



I hereby give notice that an Ordinary Meeting of Council will be held on:

Date: Monday, 20 December 2021
Time: 9.15am
Location: Bourke Shire Council
29 Mitchell Street Bourke NSW

BUSINESS PAPER

Ordinary Council Meeting

20 December 2021

Mark Riley
General Manager

Time	Event	Representative	Organisation
9.00am	Community Open Forum for members of the public to address Council		
10.30am	Monthly Update	Superintendent Tim Chinn	Darling River Local Area Command



DECLARATION OF INTEREST FORM COUNCIL OFFICIAL

FOR USE AT COUNCIL AND COUNCIL MEETINGS

NAME OF COUNCIL OFFICIAL DECLARING INTEREST:
ACTION PROPOSED:
<p>Tick one box only:</p> <p><input type="checkbox"/> In my opinion, my interest is pecuniary, and I am therefore required to take the action specified in Part 4 of Council’s Code of Conduct.</p> <p><input type="checkbox"/> In my opinion, my interest is non-pecuniary but significant. I am unable to remove the source of conflict. I am therefore required to treat the interest as if it were pecuniary and take the action specified in clause 5.10 of Council’s Code of Conduct.</p> <p><input type="checkbox"/> In my opinion, my interest is non-pecuniary and less than significant. I therefore make this declaration as I am required to do pursuant to clause 5.11 of Council’s Code of Conduct. However, I intend to continue to be involved with the matter.</p>
COUNCIL OFFICIAL
<p>I, _____ (name of COUNCIL OFFICIAL) disclose the above interest and acknowledge that I will take appropriate action as I have indicated above.</p> <p>Signed: _____ Date: _____</p>
GENERAL MANAGER – required for all declarations:
<p>I have noted the above declaration and I note your opinion and/or the action you have proposed.</p> <p>Signed: _____ Date: _____</p>
DEFINE YOUR INTEREST:
<p>Is your interest:</p> <p><input type="checkbox"/> Pecuniary (see dealing with pecuniary interests)?</p> <p><input type="checkbox"/> Non pecuniary (see dealing with non-pecuniary interests)</p>
MATTER IN WHICH YOU HAVE AN INTEREST: (Please provide full details, including item number on Council agenda)
NAME OF THE INTEREST:
<p>Be specific and include information such as:</p> <ul style="list-style-type: none"> - The names of any person or organisation with which you have a relationship; - The nature of your relationship with the person or organisation; - The reason(s) why you consider the situation may (or may be perceived to) give rise to a conflict between your personal interests and your public duty as a COUNCIL OFFICIAL .

<p>MANAGING LESS THAN SIGNIFICANT NON-PECUNIARY INTERESTS:</p> <p>Clause 5.11 of Council’s Code of Conduct provides that if you determine that a non-pecuniary conflict of interest is less than significant and does not require further action, you must provide an explanation of why you consider that conflict does not require further action in the circumstances.</p>
<p>IS YOUR NON-PECUNIARY INTEREST LESS THAN SIGNIFICANT?</p> <p>If you are of the view that your non-pecuniary interest is less than significant, please provide your explanation directly below (only complete if you are claiming that your non-pecuniary interest is less than significant).</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>DEFINITIONS:</p> <p>A PECUNIARY INTEREST is an interest that a designated person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person (see Part 4 of Council’s Code of Conduct).</p> <p>A NON-PECUNIARY INTEREST is a private or personal interest that does not amount to pecuniary interest as defined by Part 5 of Council’s Code of Conduct.</p>
<p>MANAGING PECUNIARY INTERESTS:</p> <p>Part 4.10 of Council’s Code of Conduct requires designated persons to declare in writing to the General Manager the nature of a pecuniary interest the person has in any Council matters, as soon as practicable after becoming aware of the interest.</p>
<p>MANAGING SIGNIFICANT NON-PECUNIARY INTERESTS:</p> <p>Clause 5.10 of Council’s Code of Conduct provides that you must manage a significant non-pecuniary interest by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29 of the Code.</p>
<p>MANAGING NON-PECUNIARY INTERESTS:</p> <p>Clause 5.8 of Council’s Code of Conduct states that how you manage a non-pecuniary interest will depend on whether or not it is significant. Clause 5.9 of Council’s Code of Conduct states that, as a general rule, a non-pecuniary conflict of interests will be significant where a matter does not raise a pecuniary interest but involves:-</p> <ul style="list-style-type: none"> a) a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 of the Code or another person from the council official’s extended family that the council official has a close personal relationship with, or another person living in the same household; b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship; c) an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official’s affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation; d) membership, as the council’s representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter; e) a financial interest (other than an interest of a type referred to in clause 4.6 of the Code) that is not a pecuniary interest for the purposes of clause 4.1 of the Code; f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.

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- 1 OPENING PRAYER**
- 2 ACKNOWLEDGEMENT OF COUNTRY**
- 3 REMEMBRANCE**
- 4 APOLOGIES**
- 5 DECLARATION OF INTEREST**

6 MAYORAL MINUTE**6.1 MAYORAL MINUTE - MAYORAL ACTIVITIES**

File Number: M2.1
Author: Barry Hollman, Mayor
Authoriser: Mark Riley, General Manager
Attachments: Nil

The Activities of the Mayor from 17 November 2021 to 17 December 2021 are as follows:

Date	Meeting	Location
22/11/2021	Council Meeting	Chambers
22/11/2021	Councillor's Dinner	Back O' Bourke Conference Centre
23/11/2021	Teleconference Meeting with Water NSW Better Baaka Better Bidgee	Chambers
24/11/2021	Meeting Western Shires Alliance	Narromine Services Club
29/11/2021	LGNSW Annual Conference, Treasure and President Annual Report	Audio visual link – Conference Room
30/11/2021	Meeting DPI Water – Andrew Lavelle	Chambers
01/12/2021	Meeting – Michael Ryan 1 st District Governor First Nations Lions Club	Conference Room
01/12/2021	Teleconference FNWJO Review Report	Conference Room
10/12/2021	Council Meeting – Election Mayor and Deputy Mayor	Chambers
10/12/2021	Interview ABC Radio	Phone
10/12/2021	Christmas Markets	Central Park
17/12/2021	Meeting with new Police Inspector Peter Walton	Conference Room

Recommendation

That the information in the Mayoral Minute as presented to Council on Wednesday, 20 December 2021 be noted.

7 STARRING OF ITEMS

8 CONFIRMATION OF MINUTES

Ordinary Council Meeting - 22 November 2021

Extraordinary Council Meeting - 10 December 2021



MINUTES

Ordinary Council Meeting

22 November 2021

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**MINUTES OF SHIRE OF BOURKE
ORDINARY COUNCIL MEETING
HELD AT THE BOURKE SHIRE COUNCIL, 29 MITCHELL STREET BOURKE NSW
ON MONDAY, 22 NOVEMBER 2021 AT 9.15AM**

PRESENT: Cr Barry Hollman (Mayor), Cr Victor Bartley, Cr Sarah Barton, Cr Ian Cole, Cr Sally Davis, Cr Cec Dorrington, , Cr Lachlan Ford (Deputy Mayor), Cr Sam Rice, Cr Robert Stutsel, Cr John Thompson

IN ATTENDANCE: Mark Riley (General Manager), Leonie Brown (Manager of Corporate Services), Mark Gordon (Manager Special Projects), Melanie Milgate (Economic Development Manager), Alex Saju (Manager Roads), Dwayne Willoughby (Manager Environmental Services).

1 OPENING PRAYER

The Mayor opened the meeting with a prayer

2 ACKNOWLEDGEMENT OF COUNTRY

The Mayor then provided an acknowledgement of Country

3 REMEMBRANCE

Council stood in silence in the memory of the following recently deceased:

Anne Sharpe	Nathalie Meyers	John Scott
Matthew Ceeney	Mona Dixon	Ian Bruce Smith

4 LEAVE OF ABSENCE

Nil

5 DECLARATION OF INTEREST

6 MAYORAL MINUTE

6.1 MAYORAL MINUTE - MAYORAL ACTIVITIES

File Number: M2.1

The Council had before it the report of the Mayor regarding the Mayoral Minute - Mayoral Activities.

Resolution 2021/315

Moved: Cr Barry Hollman

That the information in the Mayoral Minute as presented to Council on Wednesday, 22 November 2021 be noted.

Carried

6.2 *** DELEGATIONS OF AUTHORITY - GENERAL MANAGER

File Number: A3.8 - S6.30

The Council had before it the report of the Mayor regarding the Delegations of Authority - General Manager.

Resolution 2021/316

Moved: Cr Barry Hollman

That the Delegations of Authority as currently provided to the General Manager, Mark Riley, be further provided to him during his term as the Interim General Manager for a period of up to five (5) months effective 7 February 2022, noting that the actual term of the appointment is linked to the commencement date of the long-term General Manager to be recruited commencing February 2022.

Carried

6 STARRING OF ITEMS

Council's Code of Meeting Practice provides that Council may at any time, resolve to adopt multiple items of business on the agenda by way of a single resolution.

In this regard the council had before it a list of reports, unstarred, with such items proposed to be adopted by Council in a single resolution.

Resolution 2021/317

Moved: Cr Cec Dorrington

Seconded: Cr Sam Rice

That the recommendations as detailed in the un-starred items as contained in the agenda for the Ordinary Meeting of Council, held on Monday, 22 November 2021 be adopted.

Carried

7 CONFIRMATION OF MINUTES

Resolution 2021/318

Moved: Cr Cec Dorrington

Seconded: Cr Victor Bartley

That the minutes of the Ordinary Council Meeting held on 25 October 2021 taken as read, confirmed as correct minutes and signed by the Mayor and the General Manger.

Carried

8 NOTICE OF MOTION

Nil

9 RESCISSION MOTION

Nil

11 BUSINESS ARISING

11.1 * BUSINESS ARISING**

File Number: C12.1

The Council had before it the report of the General Manager regarding the Business Arising.

Resolution 2021/319

Moved: Cr Sally Davis

Seconded: Cr Sarah Barton

That the information in the Business Arising Report as presented to Council on Monday, 22 November 2021 be noted.

.Carried

11.2 CALENDAR OF EVENTS

File Number: C12.6

The Council had before it the report of the General Manager regarding the Calendar of Events.

Resolution 2021/320

Moved: Cr Sally Davis

Seconded: Cr Robert Stutsel

That the information in the Calendar of Events Report as presented to Council on Monday, 22 November 2021 be noted.

Carried

11.3 INFORMATION TO COUNCILLORS

File Number: C12.1

The Council had before it the report of the General Manager regarding the Information to Councillors.

Resolution 2021/321

Moved: Cr Sally Davis

Seconded: Cr Robert Stutsel

That the contents of the Information to Councillors Report as presented to Council on Monday, 22 November 2021 be noted.

Carried

10 ENGINEERING SERVICES DEPARTMENT

Nil

13 ENVIRONMENTAL SERVICES & DEVELOPMENT DEPARTMENT

13.1 STATE OF THE ENVIRONMENT REPORT 2016-2021

File Number: E6.3.1

The Council had before it the report of the Manager Environmental Services regarding the State of the Environment Report 2016-2021.

Resolution 2021/322

Moved: Cr Sally Davis

Seconded: Cr Robert Stutsel

That the Bourke State of Environment Report 2016-2021 be noted.

Carried

14 GENERAL MANAGER

14.1 *** CODE OF MEETING PRACTICE

File Number: C12.1

The Council had before it the report of the General Manager regarding the Code of Meeting Practice.

Resolution 2021/323

Moved: Cr Sarah Barton

Seconded: Cr Sam Rice

- 1. That Council note the minor changes to the Code as presented mainly relating to the holding of remote meetings.**
- 2. That the revised Bourke Shire Council Code of Meeting Practice dated November 2021 be adopted without the need to advertise in accordance with *section 362 of the Local Government Act 1993*.**
- 3. That a copy of the revised Code of Meeting Practice be placed on Councils Website.**

Carried

14.2 * END OF TERM REPORT 2021**

File Number: P4.2, P4.4

The Council had before it the report of the General Manager regarding the End of Term Report 2021.

Resolution 2021/324

Moved: Cr Sarah Barton

Seconded: Cr Lachlan Ford

That the End of Term Report 2021 be noted and included as an attachment to the 2020/2021 Annual Report.

Carried

15 CORPORATE SERVICES DEPARTMENT

15.1 * BANK RECONCILIATION & STATEMENT OF BANK BALANCES**

File Number: F1.1

The Council had before it the report of the Manager of Corporate Services regarding the Bank Reconciliation & Statement of Bank Balances.

Resolution 2021/325

Moved: Cr Cec Dorrington

Seconded: Cr Sally Davis

That the Certificate of Reconciliation of the Cash Book for all funds of the Council and the Statement of Bank Balances as at 31 October 2021 be noted.

Carried

15.2 * INVESTMENT REPORT AS AT 30 SEPTEMBER 2021**

File Number: F1.1

The Council had before it the report of the Manager of Corporate Services regarding the Investment Report as at 30 September 2021.

Resolution 2021/326

Moved: Cr Cec Dorrington

Seconded: Cr Ian Cole

- 1. That the report regarding Council's Investment Portfolio 31 October 2021 be received and noted.**
- 2. That the Certificate of the Responsible Accounting Officer be noted and the report adopted**

Carried

15.3 * BUDGET REVIEW TO 30 SEPTEMBER 2021**

File Number: F1.6

The Council had before it the report of the Manager of Corporate Services regarding the Budget Review to 30 September 2021.

Resolution 2021/327

Moved: Cr Robert Stutsel

Seconded: Cr Cec Dorrington

- 1. That the document entitled "Quarterly Budget Review Statement – September 2021" be received and noted**
- 2. That the variations of income and expenditure as identified in the "Quarterly Budget Review Statement – September 2021" be adopted.**

Carried

15.4 * COMMUNITY CONSULTATION MEETINGS IN RELATION TO THE COMMUNITY STRATEGIC PLAN - TIMETABLES AND FORMAT**

File Number: P4.4

The Council had before it the report of the Manager of Corporate Services regarding the Community Consultation Meetings in Relation to the Community Strategic Plan - Timetables and Format.

Resolution 2021/328

Moved: Cr Sarah Barton

Seconded: Cr Sally Davis

- 1. That Council note the report regarding the legislative requirement to update the Community Strategic Plan**
- 2. That Council note the proposed timetable for the Consultative Meetings in the town and villages.**
- 3. That Council continue with its ongoing consultation with community groups to obtain broad and comprehensive input into the Community Strategic Plan.**

Carried

11 COMMUNITY ENGAGEMENT DEPARTMENT

Nil

12 TOURISM & EVENTS

Nil

13 DELEGATES AND COUNCILLORS REPORTS

Nil

14 POLICIES

Nil

15 PRÉCIS OF CORRESPONDENCE

Nil

21 ACTIVITY REPORTS

21.1 ENGINEERING SERVICES ROAD WORKS & WORKSHOP - WORKS COMPLETED

File Number: E7.1

The Council had before it the report of the Manager Roads regarding the Engineering Services Road Works & Workshop - Works Completed.

