach, Bruce Lynch, Jenny Quigley, Judy Ridley and Raylene Darcy.

**ITEM 2.3 PUBLIC ARTS CHARTER (C14-3.29, P13-1)**

**ITEM 2.4 PUBLIC ARTS POLICY – PREPARING THE RULES AROUND PUBLIC ART (C14-3.29, P13-1)**

That:

1. A draft Charter be developed and emailed out to the Committee Members;
2. The draft Charter be presented to the next Committee Meeting for review; and
3. Council adapts a Public Arts Policy and that this draft Policy be presented to the next Committee Meeting for review.



# WARREN SHIRE COUNCIL

Minutes of the Warren Public Arts Committee Meeting  
held in the Council Chambers, 115 Dubbo Street Warren  
on Tuesday 7th July 2020 commencing at 4:08 pm

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**PRESENT:**

Councillor Brett Williamson	(Chair)
Councillor Karlene Irving	
Bruce Lynch	Community Member
Jenny Quigley	Community Member
Judy Ridley	Community Member
Glenn Wilcox	General Manager
Jody Burtenshaw	Executive Assistant

**ITEM 1 APOLOGIES**

Apologies were tendered on behalf of Councillor Milton Quigley, Councillor Pauline Serdity, Alisha Leach and Raylene Darcy who were absent due to external commitments, and it was **MOVED** that the apologies be accepted and a leave of absence for the members concerned be granted.

**Carried**

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**ITEM 2.1 NOMINATION OF CHAIRPERSON (C14-3.29)**

A nomination for Councillor Brett Williamson for the position of Chairperson of the Warren Public Arts Committee was received and seconded.

Councillor Brett Williamson accepted the nomination as Chairperson and as there was only one (1) nomination; that being Councillor Brett Williamson, he was therefore duly elected as Chairperson.

**Carried**

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**ITEM 2.2 COMMITTEE MEMBERSHIP - FIVE (5) COMMUNITY MEMBERS (C14-3-29)**

It was resolved at the 25th June 2020 Council Meeting that Council form a S355 Committee under the Local Government Act 1993 to develop Warren Public Arts and that three (3) Councillors and five (5) community representatives be elected. Councillor Brett Williamson, Councillor Pauline Serdity and Councillor Karlene Irving accepted their nominations to this Committee.

**MOVED** Irving/Williamson that the Warren Public Arts Committee consist of the following community members: Alisha Leach, Bruce Lynch, Jenny Quigley, Judy Ridley and Raylene Darcy.

**Carried**

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# WARREN SHIRE COUNCIL

Minutes of the Warren Public Arts Committee Meeting  
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**ITEM 2.3 PUBLIC ARTS CHARTER (C14-3.29, P13-1)**

**ITEM 2.4 PUBLIC ARTS POLICY – PREPARING THE RULES AROUND PUBLIC ART (C14-3.29, P13-1)**

**MOVED** Quigley/Lynch that:

1. A draft Charter be developed and emailed out to the Committee Members;
2. The draft Charter be presented to the next Committee Meeting for review; and
3. Council adapts a Public Arts Policy and that this draft Policy be presented to the next Committee Meeting for review.

**Carried**

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**ITEM 2.5 DESIGN, ARTISTS AND PAINTING QUALITY OF MURAL FOR STAFFORD STREET WATER RESERVOIR – DROUGHT FUNDING (W2-1)**

The Committee noted the following information:

- The Stafford Street water reservoir level to be maintained to a level to eliminate the risk of leakage from the reservoir. The General Manager further advised that the reservoir will be decommissioned in time, which will eliminate the risk of any mural deteriorating due to water leaks;
- The Committee supports the Stafford Street water reservoir as the first mural;
- Council to liaise with the Warren Weekly regarding an article on the painting of the mural on the Stafford Street reservoir. The article is to include how the Stafford Street reservoir was selected, history behind requests for painting of reservoirs in Warren and the theme for this mural.

**MOVED** Ridley/Lynch that:

1. Council allow the painting of a mural on the Stafford Street reservoir to reflect the use and development of sport and recreation at Carter Oval;
2. The Committee members (as a whole) undertake local media to explain the Committee role and function;
3. Council call for expressions of interest for the concept design around the sporting and recreation theme and the painting of the Stafford Street reservoir;
4. Once a concept and artist is selected by the Committee and Council, that the design is advertised in the local media so that the public is aware of the design; and
5. That the Committee members provide expertise in the assessment of the artwork, the paint type and quality and other relevant assessments.

**Carried**

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**ITEM 2.6 SCULPTURES FOR MACQUARIE RIVER WALKWAY – DROUGHT FUNDING (C14-3.29)**

**MOVED** Quigley/Irving that:

1. Council develop a sculpture walk along the Macquarie River footpath;
2. Council host a sculpture by the river competition and that the drought funding be allocated towards prizemoney and sculpture staging; and
3. The Committee prepare details to advertise the sculpture competition.

**Carried**

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# WARREN SHIRE COUNCIL

Minutes of the Warren Public Arts Committee Meeting  
held in the Council Chambers, 115 Dubbo Street Warren  
on Tuesday 7th July 2020 commencing at 4:08 pm

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**ITEM 2.7 FUTURE FUNDING (G4-1)**

**MOVED** Williamson that Council seek additional funding to support programs into the future.  
**Carried**

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**ITEM 3 ACTION CHECKLIST**

**MOVED** Ridley/Quigley that the following items be added to the Action Checklist:

- That a Public Arts Charter and Policy be developed;
- That design artists and required painting quality be investigated;
- Sculptures for Macquarie River walkway;
- A Master Plan for Public Arts be developed; and
- Council seek additional future funding.

**Carried**

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**ITEM 4 GENERAL BUSINESS WITHOUT NOTICE**

- Clarification to be sought by Council on the “rules” for public art adjacent to highways and regional roads.
  - Councillor Irving requested if the Master Plan could include how the community can be engaged and that community members be encouraged to write to Council to forward onto the Warren Public Arts Committee with ideas for consideration.
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**ITEM 5 DATE OF NEXT MEETINGS**

- Tuesday 28th July 2020 at 4.00 pm.

**There being no further business the meeting closed 5.40 pm.**



## MANEX MINUTES

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Attached are the Minutes of the meeting of Manex held on Tuesday, 14th July 2020.

**RECOMMENDATION:**

That the Minutes of the Meeting of Manex held on Tuesday, 14th July 2020 be received and noted.

**ITEM 4.2 PROJECTS AND ASSETS STATUS REPORT**

That:

1. The information be received and noted; and
2. The Manager Health and Development Services to pursue a start date from the contractors for internal works at the Warren War Memorial Swimming Pool.

**WARREN SHIRE COUNCIL**  
Minutes of the Manex Committee Meeting  
held at the Warren Shire Library, Warren,  
on Tuesday 14th July 2020 commencing at 2.05 pm

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**PRESENT:**

Glenn Wilcox	General Manager
Darren Arthur	Divisional Manager Finance & Administration (Chair)
Rolly Lawford	Divisional Manager Engineering Services
Jillian Murray	Treasurer
Rowan Hutchinson	Roads Infrastructure Manager
Kerry Jones	Infrastructure Projects Manager
Jody Burtenshaw	Executive Assistant

**ITEM 1 APOLOGIES**

An apology was received from Raymond Burns, who was absent due to external commitments and it was **MOVED** Lawford/Murray that a leave of absence be granted for this meeting.

**Carried**

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**ITEM 2 BUSINESS ARISING FROM MINUTES**

Nil.

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**ITEM 3 ACTION CHECKLIST**

**MOVED** Jones/Lawford that the information be received and noted.

**Carried**

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**ITEM 4.1 2019/2020 SPECIFIC WORKS STATUS REPORT - OUTSTANDING**

**MOVED** Jones/Murray that the information be received and noted.

**Carried**

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**ITEM 4.2 PROJECTS AND ASSETS STATUS REPORT**

**MOVED** Lawford/Hutchinson that:

1. The information be received and noted; and
2. The Manager Health and Development Services to pursue a start date from the contractors for internal works at the Warren War Memorial Swimming Pool.

**Carried**

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**WARREN SHIRE COUNCIL**  
Minutes of the Manex Committee Meeting  
held at the Warren Shire Library, Warren,  
on Tuesday 14th July 2020 commencing at 2.05 pm

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**ITEM 4.3      EWENMAR WASTE DEPOT STATUS REPORT**

**MOVED** Lawford/Wilcox that the information be received and noted.

**Carried**

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**ITEM 5.1      NSW GOVERNMENT CIRCULARS**

**(L5-3)**

**MOVED** Wilcox/Lawford that the information be received and noted.

**Carried**

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**ITEM 5.2      OFFICE OF LOCAL GOVERNMENT STRATEGIC TASKS**

**(L5-3)**

**MOVED** Wilcox/Jones that the information be received and noted.

**Carried**

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**ITEM 6      IMPOUNDING OFFICER'S REPORT**

**(P4-4)**

**MOVED** Wilcox/Lawford that the information be received and noted.

**Carried**

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**ITEM 7      CENTRAL WEST COUNCILS ENVIRONMENT & WATERWAYS ALLIANCE (C12-3.2)**

**MOVED** Lawford/Murray that Central West Councils Environment & Waterways Alliance Meeting Minutes of the 17th June 2020 be received and noted.

**Carried**

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**ITEM 8      JUNE 2020 DRAFT MINUTES AND JULY 2020 BUSINESS PAPER**

The Committee previewed the July 2020 Business Paper and the June 2020 Draft Minutes and actions required were placed on the Action Checklist in Item 1 of the General Manager's Report.

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**ITEM 9      CORRESPONDENCE AND COMPLAINTS/ACTION REQUESTS STATUS**

The correspondence list and the outstanding complaints/actions list was circulated. It was requested that the responsible officers update the outstanding complaints/actions list and return to the Engineering Administration Officer.

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**ITEM 10      GENERAL BUSINESS WITHOUT NOTICE**

- The tender for the Upgrade / Refurbishment of Airside Infrastructure including Runways, Taxiways, Aprons, Drainage and Line Marking at the Warren Aerodrome closed on Friday, 10th July 2020. A late report will be presented to the 23rd July 2020 Council Meeting.
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**WARREN SHIRE COUNCIL**  
Minutes of the Manex Committee Meeting  
held at the Warren Shire Library, Warren,  
on Tuesday 14th July 2020 commencing at 2.05 pm

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**ITEM 10**

**GENERAL BUSINESS WITHOUT NOTICE**

**CONTINUED**

- The tender for the Design and Construct Splash Pad at the Carter Oval Sports Centre closed on Friday, 10th July 2020. A late report will be presented to the 23rd July 2020 Council Meeting.
- The Divisional Manager Finance & Administration advised that himself and the Finance Clerk – Rates, Water & ICT Officer and the Finance Clerk - Creditors will be adding local suppliers onto Vendor Panel. Buyers/Ordering training is currently being organised for next week and Council's officers will be advised once training has been confirmed.

**There being no further business the meeting closed 3.15 pm.**

DRAFT

## **ROADS COMMITTEE**

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Attached are the Minutes of the meeting of the Roads Committee held on Tuesday, 14th July 2020

**RECOMMENDATION:**

That the Minutes of the Meeting of the Roads Committee held on Tuesday, 14th July 2020 be received and noted, and the following recommendations be adopted:

**ITEM 4.1      2020/21 REGIONAL ROAD "REPAIR" GRANT      (W6-16.24)**

That:

1. Council acknowledge that the Transport for NSW (TfNSW) 2020.21 Regional Road "REPAIR" Grant offer of \$400,000 providing for the upgrade of Regional Road No.347, Segment 14, the Collie to Trangie Road, has been acknowledged, and
2. Council be prepared to accept the second quarter budget review adjustment which will illustrate the movement of funds within the 2020/21 Management Plan and provide for the matching of the TfNSW's \$400,000.

**ITEM 4.2      FIXING LOCAL ROADS GRANT      (G4-1.29, G4-1.30, G4-1.31)**

That:

1. The Roads Committee formally acknowledge the total allocation of \$1,755,000 to be spent upgrading Ellengerah Road, Segment 20, Nevertire Bogan Road Segment 02 and the Old Warren Road Part Segment 22 and Segment 24 in accordance with Council's Grant fixing Local Roads Application;
2. The Council be prepared to contribute \$451,250, approximately 25%, to satisfy the conditions of the Fixing Local Roads Grant;
3. The required Council Contribution, \$451,250, be sourced from the 2020/21 Local Roads and Infrastructure Program allocation; and
4. Council formally accept the Minister for Regional Transport and Roads, the Hon Paul Toole's notification of being offered \$1,303,750 for the upgrade of Ellengerah Road, Segment 20, Nevertire Bogan Road Segment 02 and the Old Warren Road Part Segment 22 and Segment 24.

**WARREN SHIRE COUNCIL**  
Minutes of the Roads Committee Meeting  
held in the Council Chambers, Administration Building,  
Warren on Tuesday, 14th July 2020 commencing at 3.30 pm

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**PRESENT:**

Councillor Milton Quigley (Chair)  
Councillor Heather Druce  
Councillor Mark Beach  
Councillor Andrew Brewer  
Councillor Ron Higgins  
Rolly Lawford (Divisional Manager Engineering Services)

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**ITEM 1 APOLOGIES**

An apology was received from Glenn Wilcox (General Manager), who was absent due to external commitments and it was **MOVED** Druce/Brewer that a leave of absence be granted for this meeting.

**Carried**

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**ITEM 2 BUSINESS ARISING FROM MINUTES**

- Contract with (TfNSW), the decision was made to leave this matter as per previous resolution.
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**ITEM 3 ACTION CHECKLIST**

**MOVED** Druce/Higgins that the information be received and noted.

**Carried**

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**ITEM 4.1 2020/21 REGIONAL ROAD "REPAIR" GRANT**

**(W6-16.24)**

**RECOMMENDATION TO COUNCIL**

**MOVED** Beach/Druce that:

1. Council acknowledge that the Transport for NSW (TfNSW) 2020.21 Regional Road "REPAIR" Grant offer of \$400,000 providing for the upgrade of Regional Road No.347, Segment 14, the Collie to Trangie Road, has been acknowledged; and
2. Council be prepared to accept the second quarter budget review adjustment which will illustrate the movement of funds within the 2020/21 Management Plan and provide for the matching of the TfNSW's \$400,000.

**Carried**

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**WARREN SHIRE COUNCIL**  
Minutes of the Roads Committee Meeting  
held in the Council Chambers, Administration Building,  
Warren on Tuesday, 14th July 2020 commencing at 3.30 pm

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**ITEM 4.2    FIXING LOCAL ROADS GRANT**

**(G4-1.29, G4-1.30, G4-1.31)**

**RECOMMENDATION TO COUNCIL:**

**MOVED** Druce/Beach that:

1. The Roads Committee formally acknowledge the total allocation of \$1,755,000 to be spent upgrading Ellengerah Road, Segment 20, Nevertire Bogan Road Segment 02 and the Old Warren Road Part Segment 22 and Segment 24 in accordance with Council's Grant fixing Local Roads Application;
2. The Council be prepared to contribute \$451,250, approximately 25%, to satisfy the conditions of the Fixing Local Roads Grant;
3. The required Council Contribution, \$451,250, be sourced from the 2020/21 Local Roads and Infrastructure Program allocation; and
4. Council formally accept the Minister for Regional Transport and Roads, the Hon Paul Toole's notification of being offered \$1,303,750 for the upgrade of Ellengerah Road, Segment 20, Nevertire Bogan Road Segment 02 and the Old Warren Road Part Segment 22 and Segment 24.

**Carried**

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**ITEM 4.3    2020/21 PARTIAL WORKS PROGRAM**

**MOVED** Higgins/Druce that the information be noted.

**Carried**

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**ITEM 4.4    ROAD PROJECTS AND ASSETS STATUS REPORT**

**MOVED** Beach/Brewer that the information as discussed be received and noted.

**Carried**

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**GENERAL BUSINESS ITEMS**

- Councillor Brewer enquired about the Ewenmar Bridge roadworks signs and if they could be clean up as it's becoming untidy and no one is obeying the road rules.
  - Council is to consult with Transport for NSW (TfNSW) and ask them to review their works of the Ewenmar Bridge.
  - Council also needs to look at doing media releases for the following upcoming projects:  
Re-prioritising the flow of traffic and upgrade of the intersection of the Carinda Road, Regional Road No.333, and the Industrial Access Road SR 91 Project No.0017, Item No.17 Rehabilitation Collie-Trangie Road Regional Road No.347, Item No.16 Rehabilitation Warren Road Regional Road No.7515 and the Ewenmar Bridge repair work that is to be carried out by Transport for NSW (TfNSW) Bridge Crew.
  - Councillor Beach is to follow up and report back to the next meeting on the low hanging branches that are located near Haddon Rig.
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**NEXT MEETING**

- 11th August 2020 at 3:30pm.

**There being no further business the meeting closed at 5:10 pm.**

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## ECONOMIC DEVELOPMENT COMMITTEE MINUTES

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Attached are the Minutes of the meeting of Economic Development Committee held on Wednesday, 15th July, 2020.

**RECOMMENDATION:**

That the Minutes of the Meeting of Economic Development Committee held on Wednesday, 15th July 2020 be received and noted.

**ITEM 3 BUSINESS ARISING**

**RECOMMENDATION TO COUNCIL**

That:

1. That a report be provided back to the Economic Development Committee as to the redesign of the Mitchell Highway signs, costs and time frame;
2. That a sign be considered on the western (Nyngan) side of Nevertire directing people to Warren;
3. That the Committee consider a directional sign to free coffee for travellers on the Mitchell Highway when visiting Warren Cafes. That an annual time frame apply; and
4. That the Committee allocate annual funding to the promotion.

**RECOMMENDATION TO COUNCIL**

That Council write to the Minister for Energy and Environment the Hon. Matthew Kean MP, to request that the Warren Shire Council area be added into the new energy sites and lobby for a transformer(s) for additional solar farms.

**RECOMMENDATION TO COUNCIL**

That Council write to the Local Federal Member, the Hon Mark Coulton MP, to ask him to raise the position of an Economic Development Facilitator to be provided through the Murray Darling Basin Fund.



**WARREN SHIRE COUNCIL**  
**Minutes of the Economic Development Committee Meeting**  
**held at the Warren Shire Council Chambers**  
**on Wednesday 15th July 2020, commencing at 2.00pm**

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**PRESENT:**

Milton Quigley	Councillor (Chairperson)
Katrina Walker	Councillor
Andrew Brewer	Councillor
Sarah Derrett	Councillor
Glenn Wilcox	General Manager

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**ITEM 1            APOLOGIES**

Nil.

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**ITEM 2            MINUTES**

**MOVED** Walker/Brewer that the Minutes of the Economic Development Committee meeting held on Wednesday, 25th March 2020 be adopted as a true and correct record of that meeting.