Resolution 2021/329

Moved: Cr Sally Davis

Seconded: Cr Robert Stutsel

That Council note the information in the Engineering Services Department Road Works and Workshop Activity Reports as presented to Council on Monday 22Nd November 2021.

Carried

**21.2 PARKS & GARDENS / TOWN SERVICES / WATER & WASTEWATER
ENGINEERING SERVICES ACTIVITY REPORT**

File Number: E7.1

The Council had before it the report of the Manager Works regarding the Parks & Gardens / Town Services / Water & Wastewater Engineering Services Activity Report.

Resolution 2021/330

Moved: Cr Sally Davis

Seconded: Cr Robert Stutsel

That Council note the information in the Parks & Gardens, Town Services and Water and Waste Water Engineering Services Department Activity Reports as presented to Council on Monday, 22nd November 2021.

Carried

21.3 ENVIRONMENTAL SERVICES DEPARTMENT - ACTIVITY REPORT

File Number: D3.1-A11.1-A8.1

The Council had before it the report of the Manager Environmental Services regarding the Environmental Services Department - Activity Report.

Resolution 2021/331

Moved: Cr Sally Davis

Seconded: Cr Robert Stutsel

That the information in the Environmental Services Activity Report as presented to Council on Monday, 22 November 2021 be received and noted.

Carried

21.4 GENERAL MANAGER'S ACTIVITY REPORT

File Number: G2.1

The Council had before it the report of the General Manager regarding the General Manager's Activity Report.

Resolution 2021/332

Moved: Cr Sally Davis

Seconded: Cr Robert Stutsel

That the information in the General Manager's Activity Report as presented to Council on Monday, 22 November 2021 be noted.

Carried

21.5 LIBRARY MANAGER'S ACTIVITY REPORT

File Number: L4.1

The Council had before it the report of the Library Manager regarding the Library Manager's Activity Report.

Resolution 2021/333

Moved: Cr Sally Davis

Seconded: Cr Robert Stutsel

That the information in the Library Manager's Report as presented to Council on Monday, 22 November 2021 be noted.

Carried

21.6 TOURISM & EVENTS MANAGER'S ACTIVITY REPORT

File Number: T4.1

The Council had before it the report of the Manager Tourism & Events regarding the Tourism & Events Manager's Activity Report.

Resolution 2021/334

Moved: Cr Sally Davis

Seconded: Cr Robert Stutsel

That the information in the Tourism and Events Manager's Activity Report as presented to Council on Monday, 22 November 2021 be noted.

Carried

22 CLOSED SESSION

At this, juncture, the Council gave consideration to moving into Closed Session of Council.

Resolution 2021/335

Moved: Cr Sarah Barton

Seconded: Cr Robert Stutsel

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

22.1 * Deed of Agreement - CAPRA PTY LTD - Proposed Sale of Small Stock Abattoir – October 2021 Update**

This matter is considered to be confidential under Section 10A(2) - (g) of the Local Government Act, 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 advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Carried

Council proceeded into closed session with the livestreaming of the meeting being paused at 9.42am.

22.1 * DEED OF AGREEMENT - CAPRA PTY LTD - PROPOSED SALE OF SMALL STOCK ABATTOIR – OCTOBER 2021 UPDATE**

Resolution 2021/336

Moved: Cr Cec Dorrington

Seconded: Cr Ian Cole

- 1. That the termination of the Funding Agreement between the Federal Government and Bourke Shire Council for the provision of funding to undertake enabling works in respect of the Bourke Small Stock Abattoir on 29 October 2021, be noted.**
- 2. That the execution of a Deed of Termination dated 11 November 2021 between CAPRA Developments Pty Ltd and Council be noted with such Deed becoming effective when the sale of the abattoir by CAPRA to Thomas Foods Information is completed.**
- 3. That the documents and considerations in respect of this matter remain confidential to Council.**

Carried

Resolution 2021/337

Moved: Cr Sam Rice

Seconded: Cr Sarah Barton

That Council moves out of Closed Council into Open Council.

Carried

Open council resumed at 9.48am.

RESOLUTIONS FROM CLOSED SESSION OF COUNCIL

At the request of the Mayor, the General Manager read to the meeting the resolution determined in respect of Council report number 22.1, in the Closed Session of Council.

The Meeting closed at 9.50am.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 20 December 2021.

.....
CHAIRPERSON



MINUTES

Extraordinary Council Meeting

10 December 2021

Order Of Business

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**MINUTES OF SHIRE OF BOURKE
EXTRAORDINARY COUNCIL MEETING
HELD AT THE BOURKE SHIRE COUNCIL, 29 MITCHELL STREET BOURKE NSW
ON FRIDAY, 10 DECEMBER 2021 AT 12 NOON**

PRESENT: Cr Barry Hollman (Mayor), Cr Victor Bartley, Cr Sarah Barton, Cr Lachlan Ford (Deputy Mayor), Cr Cec Dorrington, Cr Sam Rice, Cr Grace Ridge, Cr Nathan Ryan, Cr Robert Stutsel

IN ATTENDANCE: Mark Riley (General Manager), Leonie Brown (Manager Corporate Services), Peter Brown (Manager Works), Melanie Milgate (Economic Development Manager), Alex Saju (Manager Roads Services), Dwayne Willoughby (Manager Environmental Services)

The meeting commenced at 12.01pm.

Being the first meeting of the Bourke Shire Council as elected 4 December 2021, the General Manager assumed Chairmanship of the meeting.

1 LEAVE OF ABSENCE

Resolution 2021/338

Moved: Cr Sarah Barton

Seconded: Cr Cec Dorrington

That the apology received from Cr Davis be accepted and that she be granted leave of absence from the meeting.

Carried

2 DECLARATION OF INTEREST

Nil received.

At this juncture, Cr Rice joined the meeting, the time being 12.03pm

3 GENERAL MANAGER

3.1 * OATH OR AFFIRMATION OF OFFICE BY COUNCILLORS**

File Number: C11.5

The Council had before it the report of the General Manager regarding the Oath or Affirmation of Office by Councillors.

Resolution 2021/339

Moved: Cr Sarah Barton

Seconded: Cr Cec Dorrington

That each Councillor proceed to take the Oath or make an Affirmation of office as required by the Local Government Act and that the General Manger record such action in the meeting minutes.

Carried

The Councillors proceeded to take an Oath or make an Affirmation of the office in front of their fellow Councillors, the General Manager and staff as follows:

Cr Victor Bartley took the Oath of Office;

Cr Sarah Barton made the Affirmation of Office;

Cr Ces Dorrington took the Oath of Office;

Cr Lachlan Ford took the Oath of Office;

Cr Barry Hollman took the Oath of Office;

Cr Samuel Rice made the Affirmation of Office;

Cr Grace Ridge took the Oath of Office;

Cr Nathan Ryan took the Oath of Office;

Cr Robert Stutsel made the Affirmation of Office.

It is further noted that the General Manager advised that Cr Sally Davis took the Oath of Office in front of himself with Councils Manager Corporate Services also in attendance, on Wednesday, 8 December 2021 at the Council Offices.

3.2 * ELECTION OF MAYOR**

File Number: C11.5

The Council had before it the report of the General Manager regarding the Election of Mayor.

Resolution 2021/340

Moved: Cr Sarah Barton

Seconded: Cr Cec Dorrington

- 1. That should an election be required for the Office of Mayor and Deputy Mayor that Council determine the method of voting.**
- 2. That it be noted that the Mayoral Term for this period is from 10 December 2021 to September 2023, with the actual date in September being subject to determination of a meeting date in this month to conduct the Mayoral Election.**
- 3. That on the finalisation of the count, all ballot papers, if applicable, be destroyed .**

Carried

The Returning Officer advised that he had received two nominations for the position of the Office of Mayor. The nominations were received from Cr Robert Stutsel and Cr Barry Hollman.

Prior to declaring nominations closed, Cr Robert Stutsel withdrew his nomination for the position of Office of Mayor.

The Returning Officer then invited further nominations for the position of the Office of Mayor, in accordance with Local Government (General) Regulation 2005. On declaring nominations closed, the Returning Officer advised that one (1) nomination for the position had been received, that being for Cr Barry Hollman. Cr Hollman was nominated by Cr Rice and Cr Bartley. Cr Hollman formally accepted the nomination.

Accordingly, the General Manager as Returning Officer declared Councillor Barry Hollman duly elected to the office of the Mayor of Bourke Shire for the Mayoral term.

At this juncture, the Mayor assumed Chairmanship of the meeting.

3.3 * ELECTION OF DEPUTY MAYOR**

File Number: C11.6

The Council had before it the report of the General Manager regarding the Election of Deputy Mayor.

Resolution 2021/341

Moved: Cr Sarah Barton

Seconded: Cr Cec Dorrington

- 1. That Council proceed to create the Office of Deputy Mayor, Bourke Shire Council and elect a Deputy Mayor.**
- 2. That the period for which the Deputy Mayor is to be elected is the Mayoral Term.**
- 3. That all ballot papers be destroyed following the declaration of the Office of Deputy Mayor.**

Carried

The Mayor requested that the General Manager, as Returning Officer, proceed with the election of Deputy Mayor.

On declaring nominations for the position of Deputy Mayor closed, in accordance with Local Government (General) Regulation 2005, the Returning Officer advised that one (1) nomination for the position had been received, that being for Cr Lachlan Ford. Cr Ford was nominated by Cr Hollman and Cr Bartley. Cr Ford formally accepted the nomination.

Accordingly, the General Manager as Returning Officer declared that Councillor Lachlan Ford duly elected to the Office of the Deputy Mayor of Bourke Shire for the Mayoral term.

3.4 * DETERMINATION OF MEETING TIMES AND SCHEDULE**

File Number: C12.1

The Council had before it the report of the General Manager regarding the Determination of Meeting Times and Schedule.

Resolution 2021/342

Moved: Cr Cec Dorrington

Seconded: Cr Sarah Barton

- 1. That Council determine the day and time of its Ordinary Council Meetings.**
- 2. That public notice be given in relation to the proposed meeting schedule in accordance with Clause 232 of the Local Government (General) Regulation.**

Carried

Resolution 2021/343

Moved: Cr Lachlan Ford

Seconded: Cr Cec Dorrington

That Council's scheduled meeting day be generally the fourth Monday of each month, as set out in the report of the General Manager for the period December 2021 up to and including 25 September 2023 with meetings commencing at 9.15 am with a Public Forum being held from 9.00am till 9.15am, as required, on the day of the Council meeting.

Carried

3.5 * COMPOSITION OF COUNCIL COMMITTEES AND APPOINTMENT OF DELEGATES TO OTHER ORGANISATIONS**

File Number: C6.1

The Council had before it the report of the General Manager regarding the Composition of Council Committees and Appointment of Delegates to other Organisations.

Resolution 2021/344

Moved: Cr Cec Dorrington

Seconded: Cr Victor Bartley

- 1. That Council review and amend the list of current internal committee memberships, as required.**
- 2. That Council review and amend the list of delegates to all external organisations.**
- 3. That having regard to any required changes, the listing of Committee members, representatives and delegates be adopted, and the revised listing be circulated to Councillors.**
- 4. That the Delegates to outside organisations be notified to those organisations together with appropriate contact details**

Carried

Resolution 2021/345

Moved: Cr Sarah Barton

Seconded: Cr Cec Dorrington

That Council adopts its Internal Committees and representation on Local Government Organisations, Inter Government Liaison representation, representation on Community Liaison Groups and representation on Regional Advisory Groups, as per included in the General Managers report, save and except the following and that such amendments be adopted:

- Mr John Thompson being the alternate delegate on Outback Arts;**
- The Economic Development Manager being one (1) of two (2) Council delegates on the Kamilaroi Highway Promotional Committee;**
- The Economic Development Manager being one (1) of two (2) Council delegates on the Kidman Way Promotional Committee;**
- The Economic Development Manger being the delegate on the Darling River Run Committee;**
- The Economic Development Manager being one (1) of two (2) Council delegates on the Community Aboriginal Working Party;**
- The Economic Development Manager being one (1) of three (3) Council delegates for the Bourke Business Development Group;**
- Cr Cole's position on the Bourke Shire Council Aboriginal Consultative Committee not being replaced;**
- Cr Cole's position on the Bourke Tourism Advisory Committee (TAC) not being replaced, and the Economic Development Manager replacing the Manager Tourism and Events as the advisory delegate on Bourke Tourism Advisory Committee (TAC); and**
- Cr Rice being the delegate on the Murray Darling Association.**

Carried

3.6 * DELEGATIONS TO THE MAYOR**

File Number: A3.8

The Council had before it the report of the General Manager regarding the Delegations to the

Mayor.

Resolution 2021/346

Moved: Cr Sarah Barton

Seconded: Cr Robert Stutsel

- 1. That Policy No 1.5.1 (v10) being Mayoral Delegations be adopted.**
- 2. That Council delegates to the Mayor, the delegations as detailed in attached Policy document numbered 1.5.1(v10).**

Carried

3.7 * DELEGATIONS TO THE DEPUTY MAYOR**

File Number: A3.8

The Council had before it the report of the General Manager regarding the Delegations to the Deputy Mayor.

Resolution 2021/347

Moved: Cr Robert Stutsel

Seconded: Cr Sarah Barton

- 1. That Policy No 1.5.2 (v10) being the Deputy Mayor Delegations be adopted.**
- 2. That Council delegates to the Deputy Mayor, the delegations as detailed in attached Policy document numbered 1.5.2(v10).**

Carried

The Meeting closed at 12.30pm.

The minutes of this meeting were confirmed at the Extraordinary Council Meeting of the Shire of Bourke held on 20 December 2021.

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CHAIRPERSON

9 NOTICE OF MOTION

Nil

10 RESCISSION MOTION

Nil

11 BUSINESS ARISING

11.1 * BUSINESS ARISING**

File Number: C12.1
Author: Mark Riley, General Manager
Authoriser: Mark Riley, General Manager
Attachments: Nil

Background

Business outstanding from previous meetings.

Current Situation

KEY: Action Still Pending Action in Progress Action Complete

GM GENERAL MANAGER	MW MANAGER WORKS
MCS MANAGER CORPORATE SERVICES	MRS MANAGER ROAD SERVICES
MES MANAGER ENVIRONMENTAL SERVICES	EDM ECONOMIC DEVELOPMENT MANAGER

362/2018	BIODIVERSITY CONSERVATION ACT 2016 - UPDATE
RESPONSIBLE OFFICER	DWAYNE WILLOUGHBY - MANAGER ENVIRONMENTAL SERVICES
FILE NUMBER	E6.1-E6.4-L8.1

DECISION	ACTION TAKEN
1. That Council undertake a review of the potential impact on the sale of land held for industrial development including obtaining specialist advice as appropriate. 2. That on finalisation of that review a further report be brought back to Council	Continue to lobby Government – matter evolving.