**Carried**

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**ITEM 3            BUSINESS ARISING**

Signage on the highway - No grant funding is provided to these signs. The signs are faded and need review. That other highway advertising be developed.

**RECOMMENDATION TO COUNCIL**

**MOVED** Brewer/Walker that:

1. That a report be provided back to the Economic Development Committee as to the redesign of the Mitchell Highway signs, costs and time frame;
2. That a sign be considered on the western (Nyngan) side of Nevertire directing people to Warren;
3. That the Committee consider a directional sign to free coffee for travellers on the Mitchell Highway when visiting Warren Cafes. That an annual time frame apply; and
4. That the Committee allocate annual funding to the promotion.

Solar Panels - That advice be provided to the Economic Development Committee on solar installations at Parkes and other Council areas. That a copy of the environmental strategy to be provided.

**RECOMMENDATION TO COUNCIL**

**MOVED** that Council write to the Minister for Energy and Environment the Hon. Matthew Kean MP, to request that the Warren Shire Council area be added into the new energy sites and lobby for a transformer(s) for additional solar farms.

**WARREN SHIRE COUNCIL**  
**Minutes of the Economic Development Committee Meeting**  
**held at the Warren Shire Council Chambers**  
**on Wednesday 15th July 2020, commencing at 2.00pm**

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**ITEM 3 BUSINESS ARISING**

**CONTINUED**

Murray Darling Basin Fund Economic Facilitator - No action taken by the Murray Darling Basin Commission at this time.

**RECOMMENDATION TO COUNCIL**

**MOVED** that Council write to the Local Federal Member, the Hon Mark Coulton MP, to ask him to raise the position of an Economic Development Facilitator to be provided through the Murray Darling Basin Fund.

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**GENERAL BUSINESS**

1. Promotional video - that consideration be made to develop promotional videos to sell the Shire, lifestyle, employment, tourism etc
  2. Airport upgrade - That the land sale, fuel and activities are marketed.
  3. Investigate accommodation types and locations.
- 

**ITEM 6 NEXT MEETING**

- 11th November 2020

**THERE BEING NO FURTHER BUSINESS THE MEETING CONCLUDED AT 3.00 PM.**

# WARREN SHIRE COUNCIL

## Policy Report of the Divisional Manager of Finance & Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 23<sup>rd</sup> July 2020

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ITEM 1 INVESTMENT POLICY – REVIEW JULY 2020

(P13-1, I3-1.15)

### **RECOMMENDATION:**

That Council note the Investment Policy has been reviewed and that no alterations are required.

### **PURPOSE**

To advise Council that a review of the Investment Policy was undertaken and that no alterations to the existing policy are required.

### **BACKGROUND**

Council, in its role as a Local Government Authority, has an obligation to ensure that it invests surplus funds in accordance with its adopted Investment Policy that is to be reviewed annually.

There are a number of legislative requirements that govern how a council may invest surplus funds. These include the *Local Government Act, 1993*, the Local Government (General) Regulation 2005, and the Ministerial Investment Order.

### **REPORT**

It is a requirement that Council review its Investment Policy annually in the event of legislative change or significant changes to the market conditions.

The Investment Policy may also be changed to advantage Council. Any amendment must be by way of Council resolution.

Upon review of the current Investment Policy there are no changes required to the policy, a copy of the Policy is attached for Councillors information

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Nil

### **LEGAL IMPLICATIONS**

Nil

### **RISK IMPLICATIONS**

Nil

### **STAKEHOLDER CONSULTATION**

Nil

### **OPTIONS**

Nil

### **CONCLUSION**

After a review of the current Investment Policy there are no alterations required.

### **LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN**

5.2.2 Timely and accurate reporting for efficient management and accountability.

### **SUPPORTING INFORMATION /ATTACHMENTS**

Investment Policy

# WARREN SHIRE COUNCIL

Policy Report of the Divisional Manager of Finance & Administration  
to the Ordinary Meeting of Council to be held in the  
Council Chambers, Warren on Thursday 23<sup>rd</sup> July 2020

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ITEM 1

INVESTMENT POLICY – REVIEW JULY 2020

CONTINUED



## POLICY REGISTER

## INVESTMENT POLICY

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Policy adopted: 27th September 2018 Minute No. 214.9.18

Reviewed: July 2020

File Ref: P13-1, I3-1.15

## DOCUMENT CONTROL

Issue.	Prepared/Revised by and Date	Action/Amendment Description	Approved By and Date
1.0		First Edition	Council Minute No. 214.9.18 (27th September 2018)
1.1	Darren Arthur – July 2020	Second Edition	Council Minute No.

# WARREN SHIRE COUNCIL

## Policy Report of the Divisional Manager of Finance & Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 23<sup>rd</sup> July 2020

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### ITEM 1 INVESTMENT POLICY – REVIEW JULY 2020

CONTINUED

#### INVESTMENT OBJECTIVES

The Purpose of this policy is to provide a framework for the optimum investment of Warren Shire Council's funds at the most favourable rate of interest available to it at the time, maximising returns whilst having due consideration of risks, liquidity and security for its investments.

While exercising the power to invest, consideration is to be given to the preservation of capital, liquidity and the return on investment. Therefore, Council has several primary objectives for its investment portfolio:

- Compliance with legislation, regulations, the prudent persons tests of the *Trustee Act* and best practice guidelines;
- The preservation of the amount invested;
- To ensure there is sufficient liquid funds to meet all reasonably anticipated cash flow requirements; and
- To generate income from the investment that exceeds the performance benchmarks mentioned later in this document.

#### LEGISLATIVE REQUIREMENTS

All investments must comply with the following:

- Local Government Act 1993;
- Local Government (General) Regulation 2005;
- Ministerial Investment Order;
- The Trustee Amendment (Discretionary Investments) Act 1997 – Section 14;
- Local Government Code of Accounting Practice and Financial Reporting;
- Investment Policy Guidelines (Office of Local Government);
- Australian Accounting Standards; and
- Office of Local Government Circulars.

#### DELEGATION OF AUTHORITY

Authority for implementation of the Investment Policy is delegated by Council to the General Manager in accordance with the Local Government Act 1993.

The General Manager may in turn delegate the day to day management of Council's investments to the Responsible Accounting Officer (RAO) and ensure adequate skill, support and oversight.

A Council officer's delegated authority to manage Council's investments must be formally recorded. The officer must also acknowledge receipt of this policy and its obligations.

##### **a. Prudent Person Standard**

The Investments will be managed with the care, diligence and skill that a prudent person would exercise. As trustees of public monies; officers are to manage Council's investment

# WARREN SHIRE COUNCIL

## Policy Report of the Divisional Manager of Finance & Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 23<sup>rd</sup> July 2020

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### ITEM 1 INVESTMENT POLICY – REVIEW JULY 2020

CONTINUED

portfolios to safeguard the portfolio in accordance with the spirit of the Investment Policy and NOT for speculative purposes.

#### **b. Ethics and Conflicts of Interest**

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This policy requires officers to disclose any conflicts of interest to the General Manager.

Independent advisors are also to declare, by written confirmation, that they have no actual or perceived conflicts of interest.

#### **c. Authorised Investments**

All investments must be denominated in Australian dollars. Authorised investments are limited to those allowed by the Ministerial Investment Order and include:

- Commonwealth /State/ Territory Government securities e.g. bonds;
- Interest bearing deposits /senior securities issued by an eligible ADI;
- Bills of Exchange (<200 days duration) guaranteed by an ADI;
- Debentures issued by a NSW Council (under Local Government Act 1993)
- Land mortgages which are first mortgages (< 60% of land value);
- Deposits with Local Government Financial Services Pty Limited (LGFS)
- Deposits with NSW T-Corp &/or Investments in NSW T-Corp Hour Glass Facility; and
- Investments grandfathered under the Ministerial Investment Order.

#### **d. Prohibited Investments**

This investment policy prohibits the following types of investments (and extends the prohibition to any investment carried out for speculative purposes) other than for securities specifically covered by grandfathering arrangements in the Minister's Order:

- Derivative based instruments:
- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Stand-alone securities issues that have underlying futures, options, forwards contracts and swaps of any kind.

This policy also prohibits the use of leveraging (borrowing to invest) of an investment. However, nothing in this policy shall prohibit the short-term investment of loan proceeds where the loan is raised for non-investment purposes and there is a delay prior to the spending occurring.

#### **e. Risk Management**

Investments obtained are to be considered in light of the following key criteria:

- *Preservation of Capital* – the requirement for preventing losses in an investment portfolio's total value;

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### INVESTMENT POLICY – REVIEW JULY 2020

### CONTINUED

- *Credit Risk* – The risk that a party or guarantor to a transaction will fail to fulfil its obligations. In the context of this document it relates to the risk of loss due to the failure of an institution/entity with which an investment is held to pay the interest and/or repay the principal of an investment;
- *Diversification* – the requirement to place investments in a broad range of products so as not to be over exposed to a particular sector of the investment market.
- *Liquidity Risk* – the risk an investor runs out of cash, is unable to redeem investments at a fair price within a timely period, and thereby incurs additional costs (or in the worst case is unable to execute its spending plans);
- *Market Risk* – the risk that fair value or future cash flows will fluctuate due to changes in market prices or benchmark returns will unexpectedly overtake the investment's return;
- *Maturity Risk* – the risk relating to the length of term to maturity of the investment. The longer the term, the greater the length of exposure and risk to market volatilities; and
- *Rollover Risk* – the risk that income will not meet expectations or budgeted requirement because interest rates are lower than expected in the future.