427/2018	PROPOSED CHANGE OF MANAGEMENT OF THE PCYC
RESPONSIBLE OFFICER	MARK RILEY - GENERAL MANAGER
FILE NO	L1.17-Y1.7-LD-L11.14.3

DECISION	ACTION TAKEN
That the General Manager prepare a detailed report in relation to the matter, including the seeking of legal advice if necessary	1. In progress. 2. Teleconference held 20/08/2020. 3. Correspondence sent to PCYC 25/8/20 and followed up for response 20/10/20 & 16/11/2020. 4. Matter further discussed with Crown Lands staff on 09/03/2021 for their contact with PCYC. 5. Further discussions held in July 2021 with Crown Lands in regards to their

	<p>contact with PCYC with correspondence sent to PCYC as a follow up to discussions.</p> <p>6. PCYC have advised that as a result of internal management changes they wish to defer discussions on land management till mid next year.</p>
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156/2019	CONFIDENTIAL – CONSTRUCTION OF SEWERAGE TREATMENT PLANT FACILITIES
RESPONSIBLE OFFICER	LEONIE BROWN - MANAGER OF CORPORATE SERVICES PETER BROWN - MANAGER OF WORKS
FILE NO	S3.2.3
DECISION	ACTION TAKEN
That Council continue with its representations to obtain funding for the additional costs anticipated to be incurred in the construction of the new Additional Sewage Treatment Facilities in Bourke	<ol style="list-style-type: none"> 1. Ongoing. 2. Water use study near completion. Will then make application for additional funding.

274/2019	DROUGHT – WATER UPDATE
RESPONSIBLE OFFICER	LEONIE BROWN - MANAGER OF CORPORATE SERVICES
FILE NO	W2.2.9 – W2.2.9.1
DECISION	ACTION TAKEN
That the General Manager write to the State Government seeking their urgent consideration of the construction of a regulator or additional weir including a fish ladder upstream of Bourke at a location identified as BU8	<ol style="list-style-type: none"> 1. Letter sent & meeting held. 2. State Government commits to preparation of Western Weirs Strategy. 3. Teleconference involving staff and Councillors held with State Water on 22/9/2020 re Strategy. 4. Meeting held with DPIE representatives on 10/11/2020 & 11/11/2020. 5. Further briefings on Strategy held 10/02/2021 and 24/05/2021. 6. Discussions held by GM with Jim Betts in July 2021 Secretary, DPIE, in regards to the Weir Strategy Project and its prolonged timeframes. 7. NSW Govt. in Oct 2021 announced the Better Baaka Program which includes Weir renewals on the Darling and specifically upgrading of the Bourke Weir. Meeting with DPIE to be held in Bourke on 23 November 2021. 8. Meeting held DPIE 23/11/2021 with Jim Bently and his team via Video

	<p>conference in regards to Better Baaka Better Bidgee project</p> <p>9. Meeting held in December 2021 with Andrew Lavelle regarding the Weir upgrade at Bourke and connectivity strategy</p> <p>10. Contact made with Minister Pavey's Office re concerns regarding potential removal of downstream weirs</p>
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2020/111	DUAL NAMING OF THE DARLING RIVER – DARLING RIVER BAAKA
RESPONSIBLE OFFICER	LEONIE BROWN – MANAGER OF CORPORATE SERVICES
FILE NO	R6.5
DECISION	ACTION TAKEN
That Council seek further clarification from the GNB on which section of the Darling River will be dual named Baaka and will the name be Darling Baaka River / Baaka Darling River or Darling River Baaka.	<p>Ongoing. Geographical Names Board GNB contacted.</p> <p>Investigations are continuing by GNB. GNB advised in July 2021 that it would be undertaking consultation in August 2021 in regards to dual name proposal. GNB subsequently advised in August that due to COVID the consultations will now be undertaken in 2022.</p>

2020/236	14.2 BOURKE AIRPORT DEVELOPMENT PROPOSAL
RESPONSIBLE OFFICER	MARK RILEY - GENERAL MANAGER
FILE NO	A6.1
DECISION	ACTION TAKEN
1. That Council seek quotations for the preparation of a Master Plan at the Bourke Airport to determine the availability of land for the proposed development and future developments.	Brief prepared, quotations to be invited.

2020/325 & 326	REVIEW OF CAPITAL WORKS PROGRAM 2019/2020 AND REALLOCATION OF FUNDS – ITEM 15.5 - MOUNT OXLEY
RESPONSIBLE OFFICER	MARK RILEY – GENERAL MANAGER
FILE NO	R2.5
DECISION	ACTION TAKEN
<p>1. That Council note the report on the responsibility and current condition of the access road to the summit of Mount Oxley.</p> <p>2. That Council note the status of telecommunication infrastructure located atop Mount Oxley.</p> <p>3. That following a Title Search discussions be held with the</p>	<p>Extensive title searches have been completed.</p> <p>Liability issues being pursued by Booth Brown Legal for further report.</p>

<p>owners of the land and the various owners of the telecommunications infrastructure atop Mount Oxley with a view to sourcing funding for at least the \$80,000 in maintenance work and potentially a further \$110,000 for the guard rail installation, for a further report to Council including consideration to any contribution by Council.</p> <p>4. That Council investigate its potential liability as a result of the public use of the access road to the top of Mount Oxley and a report be submitted back to Council.</p>	<p>Meeting held with Mr & Mrs Stalley on 10 December 2020.</p> <p>Risk review undertaken by Councils insurers on 16/03/21. Awaiting advice to allow instructions to be issued by Booth Brown Legal to prepare licence documentation.</p> <p>Discussions held with NSW Telco Authority re potential for funding to assist with road upgrade. Costs advised.</p>
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2019/439 & 2021/33	NORTH BOURKE BRIDGE REHABILITATION CONCEPT PLAN	
RESPONSIBLE OFFICER	MARK GORDON – MANAGER ROAD SERVICES	
FILE NO	B6.1	
DECISION		
ACTION TAKEN		
<p>Council continue to apply for funding to undertake the project</p> <p>Council commit additional funds of \$269,922 from Councils Infrastructure Reserve Fund to ensure a total co-contribution from Council of \$969,922 (25%) to the Building Better Regions Fund Round 5, for North Bourke Bridge Renewal, if a funding application is successful.</p>	<ol style="list-style-type: none"> 1. Ongoing. 2. Letter received from Minister Toole 11/11/2020 advising upcoming funding opportunities for bridge. 3. Funds as resolved reserved in Councils accounts. 4. Applications under Building Better Regions Fund lodged 11/02/2021. 5. Strategy prepared for investigation, assessment and restoration of bridge for input into Tourism Grant Application. 6. Application lodged in August 2021. No response to date. 	

2021/259	MAYORAL MINUTE - GENERAL MANAGER RECRUITMENT	
RESPONSIBLE OFFICER	BARRY HOLLMAN, MAYOR	
FILE NO	S6.24	
DECISION		
<p>That Council amend the General Manager Recruitment Timetable such that the recruitment process commences in February 2022 with a view to a new General Manager commencing in May/June 2022 with the process being undertaken by the new Council elected in December 2021.</p>	<ol style="list-style-type: none"> 1. Letter of engagement provided to LGMS 2. Further report in December business paper 	

2021/264	NOTICE OF MOTION - ESTABLISHING A FULL TIME BANKING SERVICE IN BOURKE
RESPONSIBLE OFFICER	MARK RILEY, GENERAL MANAGER
FILE NO	B2.1
DECISION	
That inquiries be made with a view to establishing a full time, full service banking service for Bourke.	<ol style="list-style-type: none"> 1. Letters sent to existing providers re service. 2. Letter of response received from Commonwealth Bank 3. Meeting held with National Australia Bank

2021/269	CROWN LAND DRAFT PLANS OF MANAGEMENT
RESPONSIBLE OFFICER	DWAYNE WILLOUGHBY, MANAGER ENVIRONMENTAL SERVICES
FILE NO	L1.9
DECISION	
<p>Endorse the following Draft Plans of Management and refer them to the Department of Industry (Crown Lands) for landowner notification, and</p> <ul style="list-style-type: none"> - Draft Generic Plan of Management – Bourke Shire Council - Draft Plan of Management – Yantabulla Cemetery <p>(2) Pending changes recommended by the Department of Industry, the Plans be placed on public exhibition in accordance with the requirements of the Local Government Act.</p>	Referred to Department of Industry, once approved will be placed on Public Exhibition.

2021/298	CHRISTMAS – NEW YEAR CLOSURE
RESPONSIBLE OFFICER	MARK RILEY, GENERAL MANAGER
FILE NO	A3.10.1
DECISION	
1. That Councils Shire Office and Library close at 4.30pm on	Closures advertised in December.

<p>Thursday, 23 December 2021 and re-open at their respective regular opening times on Tuesday, 4 January 2022.</p> <p>2. That Thursday, 24 December 2021 be observed as the Union Picnic Day for relevant Council staff.</p> <p>3. That Councils other facilities including the Memorial Swimming Pool, Waste Depot and Back O’ Bourke Exhibition Centre close for Christmas Day on Saturday, 25 December 2021, and that dates and times of operation for these facilities during the remaining days of Christmas/New Year period be determined by the General Manager, having regard to demand and operational requirements.</p> <p>4. That it be noted that Council will maintain a skeleton crew to provide appropriate on-call staff to respond to urgent maintenance work or emergency situations during the holiday period.</p> <p>5. That the community be advised of Councils Christmas/New Year holiday arrangements.</p>	
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2021/302	WESTERN GOLF CHALLENGE	
RESPONSIBLE OFFICER	MEL MILGATE, ECONOMIC DEVELOPMENT MANAGER	
FILE NO	D5.1, S4.1 and S5.1	
DECISION		
<p>That Council accede to the request from Gary Begg – Regional Manager Golf NSW requesting financial support in the amount of \$2,000 to assist with the grant application for the proposed Western Golf Challenge 2022.</p>	<p>EDM spoken with Gary Begg to confirm support.</p> <p>Western Golf Challenge Grant Application to be completed start of 2022.</p> <p>Letter of support from Bourke Shire Council drafted and pending advice from Mr Begg before sending.</p>	

2021/311	DEED OF AGREEMENT - CAPRA PTY LTD - PROPOSED SALE OF SMALL STOCK ABATTOIR – OCTOBER 2021 UPDATE	
RESPONSIBLE OFFICER	MARK RILEY, GENERAL MANAGER	
FILE NO	A1.1, D2.7 and D2.17	
DECISION		
<p>1. That the report of the General Manager regarding the “Deed of Agreement – CAPRA Pty Ltd – October 2021</p>	<p>1. Deed of Termination executed with Commonwealth on 29</p>	

<p>Update” be noted.</p> <p>2. That the General Manager, in consultation with the Mayor, be authorised, as appropriate, to take the necessary action to finalise the funding agreement with CAPRA and other matters, generally in accordance with the contents of the email from Council to Mr James Price dated 21 October 2021.</p> <p>3. That the Common Seal of Council be attached to any necessary documentation</p>	<p>October 2021.</p> <p>2. Deed of Termination executed with CAPRA Developments on 11 November 2021. Deed is subject to settlement of sale of the abattoir to Thomas Foods International.</p> <p>3. Two (2) meetings held to date with Thomas Foods International.</p>
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2021/312	NORTH BOURKE STORMWATER DRAINAGE
RESPONSIBLE OFFICER	MARK RILEY, GENERAL MANAGER
FILE NO	D6.2 and V1.6
DECISION	
<p>1. That as part of the September 2021 Quarterly Financial Review, Council allocate additional funds held in its Asset Renewal Reserve totalling \$515,000 towards remediation works in respect of the North Bourke drainage issue.</p> <p>2. That the Warrego Street Drainage Channel construction proposal be noted.</p> <p>3. That discussions be held involving the property owner and Councils Consulting Stormwater Engineer with a view to clarifying and progressing the design of the Warrego Street Drainage Channel, or other drainage options, for a further report to Council.</p>	<p>1. Discussions held with property owner.</p> <p>2. Further report to come to December Council meeting.</p>

2021/328	COMMUNITY CONSULTATION MEETINGS IN RELATION TO THE COMMUNITY STRATEGIC PLAN - TIMETABLES AND FORMAT
RESPONSIBLE OFFICER	LEONIE BROWN, MANAGER CORPORATE SERVICES
FILE NO	P4.4
DECISION	
<p>1. That Council note the proposed timetable for the Consultative Meetings in the town and villages.</p> <p>2. That Council continue with its ongoing consultation with community groups to obtain broad and comprehensive input into the Community Strategic Plan.</p>	<p>1. Timetable for Town and Village meetings advertised in final Western Herald</p> <p>2. Contact made with village committees advising dates and</p>

	time 3. Agency and community meeting to be held in February 2022
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Recommendation

That the information in the Business Arising Report as presented to Council on Monday, 20 December 2021 be noted.

11.2 CALENDAR OF EVENTS

File Number: C12.6
Author: Mark Riley, General Manager
Authoriser: Mark Riley, General Manager
Attachments: Nil

Background

Information is sent out monthly to advise when Council Meetings, meetings which Councillors are Delegates to and other meetings of which Council is a member of, or representatives of Council, are to be held.

Current Situation

Month	Date	Time	Meeting / Event	Location
2021				
December	20	9.15am	Council Meeting	Council Chamber
2022				
February	28	9.15am	Council Meeting	Council Chamber
March	28	9.15am	Council Meeting	Council Chamber
April	26	9.15am	Council Meeting	Council Chamber
May	23	9.15am	Council Meeting	Council Chamber
June	27	9.15am	Council Meeting	Council Chamber
July	25	9.15am	Council Meeting	Council Chamber
August	22	9.15am	Council Meeting	Council Chamber
September	26	9.15am	Council Meeting	Council Chamber
October	24	9.15am	Council Meeting	Council Chamber
November	28	9.15am	Council Meeting	Council Chamber
December	19	9.15am	Council Meeting	Council Chamber
2023				
February	27	9.15am	Council Meeting	Council Chamber
March	27	9.15am	Council Meeting	Council Chamber
April	24	9.15am	Council Meeting	Council Chamber
May	22	9.15am	Council Meeting	Council Chamber
June	26	9.15am	Council Meeting	Council Chamber
July	24	9.15am	Council Meeting	Council Chamber
August	28	9.15am	Council Meeting	Council Chamber
September	25	9.15am	Council Meeting	Council Chamber

Recommendation

That the information in the Calendar of Events Report as presented to Council on Monday, 20 December 2021 be noted.

11.3 INFORMATION TO COUNCILLORS

File Number: C12.1
Author: Mark Riley, General Manager
Authoriser: Mark Riley, General Manager
Attachments: Nil

Background

Each month a list of correspondence is sent out in the Business Paper to Councillors to ensure that they have not missed any information since the last Business Paper was produced.