#### **f. Investment Advisor**

Council's Investment Advisor must be approved by Council and licensed by the Australian Securities and Investment Commission. The advisor must be independent. They must confirm in writing that they have no actual or potential conflict of interest in relation to investment products being recommended and is free to choose the most appropriate product within the terms and conditions of the Investment Policy. This includes receiving no commissions or other benefits in relation to the investments being recommended or reviewed. Warren Shire Council currently does not use an Investment Advisor.

#### **g. Accounting**

Council will comply with appropriate accounting standards in valuing its investments and quantifying its investment returns.

In addition to recording investment income according to accounting standards, published reports may show a breakdown of its duly calculated investment returns into realised and unrealised capital gains and losses and interest.

Other relevant issues will be considered in line with relevant Australian Accounting Standards, such as discount or premium, designation as held to maturity or on fair value basis and impairment.

#### **h. Safe Custody Arrangements**

Where necessary, investments may be held in safe custody on Council's behalf, as long as the following criteria are met:

- Council must retain beneficial ownership of all investments;
- Adequate documentation is provided, verifying the existence of the investments;



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### CONTINUED

- The custodian conducts regular reconciliation of records with relevant registries and/or clearing systems; and
- The institution or custodian recording and holding the assets will be:
  - Austraclear;
  - An institution with an investment grade Standard and Poor's or Moody's rating; or
  - An institution with adequate insurance including professional indemnity insurance and other insurances considered prudent and appropriate to cover its liabilities under any agreement.

#### *i. Counterparty Limits*

Exposure to individual counterparties/financial institutions will be restricted by their ratings so that single entity exposure is limited, as detailed in the table below. It excludes any government guaranteed investments.

This table does not apply to any grandfathered managed fund or structured investment where it is not possible to identify a single counterparty exposure.

Individual Institution or Counterparty Limits		
Long Term Rating	Short Term Credit Ratings	Limit
AAA Category	A-1+	40%
AA Category	A-1+	30%
A Category	A-2	15%
BBB Category	A-3	10%
Unrated Category	Unrated	5%

#### *j. Credit Quality Target and Limits*

The portfolio credit guidelines to be adopted will reference the Standard and Poor's (S&P) ratings system criteria and format – however, references to the Minister's Order also recognised Moody's and Fitch Ratings and any of the three ratings may be used where available.

However, the primary control of credit quality is the prudential supervision and government support and explicit guarantees of the ADI sector, not ratings.

The maximum holding limit in each rating category and the target credit quality weighting for Council's portfolio shall be:

Long Term Rating	Short Term Credit Rating	Maximum Holding
AAA Category	A-1+	100%
AA Category	A-2	100%
A Category	A-2	60%
BBB Category & Unrated ADIs	A-3	40%

#### *k. Term to Maturity Limits*

Council's investment portfolio shall be structured around the time horizon of investment to ensure that liquidity and income requirements are met.

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CONTINUED

Once the primary aim of liquidity is met, Council will ordinarily diversify its maturity profile as this will ordinarily be a low-risk source of additional return as well as reducing the volatility of Council's income. However, Council always retains the flexibility to invest as short as required by internal requirements or the economic outlook.

The factors and/or information used by Council to determine minimum allocations to the shorter durations include:

- Council's liquidity requirements to cover both regular payments as well as sufficient buffer to cover reasonably foreseeable contingencies;
- Medium term financial plans and major capex forecasts;
- Known grants, asset sales or similar one-off inflows;
- Seasonal patterns to Council's investment balances.

<b>Investment Horizon Description</b>	<b>Investment Horizon Maturity Date</b>	<b>Minimum Allocation</b>	<b>Maximum Allocation</b>
Working capital funds	0-3 months	10%	100%
Short term funds	3-12 months	20%	100%
Short-medium term	1-2 years	0%	70%
Medium term funds	2-5 years	0%	50%
Long term funds	5-10 years	0%	25%

Within these broad ranges, Council relies upon assumptions of expected investment returns and market conditions that have been examined with its investment advisor.

#### ***I. Performance Benchmarks***

The performance of Council's investment portfolio will be benchmarked against the 90 day UBSA Bank Bill Index (BBI).

It is Council's expectation that the performance of each investment will be greater than or equal to the applicable benchmark by sufficient margin to justify the investment taking into account its risks, liquidity and other benefits of the investment.

It is also expected that Council will take due steps to ensure that any investment, notwithstanding a yield above the benchmark rate is executed at the best pricing reasonably possible.

The decision to exit grandfathered investments (i.e. managed funds and securities) is based on a range of criteria specific to the investments – including but not limited to factors such as:

- Returns expected over the remaining term.
- Fair values.
- Competing investment opportunities.
- Costs of holding.
- Liquidity and transaction costs.
- Outlook for future investment values.

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In general, it is expected that professional advice will be sought before transacting in grandfathered investments.

#### ***m. Reporting***

Documentary evidence must be held for each investment and details thereof maintained in an investment register. The documentary evidence must provide Council legal title to the investment.

For audit purposes, certificates must be obtained from the banks/fund managers/custodian confirming the amounts if investment held on Council's behalf at 30 June each year.

All investments are to be appropriately recorded in Council's financial records and reconciled at least on a monthly basis.

A **monthly** report will be provided to Council. The report will detail the investment portfolio in terms of holdings and impact of changes in market value since the previous report. The monthly report will also detail the investment performance against the applicable benchmark, investment income earned versus budget year to date and confirm compliance of Council investments within legislative and policy limits. Council may nominate additional content for reporting.

#### ***n. Review of Policy and Investments***

The Investment Policy will be reviewed annually and as required in the event of legislative change or significant changes to the market conditions.

The Investment Policy may also be changed to advantage Council. Any amendment must be by way of Council resolution.

### DEFINITIONS

<b>Act</b>	Local Government Act 1993
<b>ADI</b>	Authorised Deposit Taking Institutions (ADIs) are corporations that are authorised under the Banking Act 1959 (Commonwealth) to take deposits from customers.
<b>Bill of Exchange</b>	Is an unconditional order in writing, addressed by one person to another, signed by the person giving it, requiring the person to whom it is addressed to pay on demand, or at a fixed or determinable future time, a sum certain money to or to the order of a specified person, or to bearer.
<b>BBSW</b>	The Bank Bill Swap reference rate (BBSW) is the average of mid-rate bank bill quote from brokers on the BBSW Panel. The BBSW is calculated daily. Floating rate securities are most commonly reset quarterly to the 90 day BBSW.

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ITEM 1	INVESTMENT POLICY – REVIEW JULY 2020	CONTINUED
<b>Council Funds</b>	Surplus monies that are invested by Council in accordance with section 625 of the Act.	
<b>Debentures</b>	A debenture is a document evidencing an acknowledgement of a debt, which a company has created for the purpose of raising capital. Debentures are issued by companies in return for medium and long-term investment of funds by lenders.	
<b>FRN</b>	A Floating Rate Note (FRN) is a medium to long term fixed interest investment where the coupon is a fixed margin (coupon margin) over a benchmark, also described as a floating rate. The benchmark is usually the BBSW and is reset at regular intervals - most commonly quarterly.	
<b>Grandfathered</b>	Investments held by Council that were previously allowed under the Minister's Order but were grandfathered (i.e. eligible to retain but not add to or restructure existing investments) when the NSW State Government changed the list of approved investments as a result of the Cole Inquiry reflected in the Ministerial Order dated 31/7/2008.	
<b>IPS</b>	The Investment Policy Statement provides the general investment goals and objectives of Council and describes the strategies that must be employed to meet these objectives. Specific information on matters such as asset allocation, risk tolerance and liquidity requirements are also included in the IPS.	
<b>LGGR</b>	Local Government (General) Regulation 2005 (NSW)	
<b>NCD</b>	Is a short-term investment in an underlying security being a negotiable certificate deposit (NCD) where the term of the security is usually for a period of 185 days or less (sometimes up to 2 years). NCDs are generally discount securities, meaning they are issued and on sold to investors at a discount to their face value.	
<b>OLG</b>	NSW Office of Local Government, Department of Premier and Cabinet.	
<b>RAO</b>	Responsible Accounting Officer of a council means a member of the staff of the council designated by the General Manager, or if no such member has been designated, the General Manager. (LGGR – clause 196)	
<b>T-Corp</b>	New South Wales Treasury Corporation.	
<b>UBSA BBI</b>	UBS Australia calculates a daily <i>Bank Bill Index</i> representing the performance of a notional rolling parcel of bills averaging 45 days.	

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**ITEM 1                      OUTSTANDING REPORTS CHECKLIST                      (C14-7.4)**

<b>Date</b>	<b>Resolution or Qwn</b>	<b>Outstanding Matter</b>	<b>Officer Resp</b>	<b>Response/Action</b>
<b>General Manager</b>				
28.5.20	92.5.20	Purchase of Public Land for Toilet	GM	Contract and Subdivision Linen to be registered.
25.6.20	127.6.20	Warren War Memorial Swimming Pool Shade Covers	GM	Order shade covers as resolved.
<b>Divisional Manager Finance and Administration Services</b>				
*25.6.20	125.6.20	Warren Museum & Gallery Association Inc. request for assistance	DMFA	Advised Association of Council's resolution.
*25.6.20	126.6.20	Sale of Land - Deacon Drive, Warren Lots 53 & 54 DP 872884	DMFA	Prospective purchaser advised of Council's resolution. Council's solicitors instructed to prepare contracts.
*25.6.20	128.6.20	Narrabri Gas Project Independent Planning Hearing	DMFA	Public venue for the hearing organised at the Warren Sporting & Cultural Centre 20-24 July 2020.
<b>Divisional Manager Engineering Services</b>				
6.12.18	284.12.18	Lot 79 & 80 DP 724585 Wambianna Street, Collie.	DMES	Survey completed, a report is to be presented to Council. On hold.
6.12.18	287.12.18	Mount Foster Quarry Usage Proposal	DMES	The EPA require additions to the surface stormwater plan and have specified that the additional works are to be completed. So as to enable additional production authority must be sought to "drill and blast" and consequently a DA must be lodged seeking approval to drill and blast. The DA will be subject to a new scope of operations. Once these have been agreed to the EPA will amend the quarry licence certifying full operations. The approval to "drill and blast" is being pursued. The matter will be issued to the Plant Committee once resolved. On hold.