Current Situation






Date	Information Sent	Author	Email
7/12/2021	Northern Border Update: QLD Borders Re-open	Emma Watts	✓
7/12/2021	Weekly Newsletter	Regional Development Australia Orana NSW	✓
7/12/2021	Inside Local Government Newsletter	Inside Local Government	✓
8/12/2021	GM's Column	GM	✓
9/12/2021	Inside Local Government Newsletter	Inside Local Government	✓
9/12/2021	Council Circular 21-40 2022 "Hit the Ground Running" councillor webinars	OLG	✓
9/12/2021	Government News	Government News	✓
9/12/2021	Weekly Newsletter	Regional Development Australia Orana NSW	✓
9/12/2021	Media Release - Fear factor in fresh food supply	NSW Farmers	✓
13/12/2021	NSW Wild Dog Fence Extension project — Dec 2021 stakeholder dashboard update	Charlie Whiteley	✓
13/12/2021	QLD Border update: Border Restrictions Direction (No. 56)	Emma Watts – Regional NSW	✓
13/12/2021	Inside Local Government Newsletter	Inside Local Government	✓
13/12/2021	Election of Mayor & Deputy Mayor – Cobar	Kelly Fairbank	✓
14/12/2021	LGNSW – Member Message	President Cr Darriea Turley	✓
14/12/2021	Staying COVID safe this summer - assets for the travel and accommodation industry toolkit	Kelly Evans	✓
15/12/2021	GM's Column 16 December	GM	✓
15/12/2021	Inside Local Government Newsletter	Inside Local Government	✓
15/12/2021	NSW SES Flood Bulletin – Paroo River	NSW SES	✓
15/12/2021	NSW SES Flood Bulletin – Darling River	NSW SES	✓
15/12/2021	Booster COVID Flyer	OCHRE Health	✓

Recommendation

That the contents of the Information to Councillors Report as presented to Council on Monday, 20 December 2021 be noted.

12 ENGINEERING SERVICES DEPARTMENT

12.1 *** TREE REMOVAL

File Number:	T6.2
Author:	Peter Brown, Manager Works
Authoriser:	Mark Riley, General Manager
Attachments:	<ol style="list-style-type: none">1. Street Tree Policy 3.6.11(v2) ↓ 2. Request Removal of Tree 68 Hope Street ↓ 3. 6 Tudor Street Request for tree removal ↓ 4. Arborist Report 68 Hope Street ↓ 5. Arborist Report 6 Tudor Street ↓ 

Background

Bourke Shire Council previously received correspondence from the resident of 68 Hope Street Bourke requesting the removal of a large Queensland fig tree at the front of the property. Whilst Council responded to the request by agreeing to assess the tree, the matter has been delayed until now, in the main due to COVID. A copy of the letter of request is attached.

In addition to this request, Council also received correspondence requesting the removal of nine (9) lemon scented gum trees at 6 Tudor Street Bourke (southeast corner of Glen and Tudor St). Council staff have spoken to the owners of the property advising that Council will have the trees assessed, noting that the trees fronting Tudor St are well within the road reserve whilst the five (5) trees fronting Tudor Street are very close to the boundary line but appear closer in alignment to the road reserve than the private property. It is my view that the seven (7) trees to be removed and one (1) of the trees to be trimmed are Councils responsibility. Again, a copy of the letter of request is attached.

Current Situation

SAVCO Vegetation Services, who are qualified Tree Arborists have undertaken an inspection of all trees the subject of request for removal and subsequently completed Assessment Reports. A copy of their reports is attached herewith.

The reports make the following recommendations:

68 Hope St, Bourke:

“When reflecting on all the Hazards and Risks that have been identified it is recommended that this tree be removed. This would mitigate all the risks related to the questionable structural integrity of this tree in the position where it is located. There are no reasonable pruning methods that could be implemented to provide a similar safe outcome.”

6 Tudor St, Bourke:

“When reflecting on all the Hazards and Risks that have been identified during this tree assessment it is recommended that 7 trees be removed and 2 pruned. This would mitigate all the risks related to the questionable structural integrity of these trees in the position where they are located. “

Remove 7 Council Trees, 5 on Glen Street and 2 on Tudor Street.

Trim 1 Council Tree (Tudor Street, Eastern end).

Trim 1 Private Tree (Glen Street, set back in yard from line of council trees. Trims involve the removal of dead wood and hangers)."

IT IS SUGGESTED THAT COUNCILLORS INSPECT THE TREES THE SUBJECT OF THIS REPORT PRIOR TO THE COUNCIL MEETING.


Financial Implications

Council has within the current budget a line item for the maintenance of street trees including removal. The estimated cost for the removal of the tree from 68 Hope Street is \$8,680. The estimated cost for the removal of seven (7) trees and trimming of one (1) tree, located generally within the road reserve at 6 Tudor Street is approximately \$26,000. The owner of the property will be responsible for the trimming of the one tree on private land.

Recommendation

- 1. That the recommendations of SAVCO Vegetation Services regarding the removal of the Queensland Fig Tree located at the front of 68 Hope St, Bourke and the removal of seven (7) lemon scented gums and the trimming of a further two (2) gums at 6 Tudor St, Bourke, be adopted.**
- 2. That the private landowner be advised that they are responsible for the cost of the trimming of the tree on private land.**
- 3. That Council take the necessary action in respect of the removal/trimming of such trees.**

SECTION 3 Asset Management
PART 3.6 Roads

	POLICY NO:	3.6.11(v2)
	POLICY TITLE:	Street Trees
	DATE ADOPTED:	26/04/2017
	RESOLUTION NO:	159/2017
	SUPERCEDES:	3.6.11 Street Trees Adopted: 24/9/2007 Resolution No: 534/2007
	PROPOSED REVIEW DATE:	26/04/2019

POLICY

This policy will guide decision making and assist in the management of street trees located in Bourke Shire. The establishment of a street tree policy will encourage a good visual image of Bourke.

Street trees enhance the amenity and streetscape but can create hazards for road users, and restrict access to properties and services within the road reserve. In addition, they can cause damage to footpaths and other assets on roads and to private property, (which may cause further hazards), drop leaves, berries and branches and damage vehicles.

Whether planted by Council or others, Street trees become the responsibility of Council, so Council maintains control of the selection, planting, maintenance and removal of street trees.

OBJECTIVES

The objectives of this policy are:

- To improve the amenity and to maintain the integrity of the landscape through appropriate plantings and management.
- To promote the establishment of street trees throughout the towns and villages.
- To ensure safe access to properties and safe use of the street.
- To minimise impact on services
- To summarise the responsibility and legal position of Council and others
- To protect against claims associated with street trees.
- To support the Bourke Street Tree Masterplan.
- To provide staff guidance in dealing with street tree issues.

SCOPE

This policy applies to:-

- All plantings of street trees in urban areas (both town and Villages)
- All plantings of trees on rural road reserves

VERIFIED BY

Policies and Processes of Bourke Shire Council

VERIFIED BY:

Page 1 of 4

PROCEDURE**General Street Tree Policy**

- A street tree is defined as any bush or tree with the potential to reach 2 metres in height
- Council will promote the establishment of street trees throughout the shire
- Council Engineering Department will establish a street tree inspection and treatment regime to mitigate the hazards that can be created by street trees.

- Council's Engineering Department will be responsible for the management of maintenance work on street trees.
- Council will provide an annual budget for the effective management of street trees.
- Council will establish and maintain a complaint system for street trees.
- Council will establish and maintain a Street Tree Masterplan which will guide the effective management of all existing and new street trees.

Selection of New Trees

- The selection of tree species for new or replacement street trees will be in accordance with Council's Street Tree Masterplan.
- A private landowner may be authorised to plant a street tree of an approved variety adjacent to his property, with approval from Council.
- Requests to plant street trees of a variety not contained in the Street Tree Masterplan shall be referred to Council for decision.
- Trees under Powerlines must be treated in accordance with Essential Energy's "Vegetation Management Agreement" CE/BSC

Existing Street Trees

1. Selection of Queensland Figs for removal each year will generally be determined by an annual risk assessment which will prioritise the worst trees for removal.
2. If an adjacent landowner wishes to have a Queensland Fig street tree removed ahead of scheduled time then this can be achieved if the landowner meets the full cost of removal.
3. All trees planted on nature strips, footpaths and roadways belong to Bourke shire Council.
4. Council will maintain all street trees in a healthy and safe condition as much as practicable considering annual works program and budget.

Street Tree Planting

1. The actual species and location of new trees is determined by the Street Tree Masterplan.
2. Residents can only plant their own trees providing the position and species is approved by Council. Once planted the tree becomes the property of Council.
3. Consideration must be given to public safety, underground pipes, driveways, powerlines, streetlights, corner sight distance and traffic signs when planting trees.

4. Tree species will be selected for planting based on their suitability, performance, life expectancy and health and safety factors.

Street Tree Removal

- Trees may only be removed by Council or by those authorised delegated by Council.
- Trees shall only be removed when they are posing a danger to people or property or they are in poor health or dead.
- If a resident requests the removal of a particular tree and that tree meets one of the removal criteria, then Council will arrange its removal following a risk assessment and its listing on the works program and sufficient funds in the tree budget.
- Council will consider applications to remove a street tree that a resident claims is causing damage to their property. The claim should be accompanied by an expert (qualified person) assessment provided at the applicants cost. If after considering reasons given the case is justifiable Council will arrange removal or treatment as soon as practicable.

Street Tree Pruning

- Major pruning of street trees may only be carried out by Council or by those authorised by Council.
- Pruning work must be carried out in accordance with AS 4373 "Pruning of Amenity Trees" and the Safework
- Code of Practice "Amenity Tree Industry".
- Any request for pruning is to be issued on the BSC "Application form to remove or Prune a tree "to be authorised by Manager of Works and completed when budget allows and work can be programmed.
- Council encourages the local community to help in maintaining the trees planted in their street by assisting with minor pruning and watering of trees adjacent to their property.

Street Tree overhanging Private Property

- Where a request from a property owner seeking removal or lopping of roadside trees (which overhangs their property) is received, the request shall be investigated by the Services Manager or his representative. The work will be risk assessed and work programmed accordingly (with consideration of Works program and budget) if determined necessary.
- A resident may prune branches that overhang their property with Council approval.

Legal Issues

- Council will seek reimbursement from residents if they kill, remove or damage a Council owned tree or make the tree structurally unsound.
- Council may be liable for trees and tree roots damage within their Shire due to the two different legal rights accruing to third parties. These two rights are a right in nuisance and a right in negligence.

Nuisance: Council may be found liable in nuisance for tree root damage in circumstances where it has actual knowledge of the cause

- of the damage and the damage being sustained but fails to take any reasonable steps within its budget to abate the nuisance.
- **Negligence:** Council can be liable for damage to third party property and personal injury caused by trees. A claimant must establish, on the balance of probabilities, that Council did not take reasonable steps to protect them from property damage or personal damage. Council must prove that they have taken reasonable steps to ensure the trees are properly maintained and managed.
- **Footpath Trips caused by Tree Roots:** Council is required to implement a reasonable system to minimise the risk of tree root damage to footpaths. Council can be held liable for damage where there is evidence Council was aware, or should have been aware through the proper implementation of any systems in place, of a particular risk.

RELATED POLICIES, DOCUMENTS

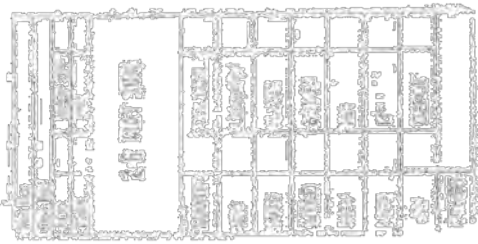
Statewide Best Practice Manual "Trees and Tree Root Management"
Essential Energy "Vegetation Management Agreement" CE/BSC
Safework Code of Practice "Amenity Tree Industry"
AS 4373 – "Pruning of Amenity Trees"
Bourke Street Tree Masterplan
Resolutions of Council
BSC Application form to remove or Prune a tree

RELATED POLICIES

There are no related Policies.

VARIATION

Council retains the right to review, vary or revoke this policy at any time.
The General Manager has the right to review or vary these procedures.
Presented to MANEX on: 11/04/2017
Policy adopted by Council: 26/04/2017



Patricia MCGEE A3-29
 68 HOPE ST. A3-39
 BUCKLE A3-1
 2842 NW T6-1
 May 19, 2021

Dear Sir

I would like to bring your attention to the "Overgrown fig tree" on the sidewalk of my residence.

I have been the resident of this house since 2003, I did alert the City Council to the overgrown roots & branches at that time, in which "Someone" came & inspected it & said it was to be removed, 15 years later the roots were cut back, leaving the sidewalk inside my yard, uneven.

The concerns I currently have with it at the moment are: children playing in it and injuries that could occur. This tree also is blocking out all the

sun during the winter months, leaving my house freezing cold.

I do hope you take this matter into consideration & have the tree removed a.s.a.p.

Thank you for your consideration & hope to hear from you soon.

Thank you
Patricia McGee

Stephanie Simmonds
2 Lachlan Street
NORTH BOURKE NSW 2840
Ph: 0409 991903

11 August 2021

The General Manager
Bourke Shire Council
Mitchel Street
BOURKE NSW 2840

Dear Mark

SUBJECT: 6 TUDOR STREET – TREES

I purchased the house at 6 Tudor Street, Bourke in early 2018. There are a number of large gum trees on the council verge of the property which are becoming very dangerous, dropping large branches and they are also very close to power lines.

I am applying to council to have these trees removed and thank you in advance for your consideration.

Yours faithfully

STEPH SIMMONDS



Preliminary Tree Assessment Report

Prepared for:

Name: Bourke Shire Council

Contact: Peter Brown

Project Location: 68 Hope Street Bourke NSW

Date: 01/12/2021

Preliminary Tree Assessment –

Savco Vegetation Services ABN: 78 161 366 749 info@savco.com.au www.savco.com.au Head Office: 134 Briggs Road, Raceview,
QLD 4350. (Po Box 391, Ipswich, QLD 4305) Phone: 07 3288 8800 Fax: 07 3288 0755

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Recommendation 6
Site Photos 7

Project - Contact Details

Name: Aaron Potter
Mobile: 0408 854 420
Email: apotter@savco.com.au
Position: Area Manager
Company: Savco Vegetation Services

Name: Warren Prause
Phone: 0427 936 145
Email: wprause@savco.com.au
Position: Arborist
Company: Savco Vegetation Services

Name: Peter Brown
Phone: 02 6830 8000
Email: pbrown@bourke.nsw.gov.au
Position: Manager of Works
Company: Bourke Shire Council, 29 Mitchell Street, Bourke NSW 2840

Referenced Documents

AS4373 – 2007 Pruning of Amenity Trees

Report Definitions

Diameter at breast height (DBH)

The trunk diameter at 1.4 m above ground level.

Arborist

A person who is trained, formally qualified and experienced Arboriculture.

Koala Spotter

A koala spotter means a person who has demonstrated experience in locating koalas in koala habitats or conducting fauna surveys.

Structural Root Zone (SRZ)

The area around the base of a tree required for the tree's stability in the ground. The woody root growth and soil cohesion in this area are necessary to hold the tree upright. The SRZ is circular with the trunk at its centre and is expressed by its radius in metres.

Tree

Long lived perennial plant greater than (or usually greater than) 3 m in height with one or relatively few main stems or trunks (or as defined by the determining authority).

Tree Protection Zone (TPZ)

A specified area above and below ground and at a given distance from the trunk set aside for the protection of a tree's roots and crown to provide for the viability and stability of a tree to be retained where it is potentially subject to damage by development.

Preliminary Tree Assessment –

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Vigour

Ability of a tree to sustain its life processes ‘vigour’ in this report is common to terms such as ‘health’ and ‘vitality’.

Introduction

This report has been written to present gathered site inspection information regarding tree health.

One tree was assessed at this site, it is located outside the property fence on the road reserve.

This report will explain the status of the tree’s health, stability and sustainability and provide a recommended outcome or management plan.

Project Location

A single tree located at 68 Hope Street, Bourke, NSW was assessed during this inspection. The red dashed circle shape shows the location.



Figure 1.

Preliminary Tree Assessment –

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Inspection Methodology

A ground based inspection methodology has been used to gather all of the information for this assessment and report. The inspection was performed on the 30th of November 2021. No aerial inspections were performed.

Condition of Tree Health

The *Ficus spp.* at this address has been in situ for numerous years and is a semi-mature / mature tree. Visually, this tree presents as being in very good health however the tree is exhibiting severe root damage from previous excavation works on the property side of the tree. This species of tree have a very invasive root system. The roots are currently uplifting the roadside kerb and gutter and the surrounding area around the base of the tree. The roots are historically known to grow towards any water source. Its likely that the tree's roots have encompassed local water supply pipes and care should be taken when removing the stump system of this tree. When inspecting the attachment point where the main leaders start at the stump section there is a cavity that is allowing water to enter the stump and rootball of this tree. There is likely to be wood rot in the tree's rootball, if present and over time this will weaken the strength of the tree and could cause the large leaders to fail most likely during adverse weather events like aggressive storms or excessive wet weather. There are powerlines in close proximity to this tree and they could be damaged if the tree or parts of the tree were to fail unpredictably.

Preliminary Tree Assessment –

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Hazards and Risks

Inappropriate Species – This tree is located on the road reserve between a property fence and municipal infrastructure (roadway). It will continue to increase in size and so will the root system. This tree is the wrong species for an urban situation where road infrastructure and water piping are in close proximity.

Water Rot – There appears to be water entering the stump section of this tree where the large leaders are joined to the stump, decay will progress overtime causing a weakness of overall tree strength and integrity. This also weakens the trees ability to heal itself. Pests, diseases, and pathogens can easily enter at these points. Is it presumed that large cavities and water storing hollows would be present inside the trees main stump. These faults cause reduced tree structural integrity as the strength cannot easily be assessed without an extensive inspection. Given where the tree is located and the low value of the tree it is not viable to perform a more expensive type of structural inspection.

The roots that have ben cut and excavated are susceptible to pest, diseases and pathogens as well. On the side where these roots have been removed the anchorage of this tree will have been weakened.

Recommendation

When reflecting on all the Hazards and Risks that have been identified it is recommended that this tree be removed. This would mitigate all the risks related to the questionable structural integrity of this tree in the position where it is located. There are no reasonable pruning methods that could be implemented to provide a similar safe outcome.

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Site Photos





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Preliminary Tree Assessment Report

Prepared for:

Name: Bourke Shire Council

Contact: Peter Brown

Project Location: Glen and Tudor Street Bourke NSW

Date: 01/12/2021

Preliminary Tree Assessment –

Savco Vegetation Services ABN: 78 161 366 749 info@savco.com.au www.savco.com.au Head Office: 134 Briggs Road, Raceview,
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Name: Aaron Potter
Mobile: 0408 854 420
Email: apotter@savco.com.au
Position: Area Manager
Company: Savco Vegetation Services

Name: Warren Prause
Phone: 0427 936 145
Email: wprause@savco.com.au
Position: Arborist
Company: Savco Vegetation Services

Name: Peter Brown
Phone: 02 6830 8000
Email: pbrown@bourke.nsw.gov.au
Position: Manager of Works
Company: Bourke Shire Council, 29 Mitchell Street, Bourke NSW 2840

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The area around the base of a tree required for the tree's stability in the ground. The woody root growth and soil cohesion in this area are necessary to hold the tree upright. The SRZ is circular with the trunk at its centre and is expressed by its radius in metres.

Tree

Long lived perennial plant greater than (or usually greater than) 3 m in height with one or relatively few main stems or trunks (or as defined by the determining authority).

Tree Protection Zone (TPZ)

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Vigour

Ability of a tree to sustain its life processes 'vigour' in this report is common to terms such as 'health' and 'vitality'.

Introduction

This report has been written to present gathered site inspection information regarding tree health.

This report will explain the status of the tree's health, stability and sustainability and provide a recommended outcome or management plan.

Project Location

9 trees located on the corner of Glen and Tudor Street in Bouke NSW were assessed during this inspection. The red dashed circle shape shows the location.



Figure 1.

Preliminary Tree Assessment –

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Inspection Methodology

A ground based inspection methodology has been used to gather all of the information for this assessment and report. The inspection was performed on the 30th of November 2021. No aerial inspections were performed.

Condition of Tree Health

The *Corymbia citriodora* - Lemon Scented Gums at this address have been in situ for many years and are semi-mature trees. There were many faults identified during the site inspection.

Preliminary Tree Assessment –

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Hazards and Risks

The trees are located on the property boundary and road reserve. Landholder agreement should be sought before tree trimming or removal works commence.

Weight Distribution – The trees have an uneven weight distribution. They are predominately leaning away from the property house and towards and over the powerlines. Large leaders have been removed in the past due to powerline clearance requirements. More leaders will be removed in the future as these trees increase in size in their current position.

Epicormic Growth – Epicormic growth formation is generally considered to be much weaker than naturally developed branch growth. It is only estimated to be 10-30% as strong as normal growth dependent upon the formation point. It is unreliable and subject to breakage during wet weather, high winds, and as it grows sometimes the weight of the branch when developing becomes heavier than what the attachment point can structurally retain and thus breakages can occur without prior signs. There is an amount of epicormic present in all these trees.

Rootball Upheaval – The trees that are leaning the worst are showing signs of soil upheaval on the opposite side to the lean, this is at ground level and noticed by seeing soil that is higher and looks to be rising in the first metre or two away from the edge of the trunk where it protrudes from the ground. This is caused by a mechanical force, as the tree leans the rootball rotates in the ground as it is unable to anchor the weight of the leaning tree. This is most at risk of happening during extended periods of wet weather when the ground becomes sodden, the leaning weight of the tree will overpower the strength of the anchoring roots and these commonly can break without warning.

Powerline Hazard – These trees are overhanging the powerlines and are known to be self-pruning which present a risk for the powerline reliability.

Water Rot – Previous pruning and natural branch loss has resulted in the removal of large limbs. The pruning cuts have not healed correctly and have resulted in large open wounds that expose branch heartwood. Water penetration has occurred at these exposure sites. This weakens the trees ability to heal itself. Pests, diseases, and pathogens can easily enter at these points. Water damage is evident around the points where these old large, exposed cuts are present. Wood rot and or fungal decay have been identified at these points and the extent of the internal damage cannot really be determined without an exhaustive tree inspection. Is it presumed that large cavities and water storing hollows would be present inside the trees main trunk. These faults cause reduced tree structural integrity as the strength cannot easily be assessed without an extensive inspection. Given where the tree is located and the low value of the tree it is not viable to perform a more expensive type of structural inspection.

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Recommendation

When reflecting on all the Hazards and Risks that have been identified during this tree assessment it is recommended that 7 trees be removed and 2 pruned. This would mitigate all the risks related to the questionable structural integrity of these trees in the position where they are located.

Remove 7 Council Trees, 5 on Glen Street and 2 on Tudor Street.

Trim 1 Council Tree (Tudor Street, Eastern end).

Trim 1 Private Tree (Glen Street, set back in yard from line of council trees. Trims involve the removal of dead wood and hangers).

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Site Photos





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13 ENVIRONMENTAL SERVICES & DEVELOPMENT DEPARTMENT

Nil

14 GENERAL MANAGER

14.1 ANNUAL REPORT 2020/2021

File Number: A3.2
Author: Mark Riley, General Manager
Authoriser: Mark Riley, General Manager
Attachments: Nil

Background

This report is presented to Council to note the publication of Council's 2020/2021 Annual Report. Section 428(1) of the Local Government Act 1993 details the requirements for the preparation of the Annual Report for Councils.

428 Annual reports

(1) Within 5 months after the end of each year, a Council must prepare a report (its annual report) for that year reporting as to its achievements in implementing its delivery program and the effectiveness of the principal activities undertaken in achieving the objectives at which those principal activities are directed.

(2) The annual report in the year in which an ordinary election of Councillors is to be held must also report as to the Council's achievements in implementing the community strategic plan over the previous 4 years.

(3) An annual report must be prepared in accordance with the guidelines under section 406.

(4) An annual report must contain the following:

(a) a copy of the Council's audited financial reports prepared in accordance with the Local Government Code of Accounting Practice and Financial Reporting published by the Department, as in force from time to time,

(b) such other information or material as the regulations or the guidelines under section 406 may require.

(5) A copy of the Council's annual report must be posted on the Council's website and provided to the Minister and such other persons and bodies as the regulations may require. A copy of a Council's annual report may be provided to the Minister by notifying the Minister of the appropriate URL link to access the report on the Council's website.

The Annual Report is one of the suite of documents required to be produced under section 406 of the Local Government Act 1993 dealing with the Integrated Planning and Reporting Framework

Current Situation

Council prepared the Annual Report within five (5) months of the end of the 30 June 2021 financial year with the report outlining Council's achievements in implementing its Delivery Program. A copy of the report is published on Council's website and notification was sent to the Minister on 30 November 2021.

Information has been included in Council's Annual Report, as per the Local Government Regulations, with an end of term report, as presented to Council at the November 2021 Ordinary meeting of Council, also included in the Annual Report.

Financial Implications

Council's Audited Financial Statements are included in Annexure One of the Annual Report.

Recommendation

That the information in this report regarding the Annual Report as presented to Council on Monday 20 December 2021 be noted.

14.2 * CHANGES TO FEBRUARY 2022 MEETING DATE**

File Number: C12.1
Author: Mark Riley, General Manager
Authoriser: Mark Riley, General Manager
Attachments: Nil

Background

Council at its Extraordinary meeting held on 10 December 2021 resolved that the February 2022 Meeting of Council was to be held on Monday, 28 February 2022. It has now come to my attention that this date will conflict with the Annual Conference of Local Government NSW. This conference is generally held in November annually, however given COVID, it was postponed until the period 28 February – 2 March 2022. Council will be represented at this conference by the Mayor and General Manager.

Current Situation

Having regard to the above, and following discussions with the Mayor, it is proposed to change the date of the February 2022 Ordinary meeting of Council to Friday, 26 February 2022 commencing at 9.15am.

It is further noted that due to the unavailability of the preferred trainer during the last two weeks of February, it is now proposed that the training day for Councillors be the day of the March Council Meeting, being 28 March 2021. I will confirm this date with Councillors once confirmed with the trainer.

Financial Implications

Should the decision to change the date of the meeting be made then the only real additional cost would be the cost of advertising as in accordance with Section 9 of the Local Government Act 1993, which provides that Council is required to give notice of the times and places of its meetings and the meetings of its committees of which all the members are Councillors

Recommendation

That the date of the February 2022 Council meeting be changed to Friday, 26 February 2022 commencing at 9.15am such that the February meeting does not conflict with the LGNSW Conference being held from 28 February – 2 March 2022.

15 CORPORATE SERVICES DEPARTMENT**15.1 *** BANK RECONCILIATION & STATEMENT OF BANK BALANCES**

File Number: F1.1
Author: Leonie Brown, Manager of Corporate Services
Authoriser: Mark Riley, General Manager
Attachments: Nil

Background**Bank Reconciliation for the period ending 30 November 2021**

Balances as per Bank Statement	\$927,069.94
Plus: Deposit not shown	\$11,111.23
Less: Unpresented Cheques	\$3,952.69
Balance as per Cash Book	\$934,228.48

Reconciled Ledger Accounts as at 30 November 2021

Fund or Account	Current Balance	Overdraft Statutory Limit
General	\$22,292,798.17	\$200,000.00
Water	\$3,078,696.64	
Sewer	\$2,758,828.04	
Trust	\$111,744.30	
	\$28,242,067.15	

Investments as at 30 November 2021

National Australia Bank	\$1,084,474.56	0.35%	367 Days	A1+
National Australia Bank	\$455,746.98	0.28%	180 Days	A1+
National Australia Bank	\$3,025,633.12	0.35%	365 Days	A1+
National Australia Bank	\$1,102,965.00	0.35%	365 Days	A1+
National Australia Bank	\$806,188.21	0.28%	210 Days	A1+
National Australia Bank	\$2,000,000.00	0.50%	367 Days	A1+
National Australia Bank	\$2,008,219.18	0.35%	365 Days	A1+
National Australia Bank	\$1,158,167.48	0.55%	365 Days	A1+
National Australia Bank	\$676,193.12	0.33%	330 Days	A1+
National Australia Bank	\$3,106,731.89	0.04%	365 Days	A1+
National Australia Bank	\$3,056,586.36	0.34%	305 Days	A1+
National Australia Bank	\$704,706.26	0.04%	360 Days	A1+
National Australia Bank	\$1,725,827.62	0.32%	300 Days	A1+
National Australia Bank	\$1,500,000.00	0.28%	180 Days	A1+
National Australia Bank	\$4,896,398.89	Flex		
Total Investments	\$27,307,838.67			

In accordance with Clause 212 of the Local Government Act (General) Regulation 2005 it is certified that the above investments have been made under Sec 625 of the Local Government Act and Council’s Investment Policy.

Reconciliation at 30 November 2021

Balance as per cash book	\$934,228.48
Investments	\$27,307.838.67
Total, equalling Reconciled Ledger	\$28,242,067.15

Statement of Bank Balances as at 30 November 2021

	Balance	Transaction	Balance
	1 st October 2021		30th November 2021
General Fund	\$23,276,406.51	-\$983,608.34	\$22,292,798.17
Water Fund	\$2,973,059.53	\$105,637.11	\$3,078,696.64
Sewer Fund	\$2,705,467.75	\$53,360.29	\$2,758,828.04
Trust Fund	\$112,492.30	-\$748.00	\$111,744.30
Investments	-\$28,402,561.03	\$1,094,722.36	-\$27,307,838.67
Totals	\$664,865.06	\$269,363.42	\$934,228.48

Balance of all Funds as at 30 November 2021

Balance as at 31st October 2021	\$664,865.06
Add Receipts for	
(a) Rates	\$752,048.96
(b) Other Cash	\$2,861,343.01
Deduct payments for	
(a) Payments	\$2,238,750.91
(b) New Investment	\$1,105,277.64
Balance as at 30th November 2021	\$934,228.48

Recommendation

That the Certificate of Reconciliation of the Cash Book for all funds of the Council and the Statement of Bank Balances as at 30 November 2021 be noted.

15.2 * INVESTMENT REPORT AS AT 30 NOVEMBER 2021**

File Number: F1.1
Author: Leonie Brown, Manager of Corporate Services
Authoriser: Mark Riley, General Manager
Attachments: Nil

Background

The investment report is submitted monthly to Council.