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**ITEM 1                      OUTSTANDING REPORTS CHECKLIST                      CONTINUED**

<b>Date</b>	<b>Resolution or Qwn</b>	<b>Outstanding Matter</b>	<b>Officer Resp</b>	<b>Response/Action</b>
<b>Divisional Manager Engineering Services</b>			<b>Continued</b>	
*23.5.19	105.5.19	2019-2024 Roads to Recovery Allocation	DMES	<ol style="list-style-type: none"> <li>1. Letters sent to listed Ministers.</li> <li>2. No suitable justifiable works. No application sent.</li> <li>3. Prepare/update strategic plan for roads – ongoing.</li> </ol>
27.6.19	129.6.19	Warren Levee Bank Rehabilitation	DMES	<ol style="list-style-type: none"> <li>1. Seek funding as soon as practical;</li> <li>2. Arrange a relevant component project team;</li> <li>3. Arrange an appropriate budget in the annual estimates;</li> <li>4. Implementation of the recommendations contained within the NSW Public Works Report Number DO/13/02 Visual Audit of the Warren Levees (North and South) dated 6 November 2013 is in progress;</li> <li>5. Utilise the specific issues detailed within the 6 November 2013 Visual Audit Report be used to form the basis of the next inspection of the Warren Town Levee as required in the Warren Levee Operations and Maintenance Manual.</li> </ol>
26.9.19	204.9.19	Bundemar Street Warren Proposed Centre Median Alteration	DMES	<ol style="list-style-type: none"> <li>1. Provide a detailed budget for works.</li> <li>2. Submit plans and documents to Council for consideration and approval. On hold.</li> </ol>
5.12.19	270.12.19	Mt Foster Quarry Usage Proposal	DMES	Tender closed, reported to March 2020 Plant Committee Meeting. On hold.

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**ITEM 1**

**OUTSTANDING REPORTS CHECKLIST**

**CONTINUED**

<b>Date</b>	<b>Resolution or Qwn</b>	<b>Outstanding Matter</b>	<b>Officer Resp</b>	<b>Response/Action</b>
<b>Manager Health &amp; Development</b>				
27.6.19	136.6.19	Warren War Memorial Swimming Pool Refurbishment Grant	MHD	Work has been completed on separating the wading pool filtration and chlorination from the main pool. Work commenced to install main pool filtration units, new pipes, new electricals. New concrete concourse, shade sails ordered and general repairs to fibreglass lining and painting contracted.
5.12.19	272.12.19	Shade structures at Warren War Memorial Swimming Pool	MHD	Drought funding allocated and order written to install.
27.2.20	36.2.20	Draft Plans of Management	MHD	<ol style="list-style-type: none"> <li>1. Council assign categories of Community Land as detailed in report.</li> <li>2. Notify Minister</li> <li>3. Seek Ministerial consent to classify Crown Reserves as identified as operational land</li> </ol>
26.3.20	58.3.20	Targeted Earlier Intervention	MHD	<ol style="list-style-type: none"> <li>1. Awaiting on Service Agreement and Schedule for contract.</li> <li>2. Initiate trial MOU with the Warren Youth Group.</li> </ol>
28.5.20	86.5.20	Placement of St Mary's School building rubbish being placed in the general section of the waste depot	MHD	Unsorted waste to be charged a fee.
*28.5.20	106.5.20	Land Acquisition for Rural Fire Service Bullagreen Lane	MHD	RFS notified. Contract of sale being drafted.

**RECOMMENDATION:**

That the information be received and noted and that the items marked with an asterisk (\*) be deleted.

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**ITEM 2 COMMITTEE/DELEGATES MEETINGS**

**(C14-2)**

The following is a listing of various committee/delegates meetings of Council since the last meeting.

**MEETINGS HELD**

<b>DATE</b>	<b>COMMITTEE / MEETING</b>	<b>LOCATION</b>
07.07.2020	Warren Public Arts Committee	Warren
13.07.2020	Orana Joint Organisation Board	Narromine
14.07.2020	Roads Committee	Warren
15.07.2020	Economic Development Committee	Warren
21.07.2020	MDA Region 10 Meeting	Electronic
21.07.2020	Ewenmar Waste Depot Sunset Committee	Warren

**FUTURE MEETINGS NOT ON MEETING SCHEDULE**

<b>DATE</b>	<b>COMMITTEE / MEETING</b>	<b>LOCATION</b>
6-8.10.2020	LGNSW Water Management Conference	Narrabri
22-24.11.2020	LGNSW Annual Conference 2020	Lovedale
16-18.11.2020	National Local Roads and Transport Congress 2020	Wrest Point, Tasmania

**RECOMMENDATION:**

That the information be received and noted.



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**ITEM 3                    GENERAL MANAGER END OF CONTRACT**

**(S12-25.1)**

**RECOMMENDATION** that:

1. Council call for suitable Consultancy Services to attract and employ a General Manager on a permanent or interim basis;
2. The Mayor act as the point of contact for Consultants;
3. An initial selection committee of the Mayor, the Deputy Mayor and two (2) Councillors be appointed to run the selection process (Permanent or Interim); and
4. A final interview phase is held with the full Council prior to selection of a permanent candidate.

**PURPOSE**

The General Manager has advised that he will be leaving Council as at 30th October 2020 in accordance with his contractual arrangements at Council.

**BACKGROUND**

Council's contractual arrangements with the General Manager conclude on Friday, 30th October 2020.

**REPORT**

As per contractual agreements with the General Manager, his contract will conclude with council on Friday, 30th October 2020.

Council is required to comply with clause 336 of the Local Government Act 1993 as attached in the employment of a General Manager.

Council may consider an interim appointment due to the extension to the election process, which may be undertaken for up to 12 months. This would allow a new Council to appoint its General Manager.

The present General Manager advised Council in 2019 of his intentions and agreed to stay until a new Council was appointed and that time was available for consultants to call for a new person. Due to the election period extension, the General Manager will leave prior to a new council being elected.

**FINANCIAL AND RESOURCE IMPLICATIONS**

It is estimated that a new General Manager's appointment will be in the range of \$25,000 to \$35,000 based on the requirements of Council and the level of interviews, advertising and testing proposed.

**LEGAL IMPLICATIONS**

Council is required to follow the requirements of the Local Government Act 1993.

**RISK IMPLICATIONS**

A risk exists that Council cannot find the right candidate to take on the role or progress the Council. This has been a regular occurrence in small rural councils. Council maybe required to

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**ITEM 3                    GENERAL MANAGER END OF CONTRACT**

**CONTINUED**

readvertise the position and appoint an Interim General Manager for a period up to 12 months as allowed by the Act.

**STAKEHOLDER CONSULTATION**

Councillors only, are required to appoint this position.

**OPTIONS**

Council may wish to appoint an Interim General Manager for a period to allow the advertising and appointment process time to occur and to allow the Council additional time to establish their ideas, outcomes and goals for the future direction of the community.

This is a valid option for a new Council whilst they find their collective feet.

**CONCLUSION**

The General Manager's contract will end on Friday, 30th October 2020. Council will need to determine how and when to appoint a new General Manager or alternatively an Interim General Manager.

**LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN**

5.2.2    Timely and accurate reporting for efficient management and accountability

**SUPPORTING INFORMATION /ATTACHMENTS**

**1. Local Government Act 1993 cl.336 Filling of vacancy in position of general manager**

- (1) *If a vacancy occurs in the position of general manager, the council must immediately appoint a person under section 334 to the vacant position or appoint a person to act in the vacant position.*
- (2) *A vacancy occurs in the position of general manager if the general manager—*
  - (a) *dies, or*
  - (b) *completes the term of his or her contract and is not re-appointed, or*
  - (c) *resigns from the position, or*
  - (d) *becomes a mentally incapacitated person and is removed from the position by the council because of that mental incapacity, or*
  - (e) *is sentenced to imprisonment, or*
  - (f) *is removed from the position for breach of or under the terms of the general manager's contract with the council.*
- (3) *A person may be removed from office under subsection (2)(d) only if, taking into account the person's past training, qualifications and experience relevant to employment as a general manager, the person's performance as an employee, and all other relevant factors that it is reasonable to take into account, the person because of his or her mental incapacity—*
  - (a) *would be unable to carry out the inherent requirements of the position of general manager, or*
  - (b) *would, in order to carry out those requirements, require services or facilities that are not required by persons who are not mentally incapacitated persons and the provision of which would impose an unjustifiable hardship (within the meaning of the Disability Discrimination Act 1992 of the Commonwealth) on the council.*

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**ITEM 4                      DRAFT MEMORANDUM OF AGREEMENT – WINDOWS ON WETLANDS COMMITTEE                      (P1-7.17/1)**

**RECOMMENDATION**

That Council sign the Memorandum of Agreement with RiverSmart to work cooperatively and to develop and deliver program outcomes as detailed in the Agreement.