Issues

- Investments are in accordance with Division of Local Government Guidelines and Council's Investment Policy
- Statutory obligations are being met
- Councillors roles as resource allocators and policy directors are satisfied

Assessment**Legal Implications Including Directives and Guidelines**

Local Government Act 1993

Local Government (General) Regulation 2005

The management, of Council's investments is delegated by the General Manager to the Manager Corporate Services.

Financial Implications/Consideration

The 2021/22 Budget estimated the total investment revenue as \$295,000 which represents an estimated return of .25%. This revenue was split proportionally across General, Water and Sewer Funds and changes on a monthly basis in accordance with cash flow requirements.

The market value of Council's investments held as at 30 November 2021 is \$27,307,838.67
Investment income earned as at 30 November 2021 is \$67,965.19

Policy Provisions – Council Policy and Procedure

Policy 1.8.10(v5) – Investment Policy adopted 23 July 2020.

Ministerial Investment Order – 12 January 2011

Strategic Implications – Implications for Long Term Plans/Targets

Funds are invested in accordance with identified cash flow requirements.

Investment Portfolio

Investments as at 30 November 2021

National Australia Bank	\$1,084,474.56	0.35%	367 Days	A1+
National Australia Bank	\$455,746.98	0.28%	180 Days	A1+
National Australia Bank	\$3,025,633.12	0.35%	365 Days	A1+
National Australia Bank	\$1,102,965.00	0.35%	365 Days	A1+
National Australia Bank	\$806,188.21	0.28%	210 Days	A1+
National Australia Bank	\$2,000,000.00	0.50%	367 Days	A1+
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National Australia Bank	\$1,158,167.48	0.55%	365 Days	A1+
National Australia Bank	\$676,193.12	0.33%	330 Days	A1+
National Australia Bank	\$3,106,731.89	0.32%	240 Days	A1+
National Australia Bank	\$3,056,586.36	0.04%	365 Days	A1+
National Australia Bank	\$704,706.26	0.04%	360 Days	A1+
National Australia Bank	\$1,725,827.62	0.32%	300 Days	A1+
National Australia Bank	\$1,500,000.00	0.28%	180 Days	A1+
National Australia Bank	\$4,896,398.89	Flex		
Total Investments	\$27,307,838.67			

Term Deposits

Discussions/Comments

The Investment portfolio decreased by \$1,094,722.36 during the period.

The investment portfolio is invested in term deposits with the National Australia Bank. The investment portfolio is regularly reviewed in order to maximise investment performance and minimise risk.

The Government Guarantee on Investments up to \$1 million dollars has now expired and the new cap of \$250,000 has replaced the scheme.


Certification – Responsible Accounting Officer

I hereby certify that the investments listed in the attached report have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 2005 and Council’s Investment Policy.

Recommendation

- 1. That the report regarding Council’s Investment Portfolio 30 November 2021 be received and noted.**
- 2. That the Certificate of the Responsible Accounting Officer be noted, and the report adopted**

15.3 PROPOSED INTERNAL AUDIT AND RISK MANAGEMENT FRAMEWORK

File Number: A13.3
Author: Leonie Brown, Manager of Corporate Services
Authoriser: Mark Riley, General Manager
Attachments: 1. Risk Management and Internal Audit - Guidelines [↓](#) 

Background

In 2016 amendments were made to the NSW Local Government Act 1993 requiring Councils to establish an Audit Risk and Improvement Committee (ARIC) by March 2021. These amendments also enable the making of future regulations to mandate a risk management framework and internal audit function in all Councils and set a minimum standard of compliance.

A discussion paper, A New Risk Management and Internal Audit Framework for Local Councils in NSW", was released in late 2019 on the proposed model. The Office of Local Government (OLG) received over 150 submissions from the local government sector and risk management and internal audit practitioners in response to the discussion paper. OLG has subsequently refined the proposed model in response to this feedback.

The new framework will be governed by regulations and Guidelines for Risk Management and Internal Audit for local councils in NSW. These will prescribe the minimum standards for each council's audit, risk and improvement committee, risk management framework and internal audit function.

Current Situation

It is proposed that the ARIC plays a greater hand's on role with regards to independent oversight of Councils governance and financial performance. Council will be required to set up an ARIC and an internal audit function in line with the proposed guidelines.

The proposed changes increase the scope and power of ARIC's and limit Councillors involvement.

The bar has been set very high for small rural and remote Councils having regard to the limited ability of such councils to attract both Chairs and prequalified members of the committee. While fees are to be determined between Council and committee members it is unlikely the role will be undertaken on a voluntary basis given the responsibility and statutory compliance.

The guidelines are broken into three core requirements:

1. Audit, Risk and Improvement Committees
2. Risk Management
3. Internal Audit Function

Core requirements 1 – Audit, Risk and Improvement Committee (ARIC)

Section 428A of the Local Government Act 1993 requires Councils to have in place an Audit, Risk and Improvement Committee to independently review and advise on the following areas of Councils operations:

- i. compliance
- ii. risk management

- iii. fraud control
- iv. finance management
- v. governance
- vi. implementation of the strategic plan, delivery program and strategies
- vii. service reviews
- viii. collection of performance measurement data by council
- ix. and any other matter prescribed by regulation

The ARIC must develop a strategic plan every four years and must develop an annual work plan. A report must be provided to council after every committee meeting detailing its opinion and activities. A quarterly report must be provided to Council – the content to be determined by Council. The ARIC must also provide an annual assessment.

Bourke Shire Council falls into tier one general purpose Councils i.e., Population less than 20,000 and predominately rural in nature.

Tier one Councils are required to have a minimum:

- Three independent voting members, a Chair who must be prequalified under the NSW government scheme. Two voting committee members – who whilst not being required to be qualified are required to meet independence requirements, and eligibility requirements.
- One non-voting Councillor, who must also have the appropriate experience and exposure to business operations

Councils are required to provide all resources for the operation of the committee.

Core Requirement 2 – Risk Management

Each Council and Joint Organisation must implement a risk management framework that is consistent with current Australian Standards for Risk Management.

Councils risk management framework must demonstrate the following six elements:

1. Leadership and commitment: - management must demonstrate strong leadership.
2. Integration: - risk must be managed in every part of Council's operations.
3. Design: - the design must be structured to meet Council's needs.
4. Implementation: - risk management activities must be understood and practiced.
5. Evaluation: - Councils must regularly evaluate the framework to ensure relevance.
6. Improvement: - each Council must continually adapt and improve the design of the framework

Councils must provide sufficient resources to deliver and implement the risk management framework. Council's provide strategic leadership, the General Manager operational leadership, Internal Function – provides review and assurance and the ARIC provides advice and assurance.

Core Requirement 3 – Internal Audit

Each Council must have an independent internal audit function that reports to the Audit, Risk and Improvement Committee and is consistent with current international standards for internal audit.

The Councils internal audit function must operate independently of the Council and cannot be subject to direction by Council. It reports administratively to the General Manager and functionally to the ARIC.

Each Council must have a head of in-house internal audit function. This must be a Council employee and cannot be outsourced, other than through a shared arrangement with another Council, and meet the eligibility and independence criteria for the position.

Internal audit documents can be accessed by the governing body (Council), subject to the approval of the Chair of the committee.

Council will be required to have an ARIC of some type by June 2022 and will then have two years, until 30 June 2024 to comply with the risk management and internal audit requirements under the guidelines, and five years to comply with the audit, risk and improvement committee requirements.

The draft guidelines if mandated in the current form would be costly to Council, potentially \$100,000 per year, as well as logistically complex and potentially provide poor outcomes.

To try and obtain the most favourable outcome for Council in the circumstances, the General Manager and Manager Corporate Services have discussed a collaborative arrangement with the Executive Officer of the Far North West Joint Organisation to meet the requirements on a joint basis.

Financial Implications

There is no budgetary impact for Council in the current financial year however, there will be an increased cost to Council in future years. The value of that additional cost is unknown at this point and will depend on Council's approach to the establishment of an internal audit function and the make-up and remuneration of ARIC independent members.

Recommendation

That Council note the report in regards to the Risk Management and Internal Audit for Local Councils in NSW.

RISK MANAGEMENT AND INTERNAL AUDIT for local councils in NSW

Guidelines

August 2021



**GUIDELINES FOR RISK MANAGEMENT AND INTERNAL AUDIT FOR LOCAL COUNCILS
IN NSW**
2021

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Background



Background

The *Local Government Act 1993* ('Local Government Act') and the *Local Government (General) Regulation 2005* ('Local Government Regulation') require each council in NSW to have:

- an audit, risk and improvement committee that continuously reviews and provides independent advice to the council on how it is functioning and managing risk
- a robust risk management framework that accurately identifies and mitigates the risks facing the council and its operations, and
- an effective internal audit function that provides independent advice as to whether the council is functioning effectively and the council's internal controls to manage risk are working.

These three mandatory governance mechanisms are a vital part of the NSW Government's plan to ensure that councils are doing things the best way they can for their communities and are on track to delivering their community's goals and objectives.

Communities themselves will ultimately be the greatest beneficiaries.

If implemented effectively, audit, risk and improvement committees, risk management and internal audit will lead to councils:

- achieving their strategic objectives in the most efficient, effective and economical manner
- having better and more efficient levels of service delivery
- having increased accountability and transparency
- achieving better decision-making and having the confidence to make difficult decisions
- having increased financial stability
- achieving and maintaining compliance with all laws, regulations, internal policies and procedures, and
- better safeguarding their public assets.

Purpose

These guidelines have been developed to assist councils, county councils and joint organisations to comply with statutory requirements under the Local Government Act and Local Government Regulation.

They also seek to strengthen risk management and internal audit practices in NSW councils by setting a minimum standard that reflects a 'best practice' approach.

The Guidelines have been issued under the Local Government Regulation (clause #tbc) which confers on the Secretary of the Department of Planning, Industry and Environment, ('Secretary DPIE'), the power to issue guidelines on the appointment and operation of audit, risk and improvement committees and the implementation by councils, county councils and joint organisations of risk management and internal audit activities.

Councils are required under the Local Government Regulation to comply with these Guidelines when establishing and operating their audit, risk and improvement committees, risk management framework and internal audit functions.

They replace the NSW Government's *Internal Audit Guidelines for Local Government in NSW* issued in 2010.

The three core requirements outlined in the Guidelines reflect international standards and the recommendations and opinions of internal audit practitioners, councils, councillors, audit, risk and improvement committee members, risk management practitioners, government agencies, experts and community members.

They are also informed by practices in other Australian jurisdictions and give effect to the recommendations of the:

- Independent Commission Against Corruption in its inquiries into Burwood Council (2011) and Botany Bay Council (2017)

- Local Government Acts Taskforce in its review of the *Local Government Act 1993* (2013)
- Independent Local Government Review Panel in its *Revitalising Local Government* inquiry (2013), and
- various performance audits and other reviews conducted by the NSW Auditor-General since 2010.

Based on these recommendations:

- the core requirements outlined in the Guidelines relating to the operation of a council's audit, risk and improvement committee have been modelled on the *Internal Audit and Risk Management Policy for the General Government Sector (TPP 20-08)* developed by NSW Treasury and best practice in the public and private sectors
- the core requirements relating to risk management have been modelled on the current Australian risk management standard, *AS/NZS ISO 31000:2018 Risk Management – Guidelines*, and
- the core requirements relating to a council's internal audit function have been modelled on the Institute of Internal Auditors (IIA) *International Standards for the Professional Practice of Internal Auditing* (the 'International Professional Practices Framework') and best practice in the public and private sectors.

The framework balances these professional standards and best practice approaches with the unique structure, needs and operating environments of metropolitan, regional and rural councils, county councils and joint organisations across NSW.

The release of these Guidelines follows an extensive consultation process. The Office of Local Government thanks all the individuals, councils and bodies involved in the development of the risk management and internal audit regulatory framework.

Further resources

There has been a wide range of information and guidance developed in recent times by government agencies, experts, practitioners and other bodies to help organisations establish effective audit, risk and improvement

committees, risk management frameworks and internal audit functions.

As a starting point, a list of further resources has been included at the end of each core requirement. These resources provide practical information and tools such as examples, templates, checklists and sample documents that councils may find useful when implementing these Guidelines.

Terminology

When a joint organisation is applying these Guidelines, it should substitute the term "council" for "joint organisation", "governing body" for "board", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager" and "annual report" for "annual performance statement", where appropriate.

Where a county council is applying these guidelines, it should substitute the terms "county council" for "council" and "member" for "councillor", where appropriate.

Statutory framework

The Local Government Act and Local Government Regulation provide the statutory foundations and prescribe the desired outcomes for councils' audit, risk and improvement committees, risk management frameworks and internal audit functions.

Relevant provisions of the Local Government Act and Local Government Regulation are detailed below.

- ensuring, as far as possible, the financial sustainability of the council
- ensuring, as far as possible, that the council complies with the guiding principles of the Local Government Act
- keeping the performance of the council under review
- making the decisions necessary to ensure the council properly exercises its regulatory functions, and
- being responsible for ensuring that the council acts honestly, efficiently and appropriately.

Guiding principles of local government

The guiding principles of the Local Government Act (sections 8A, 8B and 8C) require each council to carry out its functions in a way that provides the best possible value for residents and ratepayers.

The guiding principles also specify that councils are to:

- spend money responsibly and sustainably, and align general revenue and expenses
- invest in responsible and sustainable infrastructure for the benefit of the local community
- effectively manage their finances and assets and have sound policies and processes for performance management and reporting, asset maintenance and enhancement, funding decisions, and risk management practices
- ensure the current generation funds the cost of its services and achieves intergenerational equity, and
- manage risks to the local community, area or council effectively and proactively.

Role of the general manager

The Local Government Act (section 335) provides that the general manager is responsible for:

- conducting the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council – this includes establishing the council's organisational structure and appointing and dismissing council staff (section 332)
- implementing, without undue delay, the lawful decisions of the council
- advising the governing body on the development and implementation of the council's plans, programs, strategies and policies, and
- ensuring that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions.

Role of the governing body

To achieve these guiding principles, the Local Government Act (section 223) provides that the role and responsibilities of the governing body include:

- directing and controlling the affairs of the council in accordance with the Local Government Act

The Local Government Regulation (clause 209) also requires the general manager to ensure that:

- the council complies with all legal financial obligations, including the keeping of accounting records
- effective measures are taken to secure the effective, efficient and economical management of financial operations within each division of the council's administration

- authorised and recorded procedures are established to provide effective control over the council's assets, liabilities, revenue and expenditure and secure the accuracy of the accounting records, and
- lines of authority and the responsibilities of members of the council's staff for related tasks are clearly defined.

Role of a joint organisation

The Local Government Act establishes joint organisations as a strategic regional body of councils.

The role and responsibilities of a joint organisation under the Local Government Act (section 400R) are to:

- establish regional priorities for the joint organisation area and strategies and plans to deliver these priorities
- provide regional leadership for the joint organisation area and advocate for strategic regional priorities, and
- identify and take-up opportunities for intergovernmental cooperation.

Joint organisations also deliver services and provide assistance to, or on behalf of, councils, and councils are able to delegate certain functions to their joint organisation (sections 355, 379 and 400S).

The Local Government Act (section 400Y) provides that the Executive officer of a joint organisation is to:

- conduct the day-to-day management of the joint organisation in accordance with the strategic regional priorities and other plans, programs, strategies and policies of the organisation, and
- appoint, direct and dismiss staff.

Audit, risk and improvement committee

The Local Government Act (section 428A) requires each council to establish an audit, risk and improvement committee to continuously

review and provide independent advice to the general manager and the governing body of the council on:

- whether the council is complying with all necessary legislation, regulations and other legal requirements
- the adequacy and effectiveness of the council's risk management framework, fraud and corruption prevention activities, financial management processes, and the council's financial position and performance
- the council's governance arrangements
- the achievement by the council of the goals set out in the council's community strategic plan, delivery program, operational plan and other strategies
- how the council delivers local services and how it could improve the performance of its functions more generally
- the collection of performance measurement data by the council, and
- any other matters prescribed by the Local Government Regulation (including internal audit).

The Local Government Act (section 428B) allows councils to establish a joint audit, risk and improvement committee with other councils including through joint or regional organisations of councils.

The Local Government Regulation (clause #tbc):

- requires each council to appoint an audit, risk and improvement committee comprising of a chair and two or more other persons as specified by these Guidelines
- allows councils and joint organisations to share committees
- requires the Chair and other members of an audit, risk and improvement committee to satisfy the eligibility requirements outlined in these Guidelines
- allows councils to appoint a councillor who satisfies the eligibility requirements outlined in these Guidelines as a non-voting member of its committee
- allows joint organisations to appoint a voting representative of the board who satisfies the eligibility requirements

- outlined in these Guidelines as a non-voting member of its committee
- requires each committee to operate in accordance with terms of reference adopted by the council, based on the approved Model Terms of Reference contained in these Guidelines, and
- requires councils to provide their committee with direct and unrestricted access to the general manager and other senior staff and any information and resources necessary to undertake its role.

For the purposes of section 428A(2)(i) of the Local Government Act, councils' and joint organisations' audit risk and review committees are to also keep internal audit activities under review.

The requirements for audit, risk and improvement committees in these Guidelines are detailed in core requirement 1.

Risk management

The Local Government Regulation (clause #tbc) requires each council and joint organisation to implement a risk management framework that is consistent with the requirements specified in these Guidelines.

A council's general manager or a joint organisation's executive officer has overall responsibility for the implementation of the council's or joint organisations' risk management framework.

A council's audit, risk and improvement committee is to review and provide independent advice to the council on the implementation of its risk management framework under section 428A(2)(b) of the Local Government Act.

The requirements for risk management in these Guidelines are detailed in core requirement 2.

Internal audit

The Local Government Regulation (clause #tbc):

- requires each council's internal audit activities to operate in accordance with a charter adopted by the council, based on the approved Model Internal Audit Charter contained in these Guidelines
- allows councils and joint organisations to share the performance of internal audit activities
- specifies that a council's audit, risk and improvement committee is to oversee the council's internal audit activities
- requires that a member of the council's staff is appointed to direct internal audit activities – for shared arrangements this can be a staff member of one of the participating councils or joint organisation in the shared arrangement
- requires this member of staff to report only to the audit, risk and improvement committee regarding internal audit activities
- requires the general manager to consider the views of the chair of the council's audit, risk and improvement committee before making any decision affecting the employment of the staff member appointed to direct internal audit activities, and
- requires the audit, risk and improvement committee to review the performance and efficacy of the council's internal audit activities once each council term and report to the governing body of the council on the outcome of its review and make recommendations.

The requirements for internal audit in these Guidelines are detailed in core requirement 3.

Annual attestation

The Local Government Regulation (clause #tbc) requires the general manager of a council or the executive officer of a joint organisation to publish each year an attestation statement in the council's or joint organisation's annual report indicating whether, during the preceding financial year, the council's or joint organisation's audit, risk and improvement committee, risk management framework and

internal audit function complied with these Guidelines.

An attestation certificate template is provided at **Appendix 1** and attestation requirements are highlighted with this symbol throughout these Guidelines.



The details of each member of the council's audit, risk and improvement committee must also be included in the attestation statement.

This is to ensure that the council takes independent assurance and risk management seriously and is accountable to the community for how it has implemented these requirements.

Compliance status is to be self-assessed by the general manager, in consultation with the audit, risk and improvement committee.

The general manager or executive officer must consider the views of the chair of the council's or joint organisation's audit risk and improvement committee on the content of the attestation statement when preparing the statement.

If the chair disagrees with the content of the attestation statement prepared by the general manager or executive officer, they may prepare their own report and submit this to the Secretary DPIE.

Exemptions

There may be times where a council or joint organisation will not be able to comply with all requirements relating to its audit, risk and improvement committee, risk management framework or internal audit function.

In these circumstances, the Local Government Regulation (clause #tbc) confers on the Secretary DPIE the power to exempt the council or joint organisation from compliance with a requirement under these Guidelines where the council or joint organisation requests such an exemption. The Secretary DPIE may grant an exemption where they are satisfied that:

- the council or joint organisation cannot comply with the requirement because of temporary extenuating circumstances or resourcing constraints that will significantly impact the council's or joint organisation's budget
- the council or joint organisation is not able to enter into an agreement with another council to share the performance of internal audit activities, and
- current or proposed alternative arrangements will achieve outcomes equivalent to the requirement under these Guidelines.

Under the Local Government Regulation, a council's application to the Secretary for an exemption must be in the form and contain the information specified in these Guidelines.

Where the Secretary exempts a council from a requirement under these Guidelines, the council must publish the Secretary's approval for the exemption in their annual report.

A council is not prevented from applying for a further exemption when a previous exemption expires.

Accountability

Councils that are non-compliant with statutory requirements and are not granted an exemption may face enforcement action under the Local Government Act.

Monitoring

The NSW Auditor-General may undertake an assurance role in monitoring council's compliance with the core requirements outlined in the Local Government Act, Local Government Regulation and these Guidelines.

This may include conducting sector-wide performance audits, or compliance audits of individual councils and undertaking reviews of the statutory exemptions granted by the Secretary DPIE.

Core requirement 1:

Audit, risk and improvement committee

- Each council and joint organisation has an audit, risk and improvement committee that reviews the matters referred to in section 428A of the Local Government Act

Guiding principles for audit, risk and improvement committees

- ❖ An audit, risk and improvement committee is independent of the council
- ❖ The committee is equipped with the relevant expertise and has the access to council resources and information necessary to fulfil its role and responsibilities effectively
- ❖ Each council receives relevant and timely advice and assurance from the committee on the matters listed in section 428A of the Local Government Act
- ❖ The work of the committee is thoroughly planned and executed, risk-based and linked to the council's strategic goals
- ❖ The committee adds value to the council and is held accountable by the governing body for its performance
- ❖ The council is accountable to the community for complying with statutory requirements relating to the committee.

The Committee must also provide information to the council for the purpose of improving the council's performance of its functions.

The Local Government Regulation (clause #tbc) also requires a council's audit, risk and improvement committee to review and provide advice on the council's internal audit activities.

The audit, risk and improvement committee's role also extends to any entities established by or operated by the council.

The exact nature of each audit, risk and improvement committee's role and the specific activities it reviews on behalf of a council under section 428A of the Local Government Act will vary depending on the council's needs, risks and business functions.

These activities are to be agreed by the audit, risk and improvement committee and the council during the development of the committee's terms of reference. Suggested activities are provided in **Appendix 2**.

Level of assurance

Audit, risk and improvement committees are to have an advisory and assurance role only. They are to exercise no administrative functions, delegated financial responsibilities or any management functions for a council.

Role and functions

Under section 428A of the Local Government Act, each council (including county councils and joint organisations) must have an audit, risk and improvement committee to independently review and advise on the following aspects of the council's operations:

- (a) compliance
- (b) risk management
- (c) fraud control
- (d) financial management
- (e) governance
- (f) implementation of the strategic plan, delivery program and strategies
- (g) service reviews
- (h) collection of performance measurement data by the council, and
- (i) any other matters prescribed by the regulation.

It is expected that each audit, risk and improvement committee will provide independent advice to the council that is informed by the council's internal audit and risk management activities and information and advice provided by council staff, relevant external bodies and other subject matter experts.

Workplans

Strategic work plan

It is essential that the work of the audit, risk and improvement committee is thoroughly planned and executed to ensure that no

council activity or function is missed by the committee and that councils receive value for money from their assurance investment.

A council's audit, risk and improvement committee must develop a strategic plan every four years to ensure that all the matters listed in section 428A of the Local Government Act are reviewed by the committee and internal audit function over each council term.



The plan must be developed by the audit, risk and improvement committee in consultation with the governing body, general manager, the head of the internal audit function and senior managers (where appropriate) and adopted by the governing body of the council at the start of the council term.

To maintain the independence of the audit, risk and improvement committee, the governing body of the council must be careful when adopting the strategic workplan not to direct the committee's work over the council term.

Content

The nature of the strategic plan will be commensurate with the size and complexity of the council, as well as the council's risk profile, and consistent with the requirements of the International Professional Practices Framework.

At a minimum, it should document:

- the goals and expected outcomes of the audit, risk and improvement committee for the council term
- key organisational issues and risks faced by the council and how the committee will review these, and
- key performance indicators to measure progress across council terms.

When developing the council's strategic workplan, the audit, risk and improvement committee should consider at a minimum:

- the council's strategic objectives
- risks facing the council
- the work of other review activities or functions (for example, external and

performance audits, and reviews or audits by other government agencies)

- an assurance map of the council's assurance activities which may assist to determine where the Committee's and internal audit function's work should focus, and
- stakeholder expectations.

There should also be sufficient flexibility in the strategic plan to accommodate the need for additional audits on emerging risks from time to time.

The audit, risk and improvement committee may, in consultation with the council's governing body, vary the strategic work plan at any time to address new or emerging risks.

The governing body of the council may also, by resolution, request the committee to approve a variation to the strategic work plan. However, any decision to vary the strategic work plan will rest with the committee.

When considering whether to vary the strategic work plan, the committee must consider the impact of the variation on the internal audit function's existing workload and the completion of pre-existing priorities and activities identified under the strategic workplan.

Review

The audit, risk and improvement committee must review the four-year strategic plan at least annually to ensure that it is dynamic, relevant and aligns with the council's risk profile.

This will also ensure that the council remains on track with its audits and any slippage in progress can be quickly addressed.

Annual work plan

A council's audit, risk and improvement committee must develop an annual work plan to guide its work over the forward year.



The annual work plan must be developed by the audit, risk and improvement committee in consultation with the governing body, general manager, head of the internal audit function and senior managers (where appropriate).

The annual work plan must be consistent with the requirements of the International Professional Practices Framework and identify:

- the internal audits that will be carried out during the year to support the work of the audit, risk and improvement committee
- the key goals, objectives and scope of the proposed audits
- the resources needed for each audit (for example, staffing, budget, technology), and
- key performance indicators to measure annual progress against.

The annual work plan must be flexible enough to allow it to be reviewed and adjusted as necessary throughout the year in response to any changes to the council's risks or operations.

The audit, risk and improvement committee may, in consultation with the council's governing body vary the annual work plan to address new or emerging risks.

The governing body of the council may also, by resolution, request the committee to approve a variation to the annual work plan. However, any decision to vary the annual work plan will rest with the committee.

When considering whether to vary the annual work plan, the committee must consider the impact of the variation on the internal audit function's existing workload and the completion of pre-existing priorities and activities identified under the annual work plan.

Performance measurement

The performance of each council's audit, risk and improvement committee and internal audit function, as well as the council, must be able to be assessed to measure progress and improvement.

The audit, risk and improvement committee must establish key performance indicators for

the council's strategic four-yearly workplan and annual work plan to enable the council to gauge the:

- performance of the Committee and internal audit function and the value they are providing the council, and
- council's performance regarding the matters listed in s428A so that the council can assess whether it is improving each council term in these areas.

These key performance indicators are to be reviewed and reset by the audit, risk and improvement committee for each annual work plan and strategic four-yearly work plan to ensure they reflect the changing needs of the council and the increased capacity of the Committee and internal audit function as they mature.

The general manager, in consultation with the audit, risk and improvement committee, must ensure that a data collection or performance management system is established and maintained to collect the data needed to measure progress against these key performance indicators.

Providing advice to the governing body

Quarterly updates

Ongoing reporting by the audit, risk and improvement committee to the governing body (and general manager) is essential for accountability and will ensure that the governing body is kept abreast of matters considered by the Committee and any emerging issues that may influence the strategic direction of the council or the achievement of the council's goals and objectives.

It will also ensure strong linkages between the audit, risk and improvement committee, the governing body and the general manager and lead to a better functioning assurance mechanism.

The audit, risk and improvement committee must provide an update to the governing body of the council of its activities and opinions after every committee meeting.

The audit, risk and improvement committee must also provide its quarterly update to the general manager to ensure they are kept abreast of issues raised and can answer any questions the governing body may have about the committee's opinions and recommendations.

The mayor can request to meet with the Chair of the audit, risk and improvement committee at any time to discuss any issues relating to the work of the committee during the quarter.

The chair of the audit, risk and improvement committee can also request to meet with the mayor at any time.

Content

The nature and content of the audit, risk and improvement committee's quarterly updates is to be determined by the governing body and the committee.

It could simply be providing a copy of the audit, risk and improvement committee's meeting minutes to the governing body if appropriate, or something more formal such as a report for noting by the governing body, or a face-to-face meeting between the committee, governing body and general manager to discuss important issues that have been identified.

Whatever the nature and form the update takes, the governing body and general manager must be advised, at a minimum, of:

- any formal resolutions of the audit, risk and improvement committee
- the committee's assessment of any audits conducted, including any breaches or lack of controls that require an immediate response from the council
- progress on the implementation of corrective actions
- opportunities for longer-term improvement, and

- any key opinions or 'take-outs' from the committee's meeting.

Should the governing body require additional information, a request for the information may be made to the Chair by resolution. The Chair may only provide the information requested by the governing body where the Chair is satisfied that it is reasonably necessary for the governing body to receive the information for the purposes of performing its functions under the Local Government Act.

Individual councillors are not entitled to request or receive information from the Committee.

Annual assessment

A council's audit, risk and improvement committee must provide an annual assessment to the governing body each year.



This will ensure that the governing body of the council is fully informed of the audit, risk and improvement committee's work and its opinion on how council is performing.

The annual assessment must include:

- a summary and assessment of the work the audit, risk and improvement committee performed to discharge its responsibilities during the preceding year
- an overview and assessment of the work of the internal audit function
- progress against key performance indicators
- advice on the appropriateness of the committee's terms of reference
- an independent assessment and advice on the matters considered by the committee during the year that, in the committee's opinion, and based on the level of risk facing the council, the governing body should be informed of, and
- other views or opinions of the council that the committee wishes to impart.