**PURPOSE**

This report has been prepared following ongoing discussions between Council and RiverSmart to operate the Windows on the Wetland Centre (WOW) and to jointly develop tourism, education and other programs that support the community and visitors.

Council developed its first Memorandum of Agreement (MOA) in 2018 which has proved to be very successful.

**BACKGROUND**

Council considered to establish a MOA with RiverSmart in February 2018. This MOA was to establish Council and RiverSmart working together to develop tourism and educational outcomes.

**REPORT**

This report has been prepared to consider the Memorandum of Agreement (MOA) between Council and RiverSmart for the operation of the WoW Centre and to work collaboratively to develop tourism, education and to support applications for grant funding that will provide benefits to the extended community.

The MOA places obligations on both Council and RiverSmart to agree to meet financial costs, support each other in the development of grant applications, develop tourism outcomes and to support education and function of the riverine environment.

The first MOA with RiverSmart has allowed the WoW Centre to develop, tourism to be enhanced and grant funds being supported in the million of dollar range.

**FINANCIAL AND RESOURCE IMPLICATIONS**

Within the MOA, Council and RiverSmart have financial commitments and undertakings as listed in the agreement.

Council under the agreement will provide annual funding towards direct costs of rates, water, sewer and maintenance works. These costs will include improvements to internal roads and drainage and the undertaking of regular mowing of larger open spaces.

Council will need to include these ongoing costs within its annually adopted financial / operations plan.

RiverSmart will fund activities and improvements as contained in the agreement.

**LEGAL IMPLICATIONS**

This agreement is binding on both parties to the extent stated within the MOA.



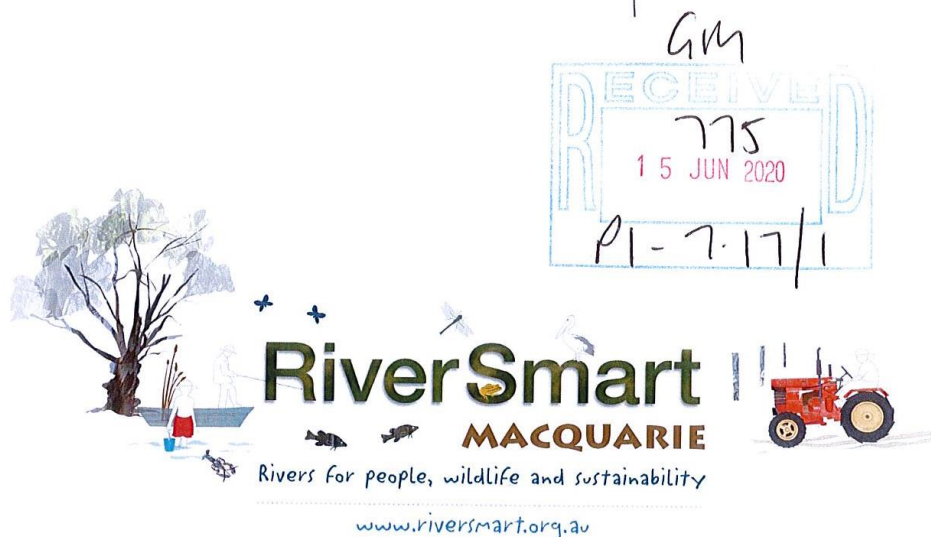
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ITEM 4

**DRAFT MEMORANDUM OF AGREEMENT – WINDOWS ON WETLANDS  
COMMITTEE**

**CONTINUED**



12 June 2020

Mr Glenn Wilcox,  
General Manger  
Warren Shire Council

Dear Glenn,

I refer to the recent meeting Dr Burke and I held with you to review our current Memorandum of Agreement with the Shire and options for the future.

The matter was considered at the meeting of the Macquarie RiverSmart Management Committee held on 4 June and feedback from that discussion is provided below.

The Committee continues to be very pleased with the intent and implementation of the MoA and would also be in support of this being extended to a 5-year agreement, if that is supported by Council.

In terms of 'bigger picture' issues such a longer-term agreement might include, the Committee asked me to bring the following to your attention, for consideration by Council:

1. For the WOW Centre to become the Visitor Information Centre (VIC) for Warren and the Macquarie Marshes. Given the recent additions to our infrastructure, and in the Marshes, we see this as a logical progression that could be undertaken through a gradual transition into the existing Schoolhouse building at the WOW Centre (the former Pine Clump School), or some future purpose-built building.

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**ITEM 4                      DRAFT MEMORANDUM OF AGREEMENT – WINDOWS ON WETLANDS COMMITTEE                      CONTINUED**

2. Related the above, to widen the entrance to the WOW Centre to make it easier for caravan access, sealing of all roads and car parking areas, and to consider providing for drive-through passage for caravans and buses through to Gillendoon Street.
3. If the WOW Centre were to become the VIC our hope is that this would see all our lawn areas maintained by the Shire, not just the levee as is currently the situation. Also, we would like to seek the Shire's assistance with keeping our toilet facilities clean.
4. In addition, we would like to encourage the Shire to install the proposed concrete pathway from the corner of Gillendoon Street and the highway to our entry road, as was mooted some time ago. This is to encourage foot and cycle traffic from the parklands opposite Uncle Clarries to the WOW Centre.
5. Once the pump station is relocated, we would be interested in pursuing grant funding to create in part of that space a greenhouse for propagating plants for use by us, and the Shire, and for sale to the public (since Warren does not currently have a nursery). We would envisage this being staffed by people on work-for-the dole possibly.
6. At present under the MoA the Shire provides annually \$6,000 for repairs and maintenance to our infrastructure, \$500 for plants and \$2,000 for road base/blue metal for maintaining car parks and roadways. Given the above proposals we would suggest that these figures be reviewed as part of negotiating a longer-term Agreement.
7. With the current extension of the walking trails around Tiger Bay Wetland nearly completed, we feel that additional resources need to be dedicated to regular mowing, weed control, filling potholes etc at this increasingly popular site. RiverSmart would also like to seek Council's endorsement for us seeking grant funds to add a further bird hide along the trail extension route, and, to create a sculpture trail around the whole wetland system walking trail network.
8. While our Committee has decided that due to Covid-19 we will not stage the Waraan Festival this year, we hope to do so next year and every second year thereafter. Some financial assistance from the Shire to help us promote this event would be much appreciated.
9. Several other items were also considered that do not relate directly to the WOW Centre. However, they are seen by the Committee as important to providing further attractions in Warren to encourage higher levels of visitation and over-night stays. Among these are the following:
  - The provision of a floating pontoon on the river at 'Warren hole' for paddlers, anglers and swimmers.



**WARREN SHIRE COUNCIL**  
Report of the General Manager  
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---

**ITEM 5                      DRAFT MEMORANDUM OF AGREEMENT – WARREN YOUTH FOUNDATION**  
**(C3-3.4)**

**RECOMMENDATION** that:

1. Council establish a Youth Advisory Committee of three (3) Councillors and three (3) representatives of the Warren Youth Foundation to establish a Memorandum of Agreement; and
2. Subject to a further report from the Committee, that Council sign the Memorandum of Agreement with the Warren Youth Foundation to work co-operatively and to develop and deliver program outcomes as detailed in the Agreement.

**PURPOSE**

This report has been prepared as Warren Youth Foundation would like to enter a Memorandum of Agreement (MOA) with Warren Shire Council to support youth services.

**BACKGROUND**

The Warren Youth Foundation has prepared the attached draft agreement.

**REPORT**

This report has been prepared to consider the Memorandum of Agreement (MOA) between Council and the Warren Youth Foundation and to work collaboratively to develop youth activities, education and to support applications for grant funding that will provide benefits to the extended community.

The MOA places obligations on both Council and the Warren Youth Foundation to agree to meet financial costs, support each other in the development of grant applications, develop youth activities and outcomes and to support education.

This would be the first MOA with Warren Youth Foundation.

**FINANCIAL AND RESOURCE IMPLICATIONS**

Within the MOA, Council and the Warren Youth Foundation have financial commitments and undertakings as listed in the Agreement.

Council under the Agreement will provide annual funding towards direct costs of rates, water, sewer and other works.

Council will need to include these ongoing costs within its annually adopted Financial/Operations Plan.

The Warren Youth Foundation will fund activities and improvements as contained in the Agreement.

**LEGAL IMPLICATIONS**

This Agreement is binding on both parties to the extent stated within the MOA.



**WARREN SHIRE COUNCIL**  
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**ITEM 5                      DRAFT MEMORANDUM OF AGREEMENT – WARREN YOUTH FOUNDATION**  
**CONTINUED**

**RISK IMPLICATIONS**

Risk is addressed in the MOA through the agreed outcomes and structure of the MOA. A Committee of Councillors should assess the supplied MOA and review its performance.

The MOA is clear within its intent for both parties and by working collaboratively a higher level of joint satisfaction can be achieved and risks can be lowered.

**STAKEHOLDER CONSULTATION**

It is proposed that Council meets with the Warren Youth Foundation to discuss the MOA.

The MOA is a public document and the community can view this document on request.

Reference to this MOA should be included in Council's audit statements and advice to the Government on term agreements as applicable.

Council's approved Community Strategic Plan contains strategies to support youth.

**OPTIONS**

This report proposes a meeting between the groups to establish a productive MOA.

**CONCLUSION**

The attached draft MOA is presented to Council to allow review and discussion between the two (2) parties.

This report recommends the establishment of a Committee to discuss, review and assess the performance of the MOA.

**LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN**

- 1.2.1 Investigate options available looking to develop a solution that can provide leadership and coordination of actions to assist all youth.
- 1.2.2 Promote to youth Warren facilities and activities available
- 1.2.3 Development of traineeship programs to retain youth
- 1.2.4 Investigate initiatives in creating employment for youth.

**SUPPORTING INFORMATION /ATTACHMENTS**

Draft Memorandum of Agreement.

**WARREN SHIRE COUNCIL**  
Report of the General Manager  
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**ITEM 5**

**DRAFT MEMORANDUM OF AGREEMENT – WARREN YOUTH FOUNDATION**

**CONTINUED**

**MEMORANDUM OF AGREEMENT  
BETWEEN  
WARREN SHIRE COUNCIL  
AND  
WARREN YOUTH FOUNDATION**

**WARREN SHIRE COUNCIL**  
Report of the General Manager  
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ITEM 5

**DRAFT MEMORANDUM OF AGREEMENT – WARREN YOUTH FOUNDATION**

**CONTINUED**

1. **PROPOSED RESPONSIBILITIES OF THE COUNCIL**

***DESCRIBE PARTNER'S RESPONSIBILITIES UNDER THIS AGREEMENT***

- Council will look to support any proposed development works if legally allowable and in line with zoning requirements. This may include the provision of a shade shelter.
- Council will help Warren Youth Foundation (WYF) ascertain quotes to insure the WYF building.
- Council will help WYF by providing free use of council premises for event purposes on 12 occasions per annum. Namely the Warren War Memorial Swimming Pool and Warren Sporting and Cultural Centre will be made available on mutually agreed dates and times agreed in advance.
- Council will partner in the review and submission of grant applications.

***DESCRIBE WARREN YOUTH FOUNDATION RESPONSIBILITIES UNDER THIS AGREEMENT***

- Provide a non-judgemental safe haven for 11-20 year old's to access.
- Within the Warren Youth Centre provide activities such as cooking, pool table, board games, music activities, arts and crafts and music nights to engage the 11-20 year old population.
- Provide free access to internet and homework assistance.
- Mentoring, guidance and advice to the adolescents who attend.
- Partnership with local clubs on sports and club events.
- Discovering barriers in youth education and helping resolve the issues before they become a lifelong problem.
- Promote to youth Warren facilities and activities available.
- Assist and support development of traineeship programs to retain youth.
- Assist and support initiatives in creating employment for youth.

**WARREN SHIRE COUNCIL**  
**Report of the General Manager**  
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**ITEM 5**

**DRAFT MEMORANDUM OF AGREEMENT – WARREN YOUTH FOUNDATION**

**CONTINUED**

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**2. PRINCIPAL CONTACTS**

The Principal Contacts for each one of the organisations are:

Partner: Warren Shire Council  
The General Manager  
115 Dubbo Street Warren  
Postal Address: PO Box 6 Warren NSW 2824  
Telephone: 02 6847 6600

PARTNER: Tony McAlary

Such Principal Contacts may be changed in writing from time to time by their respective Partners.

**3. USE OF INTELLECTUAL PROPERTY**

The parties agree that any intellectual property, which is jointly developed through activities covered under this MOA, can be used by either party for non-profit, non-commercial purposes without obtaining consent from the other and without any need to account to the other.

All other intellectual property used in the implementation of the MOA will remain the property of the party that provided it. This property can be used by either party for purposes covered by the MOA, but consent will be obtained from the owner of the property before using it for purposes not covered by the MOA.

**4. EFFECTIVE DATES AND AMENDMENTS.**

This MOA shall take effect upon signing by both Parties and shall remain in effect for a period of two (2) years from that date unless earlier terminated. Neither party may assign or transfer all or any portion of this MOA without the prior written consent of the other party.

The MOA may be renewed at the end of this period by mutual written agreement by both Parties.

The provisions of this MOA may only be amended or waived by mutual written agreement by both Parties.

Any Party may terminate this MOA and any related agreement, workplan and budget at any time and for any reason by giving thirty (30) days prior written notice to the other Party.

The individuals signing this MOA on behalf of their respective entities represent and warrant (without personal liability therefore) that upon the signature of each, this MOA shall have been duly executed by the entity each represents.

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Page 3

**WARREN SHIRE COUNCIL**  
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**ITEM 5                      DRAFT MEMORANDUM OF AGREEMENT – WARREN YOUTH FOUNDATION**  
**CONTINUED**

**5.        NO JOINT VENTURE**

Notwithstanding the terms “Partners” and “Partnership”, the Partners agree that they are not entering into a Legal Partnership, joint venture or other such business arrangement, nor is the purpose of the Partners to enter a commercial undertaking for monetary gain. Neither Partner will refer to or treat the arrangements under this Agreement as a Legal Partnership or take any action inconsistent with such intention.

**Section 1: General Commitment**

Agreed Action	Warren Youth Foundation Responsibility	Warren Shire Council Responsibility
1. Provide letters of support for grant applications that develop and support local youth.	✓	✓
2. Provide support for grant applications and assist each other to prepare the grants as and when required.	✓	✓

Agreed Action	Warren Youth Foundation Responsibility	Warren Shire Council Responsibility
3. Explore opportunities and funding sources for provision of resources to support the Warren Youth Foundation	✓	✓

**Section 2: Financial Commitment**

Action	Warren Shire Council Responsibility and year	Annual Budget \$	Warren Youth Foundation Responsibility per calendar year
1. Support the development of grant applications to support Warren Youth Foundation	As required	\$5000 (labour)	Submit grant applications to apply for applicable funding (Ongoing)
2. Council will provide free use of council facilities as set out below:  Warren War Memorial Swimming Pool x8 times per annum  Warren Sporting Complex x 4 times per annum	As required	\$1500	Host up to 12 events in 2021 that will seek to engage 11-20-year old's within the community.

# WARREN SHIRE COUNCIL

Report of the Divisional Manager of Finance and Administration  
to the Ordinary Meeting of Council to be held in the  
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ITEM 1 RECONCILIATION CERTIFICATE – JUNE 2020

(B1-10.16)

## RECOMMENDATION

That the Statements of Bank and Investments Balances as at 30<sup>th</sup> June 2020 be received and noted.

## PURPOSE

To certify that the internal and external cash and investments position of Council is reconciled each month.

## BACKGROUND

Clause 212 of the Local Government (General) Regulation 2005 requires the Responsible Accounting Officer to provide a written report setting out details of all money that the council has invested under Section 625 of the Local Government Act.

## REPORT

Following is the reconciled internal funds of Council that have been reconciled with the Bank Statements as at 30<sup>th</sup> June 2020.

### INTERNAL LEDGER ACCOUNT RECONCILIATION

	Balance 31-May-20	Transactions	Balance 30-Jun-20
General	11,732,655.11	(1,002,181.13)	10,730,473.98
Water Fund	529,327.70	(48,343.44)	480,984.26
Sewerage Fund	2,612,322.20	3,540.38	2,615,862.58
North Western Library	28,038.00	(17,851.09)	10,186.91
Trust Fund	134,643.14	177.18	134,820.32
Investment Bank Account	(12,415,745.38)	1,499,908.88	(10,915,836.50)
	<b>2,621,240.77</b>	<b>435,250.78</b>	<b>3,056,491.55</b>

# WARREN SHIRE COUNCIL

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ITEM 1 RECONCILIATION CERTIFICATE – JUNE 2020

CONTINUED

## BANK STATEMENT RECONCILIATION

Balance as per Bank Statement =	3,130,839.62
Add: Outstanding Deposits for the Month	0.00
Less: Outstanding Cheques & Autopays	(70,485.49)
Less: Interest on Loan 250	(3,862.58)
<b>Balance as per Ledger Accounts less Investments =</b>	<b>3,056,491.55</b>

## INVESTMENTS RECONCILIATION

### Investments as at 30th June 2020

No.	Institution	Amount	Term & Rate	Maturity Date
	National Australia Bank	415,836.50	Variable	On Call A/c
22	Macquarie Credit Union	1,000,000.00	91 Days @ 1.40%	30-Jul-20
23	National Australia Bank	1,500,000.00	90 days @ 0.95%	17-Aug-20
24	National Australia Bank	1,500,000.00	90 Days @ 0.93%	18-Aug-20
25	National Australia Bank	1,500,000.00	90 Days @ 0.93%	24-Aug-20
26	National Australia Bank	3,500,000.00	90 days @ 0.90%	7-Sep-20
27	Macquarie Credit Union	1,500,000.00	91 days @ 1.20%	2-Sep-20
<b>TOTAL INVESTMENTS =</b>		<b>10,915,836.50</b>		

## BANK AND INVESTMENT ACCOUNTS BREAKDOWN

Externally Restricted Funds Invested	9,456,231.00
Internally Restricted Funds Invested	4,018,794.00
2019/20 General Fund Operating Income & Grants	497,303.05
<b>TOTAL BANK &amp; INVESTMENTS ACCOUNTS BALANCE =</b>	<b>13,972,328.05</b>

As Councils Responsible Accounting Officer I certify that the above listed investments are in accordance with Council Policy and the Local Government Act and Regulations.

# WARREN SHIRE COUNCIL

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**ITEM 1 RECONCILIATION CERTIFICATE – JUNE 2020**

**CONTINUED**

**FINANCIAL AND RESOURCE IMPLICATIONS**

N/A

**LEGAL IMPLICATIONS**

N/A

**RISK IMPLICATIONS**

N/A

**STAKEHOLDER CONSULTATION**

N/A

**OPTIONS**

N/A

**CONCLUSION**

This report is provided to advise Council of its financial position.

**LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN**

5.2.2 Timely and accurate reporting for efficient management and accountability.

**SUPPORTING INFORMATION / ATTACHMENTS**

N/A



# WARREN SHIRE COUNCIL

Report of the Divisional Manager of Finance and Administration  
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**ITEM 2 STATEMENT OF RATES & ANNUAL CHARGES**

**(R1-4)**

**RECOMMENDATION**

That the information be received and noted.

**PURPOSE**

To advise Council of the rates and annual charges levied, collected and currently outstanding as at the report date.

**BACKGROUND**

A major source of revenue council receives each year is through the levying of rates and annual charges on property owners in the Warren Shire Council local government area to provide and maintain services to the Warren Shire community.

**REPORT**

Attached to this report is the statement of rates and annual charges as at 30<sup>th</sup> June 2020 including comparisons over the last four years.

**FINANCIAL AND RESOURCE IMPLICATIONS**

Nil

**LEGAL IMPLICATIONS**

Nil

**RISK IMPLICATIONS**

N/A

**STAKEHOLDER CONSULTATION**

N/A

**OPTIONS**

N/A

**CONCLUSION**

This report is provided to advise Council of its financial position.

**LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN**

5.2.2 Timely and accurate reporting for efficient management and accountability.

**SUPPORTING INFORMATION / ATTACHMENTS**

Statement of Rates and Annual Charges as at 30<sup>th</sup> June 2020.

# WARREN SHIRE COUNCIL

Report of the Divisional Manager of Finance and Administration  
to the Ordinary Meeting of Council to be held in the  
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ITEM 2 STATEMENT OF RATES & ANNUAL CHARGES

CONTINUED

30TH JUNE 2020

Name of Rate	NETT ARREARS 1st JULY \$	NETT LEVY \$	TOTAL RECEIVABLE \$	COLLECTIONS FOR YEAR		NETT ARREARS	
				AMOUNT COLLECTED \$	COLLECT AS % AGE OF TOTAL REC'ABLE	ARREARS AMOUNT \$	ARREARS AS % AGE OF TOTAL REC'ABLE
General Fund Rates	110,346	4,874,116	4,984,462	4,776,152	95.82%	208,310	4.18%
Warren Water Fund	30,278	425,032	455,310	405,938	89.16%	49,372	10.84%
Warren Sewerage Fund	38,108	498,066	536,174	474,904	88.57%	61,270	11.43%
<b>TOTAL 2019/2020</b>	<b>178,732</b>	<b>5,797,214</b>	<b>5,975,946</b>	<b>5,656,994</b>	<b>94.66%</b>	<b>318,952</b>	<b>5.34%</b>
<b>TOTAL 2018/2019</b>	<b>128,294</b>	<b>5,617,394</b>	<b>5,745,688</b>	<b>5,566,956</b>	<b>96.89%</b>	<b>178,732</b>	<b>3.11%</b>
<b>TOTAL 2017/2018</b>	<b>125,675</b>	<b>5,437,935</b>	<b>5,563,610</b>	<b>5,435,316</b>	<b>97.69%</b>	<b>128,294</b>	<b>2.31%</b>
<b>TOTAL 2016/2017</b>	<b>137,085</b>	<b>5,353,509</b>	<b>5,490,594</b>	<b>5,362,693</b>	<b>97.67%</b>	<b>127,901</b>	<b>2.33%</b>
<b>TOTAL 2015/2016</b>	<b>124,281</b>	<b>5,217,173</b>	<b>5,341,454</b>	<b>5,217,173</b>	<b>97.67%</b>	<b>124,281</b>	<b>2.33%</b>
		<b>30-Jun-16</b>	<b>30-Jun-17</b>	<b>30-Jun-18</b>	<b>30-Jun-19</b>	<b>30-Jun-20</b>	
<b>COLLECTION FIGURES AS \$</b>		<b>5,217,173</b>	<b>5,362,693</b>	<b>5,435,316</b>	<b>5,566,956</b>	<b>5,656,994</b>	
<b>COLLECTION FIGURE AS %</b>		<b>97.67%</b>	<b>97.67%</b>	<b>97.69%</b>	<b>96.89%</b>	<b>94.66%</b>	

# WARREN SHIRE COUNCIL

## Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren, on Thursday 23<sup>rd</sup> July 2020

### ITEM 3 DONATION REQUEST - WARREN MUSEUM & GALLERY ASSOCIATION INC. (D8-1, G4-1.24)

#### RECOMMENDATION

That Council not make a donation to the Warren Museum and Gallery Association Inc. for the cost of the Development Application, Construction Certificate and associated fees for the Warren Museum & Gallery Project.

#### PURPOSE

To advise Council of an email received from the Warren Museum and Gallery Association Inc. requesting a donation of the Development Application, Plan First & Long Service Leave Fees for the proposed museum and art gallery building.

#### BACKGROUND

The Warren Museum and Gallery Association Inc. a not for profit organisation successfully applied for grant funding to establish a museum and art gallery in Warren in December 2019 through the Federal Government BBRF Infrastructure Projects Stream Round 4.

#### REPORT

Council at the June 2020 Meeting resolved the following:

1. Council advise the Warren Museum and Gallery Association Inc. it will assist with the governance and financial management of the grant the same as currently being undertaken with the RNSW2215 – Destination Macquarie Marshes Project with RiverSmart;
2. Council make a donation to the Warren Museum and Gallery Association Inc. for the cost of the 2020/21 rates and charges following the finalisation of the building purchase; and
3. Council advise the Warren Museum and Gallery Association Inc. that further discussion regarding the possible ongoing support through a Memorandum of Agreement be undertaken to ascertain accurate costing and obligations on both parties be held and reported back to Council.

Council received an email from Warren Museum and Gallery Association Inc. on 9<sup>th</sup> July 2020 (copy attached) requesting Council to consider making a donation for the cost of the Development Application, Construction Certificate and associated fees as these costs are not able to be reimbursed from the grant and are required prior to the Federal Government signing off on the grant.

A breakdown of the costs for the fees based on a \$2,000,000.00 development are as follows:

1. Development Application	\$2,775.00
2. Plan First Fee	\$1,280.00
3. Long Service Leave Payment	\$7,000.00
<b>Total</b>	<b>\$11,055.00</b>

Council has not budgeted for this in the 2020/2021 Operational Plan & Estimates, the total 2020/2021 budget for Donations is \$8,936.00 of which approximately \$6,000.00 has been earmarked for community donations for council rates & charges.

Should Council resolve to make a donation of the fees under Section 356 of the Local Government Act 1993 it must follow the process of advertising for at least 28 days, an adjustment will then be required to the September 2020 Budget Review for the additional expenditure.

# WARREN SHIRE COUNCIL

## Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren, on Thursday 23<sup>rd</sup> July 2020

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### ITEM 3      DONATION REQUEST - WARREN MUSEUM & GALLERY ASSOCIATION INC.      CONTINUED

The Local Government Act 1993 Section 356 states:

*356 Can a council financially assist others?*

- (1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.*
- (2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.*
- (3) However, public notice is not required if:*
  - (a) the financial assistance is part of a specific program, and*
  - (b) the program's details have been included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and*
  - (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and*
  - (d) the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.*
- (4) Public notice is also not required if the financial assistance is part of a program of graffiti removal work.*

#### **FINANCIAL AND RESOURCE IMPLICATIONS**

Should Council resolve to make a donation an adjustment to the 2020/2021 Estimates will be required in the September 2020 Budget Review under Council's Section 356 expense budget.

Due to the declining interest rates Council will be required to reduce its Interest on Investment revenue in the September 2020 Budget Review by around \$110K based on actual 2019/2020 interest received which will be a major impost on Councils budget.

#### **LEGAL IMPLICATIONS**

Council is required to comply with the Local Government Act 1993 prior to donating.

#### **RISK IMPLICATIONS**

Risks are reduced if Council follows the Act and reports donations to the community.

#### **STAKEHOLDER CONSULTATION**

As stated above, Council is required to advertise all donations to the community for comment.

#### **OPTIONS**

Council may approve the donation or alternatively Council may refuse this donation.

#### **CONCLUSION**

This report is submitted for Council's consideration and determination.

#### **LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN**

5.2.2 Timely and accurate reporting for efficient management and accountability.

#### **SUPPORTING INFORMATION / ATTACHMENTS**

Email received from the Warren Museum and Gallery Association Inc.

# WARREN SHIRE COUNCIL

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**ITEM 3      DONATION REQUEST - WARREN MUSEUM & GALLERY ASSOCIATION INC.      CONTINUED**

**From:** john burke  
**Sent:** Thursday, 9 July 2020 1:14 PM  
**To:** Glenn Wilcox  
**Subject:** Museum Association

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Mr G.Wilcox  
General Manager  
Warren Shire Council  
Warren NSW 2824

09/07/2020

Dear Glenn,

I am writing on behalf of the Warren Museum and Gallery Association Inc.

Following conversation with the BBRF Grant negotiators in Perth it appears that the Grant Agreement is dependent on a DA and Construction Certificate being approved prior to the Grant Agreement being signed.

In the Grant Application Guidelines it quite clearly states that architect's fees could be paid with grant money however grant money is only available after the Grant Agreement is signed. It doesn't explain how our association is to contract an architect, structural engineer [etc.] without access to funding.

As the project is dependent on these documents being available our association has decided to engage a draughtsman and a structural engineer to draw the necessary plan[s] . With difficulty we will fund these costs.

Given this impost upon our association I request that Council consider making a donation of the DA and Construction Certificate fees to the Warren Museum and Gallery Association.

Regards,

John Burke  
Chairman  
Warren Museum and Gallery Association Inc.