Before providing their annual assessment to the governing body, the audit, risk and improvement committee must provide a copy

of its annual assessment report to the general manager to enable them to develop an action plan to address any issues identified.

Both the audit, risk and improvement committee's annual assessment and the general manager's action plan can then be considered jointly by the governing body at an annual assurance meeting with the committee and the general manager.

Annual assurance meeting

It would be beneficial for the audit, risk and improvement committee, governing body and general manager to come together annually to discuss the committee's annual assessment of the council, how the council proposes to respond to the committee's recommendations for corrective actions and other important internal audit and risk management matters.

The governing body may wish to hold an extraordinary or additional meeting each year for this purpose.

The annual assurance meeting should also discuss:

- the audit, risk and improvement committee's annual plan and review priorities for the upcoming year, for the approval via resolution of the governing body
- any resourcing issues for the internal audit or risk management functions that the committee considers the governing body should be informed of
- any updated committee terms of reference, for approval via resolution by the governing body, and
- the general manager's annual assessment of the council's risk management function (see core requirement 2).

The mayor, chair of the audit, risk and improvement committee and general manager can invite observers or other participants to the meeting where appropriate.

Strategic assessment

A council's audit, risk and improvement committee must provide to the governing body of the council a comprehensive independent assessment every council term (i.e. four years) of all the matters listed in section 428A of the Local Government Act.



This will ensure that the governing body of the council is fully informed of the council's performance in relation to the matters specified in section 428A of the Local Government Act and what corrective actions are required to address any issues identified.

It will also provide the governing body with essential information that will assist with strategic decision-making and resource allocation during the next council term.

Before providing their strategic assessment to the governing body, the audit, risk and improvement committee must provide a copy of its report to the general manager to enable the general manager to develop an action plan to address any issues identified during the next council term.

Given the audit, risk and improvement committee's functional responsibility for the internal audit function of the council, the committee must also develop an action plan for the governing body to address any internal audit issues identified by the Committee.

The audit, risk and improvement committee's strategic assessment and the action plans can be considered jointly by the governing body at a strategic assurance meeting held every four years.

Strategic assurance meeting

It would be beneficial for the audit, risk and improvement committee, governing body and general manager to come together at the close of the council term or commencement of the new council term to discuss the committee's strategic assessment of the council, how the council proposes to respond to the committee's recommendations during the next

council term and any other important internal audit and risk management issues.

This discussion can also inform the strategic plans to be made through the integrated planning and reporting process for the next council term.

The governing body may wish to hold an extraordinary or additional meeting for this purpose.

The four-yearly assessment meeting could also discuss:

- the audit, risk and improvement committee's four-yearly strategic plan for the upcoming council term, for approval by resolution of the governing body
- a four-yearly review of the committee's terms of reference, for noting by the governing body and where applicable, an updated terms of reference for approval by resolution
- the governing body's four-yearly review of the committee's performance and action plan to address any issues identified, for approval by resolution of the governing body
- the Office of Local Government's determination of which tier the council is assigned to for the next council term for the purpose of structuring their committee.

Terms of Reference

It is important that each audit, risk and improvement committee has clear guidance on how it should serve the council, and that the council has input into how the committee will operate given its investment.

This will ensure there is no ambiguity between the council and the audit, risk and improvement committee, and that the council can measure the committee's performance.

The Local Government Regulation (clause #tbc) requires a council's audit, risk and improvement committee to operate according to terms of reference consistent with the approved Model Terms of Reference provided at Appendix 3.



The audit, risk and improvement committee's terms of reference can include additional provisions that are not inconsistent with the approved Model Terms of Reference or other requirements.

The terms of reference are to be approved by resolution of the governing body and reviewed annually by the audit, risk and improvement committee, and once each council term (i.e. four years) by the governing body.

Structure

Each council will have different audit, risk and improvement committee requirements depending on the council's size, needs, budget and the complexity of its operations.

For this reason, councils can either:

- establish an audit, risk and improvement committee for its own exclusive use, or
- share their committee with another council, county council or joint organisation under section 428B of the Local Government Act.

When deciding the most appropriate way to structure a council's audit, risk and improvement committee, the general manager should consider the viability and capacity of a shared committee to achieve its terms of reference given the:

- size of the council in terms of both staffing levels and budget
- geographical and functional distribution of the council's operations
- complexity of the council's core business
- risk profile of the council
- expectations of stakeholders, and
- likely demands placed on the committee by other councils in the shared arrangement.

Size and composition

Each council, county council and joint organisation has been categorised as a tier 1 (lowest), tier 2 (middle) or tier 3 (highest) council for the purposes of determining the size and composition of their audit risk and improvement committee.

These categories are detailed in **Appendix 4**.

This categorisation is based on:

- the population, population density and annual population growth or the local government area
- the proximity of the local government area to an urban or regional centre
- the council's financial status (including operating revenue and expenses)
- the grouping of the council with other similar councils according to the *Your Council* website
- the remuneration categories determined by the Local Government Remuneration Tribunal, and
- an understanding by the Office of Local Government of the council's overall performance and risk profile.

The Local Government Regulation (clause #tbc) requires each council to appoint an audit, risk and improvement committee that has three or more members according to the council's categorisation under these Guidelines as a tier 1, tier 2 or tier 3 council.



This is to ensure that the requirements of a council's audit, risk and improvement committee are appropriate for the council's size, risk profile, operational complexity, resources, and its ability to attract suitably qualified committee members.

While there are a number of significant differences in the size and composition of audit, risk and improvement committees established by councils under each tier, councils and joint organisations in all tiers must comply with the following requirements:

- the chair of the audit, risk and improvement committee must:
 - meet the independence requirements for committee members, and
 - be prequalified as a chair under the NSW Government's *Prequalification Scheme: Audit and Risk Committee Independent Chairs and Members* ('prequalification scheme') (unless exemption applies)
- all other voting members must meet the independence requirements for committee members (see below)
- the Local Government Regulation (clause #tbc) allows each committee to have an optional non-voting councillor member that meets the committee's eligibility criteria for councillor members (see below), and
- the size and composition requirements of a committee are the same whether the committee is established by a council for its exclusive use or as part of a shared arrangement.

The minimum requirements for the composition of audit risk and improvement committees in each tier are set out below. It should be noted that these are the minimum requirements.

Councils can establish larger committees and include more prequalified committee members than required should they choose to do so.

Tier review

The tier each council has been placed in will be reviewed by the Office of Local Government each council term.

Any changes must be considered by councils as part of their four-yearly review of the audit, risk and improvement committee. Where a council is re-categorised by the Office of Local Government to a higher or lower tier, the council will need to review the structure and composition of its audit, risk and improvement committee to comply with the requirements of the tier it has been placed in.

The governing body of a council can determine via resolution to either:

- comply immediately – i.e. vacate all the redundant membership positions and appoint new members that comply with the new requirements at the same time, or
- comply later - stagger compliance by allowing existing members to complete their current terms and ensure any members appointed thereafter comply with the new requirement.

Where compliance is staggered, the council can request an exemption from the Secretary DPIE from complying with the new requirement in relation to the committee's composition as part of the attestation process.

Any exemption granted will apply for two reporting periods (i.e. two years).

Councils that are categorised in a higher tier may maintain their existing arrangements where they are reviewed by the Office of Local Government and placed in a lower tier should they choose to do so.

General purpose councils

Tier 1 councils

All councils that are categorised as a tier 1 council are required at a minimum to have an audit, risk and improvement committee that has:

- 3 independent voting members comprising:
 - 1 chair prequalified under the NSW Government's prequalification scheme
 - 2 independent persons that meet the eligibility criteria for non-prequalified committee members (see below), and
- (optional) 1 non-voting councillor that meets the eligibility criteria for councillor members (see below).

Exemptions

It is recognised that some small councils located in remote local government areas may find it difficult to attract and retain a

prequalified chair for their audit, risk and improvement committee.

Whilst prequalification is preferred, where a tier 1 council is unable to appoint a prequalified chair, the council can apply to the Secretary DPIE for an exemption from this requirement.

The council's application for an exemption must:

- be in writing
- outline the efforts the council has made to appoint a prequalified chair, and
- outline the reasons why the council has been unsuccessful.

The council must also demonstrate to the Secretary that any alternative chair recommended for appointment meets the following eligibility criteria:

- strong leadership qualities
- the ability to promote effective working relationships among audit, risk and improvement committee members and with the council's internal audit function and external auditor
- the ability to communicate complex and sensitive issues in a tactful manner to the governing body, general manager and council staff
- an understanding of the duties and responsibilities of the position
- a sound understanding of the council and local government
- functional knowledge in areas such as:
 - financial management and reporting
 - accounting
 - governance (including planning, reporting and oversight)
 - internal and external audit
 - performance management
 - human resources management
 - risk management
 - internal control frameworks
- they can lead effective committee meetings, and
- they have appropriate qualifications or membership to a certifying body (desirable).

Where a council is granted an exemption from this requirement by the Secretary, the exemption will apply for the duration of the chair's term.

Exemptions will only be granted in exceptional circumstances.

The Secretary may consult with the administrator of prequalification scheme when making its exemption determination.

Tier 2 councils

All councils that are categorised as a tier 2 council are required at a minimum to have an audit, risk and improvement committee that has:

- 3 voting members comprising:
 - 1 independent chair prequalified under the NSW Government's prequalification scheme
 - 1 independent member prequalified under the NSW Government's prequalification scheme
 - 1 independent person that meets the eligibility criteria for non-prequalified committee members (see below), and
- (optional) 1 non-voting councillor that meets the eligibility criteria for councillor members (see below).

Tier 3 councils

All councils categorised as a tier 3 council are required to have an audit, risk and improvement committee that has:

- 3-5 voting members comprising:
 - 1 independent chair prequalified under the NSW Government's prequalification scheme
 - A minimum of 2 independent members prequalified under the NSW Government's prequalification scheme, and
- (optional) 1 non-voting councillor that meets the eligibility criteria for councillor members (see below).

The audit, risk and improvement committee appointed by Tier 3 councils should be large enough to represent a balance of views and

experience, but also small enough to operate effectively.

The governing body is to determine the exact size of the audit, risk and improvement committee (3-5 members) in consultation with the chair of the committee and general manager, taking into account the needs and risk profile of the council, and likely workload of the committee.

County councils

Given their lower risk profile, resource base and operational complexity, county councils are categorised as either tier 1 or tier 2 councils for the purpose of establishing their audit, risk and improvement committee.

Whilst a tier 1 county council can establish an audit, risk and improvement committee for its own exclusive use, for administrative and cost efficiency, it is recommended that tier 1 county councils utilise the committee of a member council/s under an independent shared arrangement (see below).

Joint organisations

Given their lower risk profile, resource base and operational complexity, joint organisations are categorised as tier 1 councils for the purpose of establishing an audit, risk and improvement committee.

Where a joint organisation has not established an audit, risk and improvement committee within the joint organisation for its member councils as part of a joint organisation shared arrangement, for administrative and cost efficiency, it is recommended that a joint organisation utilise a committee established by one of its member councils as part of an independent shared arrangement (see below).

To ensure the audit, risk and improvement committee has an understanding of the interrelationships and needs of the joint organisation and its member councils, and of wider regional priorities, joint organisations must only enter into an independent shared arrangement with a member council/s.

Shared committees

Under the Local Government Act (section 428B) and Local Government Regulation (clause #tbc) councils can share an audit, risk and improvement committee. Council can:

- share their committee with another council/s, county council/s and/or joint organisation/s as part of an independent shared arrangement
- utilise a committee established by their joint organisation that is shared with all member councils
- for county councils - share their committee with a member council, or
- for joint organisation - share their committee with a member council.

These options allow councils to establish and operate their audit, risk and improvement committee in a more cost-effective way.

For all shared audit, risk and improvement committees:

- the committee must operate as an individual committee for each council in any shared arrangement and exercise their functions for each council individually
- a shared committee should only be established and utilised by councils where the committee can maintain a strong understanding of each participating council's assurance needs and is able to meet these needs
- a shared committee should only be established and utilised by councils where the committee can maintain an effective working and reporting relationship with the general manager and governing body of each participating council
- councils that are in different tiers but share their internal audit function can, but are not required to, also share their committee
- where a committee is shared by councils that are in different tiers, the requirements for the higher tier will apply to all participating councils (including joint organisations and county councils)
- councils that share their Committee, can but are not required to, also share the committee's secretariat, and

- councils should develop and sign a formal agreement with the other councils in the shared arrangement which outlines how the shared arrangement will operate and costs shared.

Where a joint organisation establishes an audit, risk and improvement committee to serve its member councils, it is at each member council's discretion whether they utilise the shared committee.

Shared councillor members

It is important to note that where an audit, risk and improvement committee is shared between councils as part of an independently established shared arrangement, or an arrangement established by a joint organisation, and the councils elect to have a councillor member on the committee, the councillor member will not be shared by councils.

To maintain the confidentiality of the business of each council in the shared arrangement considered by the shared committee:

- the governing body of each council is to appoint one councillor member to serve on the audit, risk and improvement committee for that council only
- the councillor member is to only attend committee meetings for their council, and
- the councillor member is to receive information pertaining to their council only.

For joint organisations, the elected councillor member will be a voting representative of the board.

Shared independent members

Unlike councillor members, the chair and independent members of shared audit, risk and improvement committees will serve all councils participating in the shared arrangement.

For audit, risk and improvement committees appointed as part of an independent shared arrangement, the councils in the shared

arrangement are to mutually agree to the independent members that will be appointed to these roles, and each council is to confirm their appointment by resolution.

For audit, risk and improvement committees appointed as part of an arrangement established by a joint organisation by its member councils, the board of the joint organisation will appoint the chair and independent members of the committee by resolution on behalf of member councils under delegation from the member councils.

Independence requirements

All audit, risk and improvement committee voting members must be independent to ensure they have no real or perceived bias or conflicts of interest that may interfere with their ability to act independently and can provide the council with robust, objective and unbiased advice about how the council is functioning.

Each council must ensure that the chair and any voting member appointed to the council's audit, risk and improvement committee meets the following independence criteria.



The independent voting committee member cannot:

- currently be a councillor of any NSW council
- be a non-voting representative of the board of a joint organisation
- be a candidate at the last election of the council
- be a person who has held office in the council during its previous term
- be currently employed by the council or a joint organisation, or been employed during the last 12 months
- conduct audits of the council on behalf of the Audit Office of NSW
- have a close personal or business relationship with a councillor or a person

who has a senior role in the council that may lead to a real or perceived conflict of interest

- currently, or within the last three years, provided any material goods or services (including consultancy, legal, internal audit and advisory services) to the council which directly affect subjects or issues considered by the audit, risk and improvement committee
- be (or have a close family member who is) a substantial shareholder, owner, officer or employee of a company that has a material business, contractual relationship, direct financial interest or material indirect financial interest with the council or a related entity which could be considered a real or perceived conflict of interest, or
- currently or have previously acted as an advocate of a material interest on behalf of the council or a related entity which could be considered a real or perceived conflict of interest.

Both the governing body of the council and the general manager must ensure that adequate procedures are in place to preserve the independence of the chair and members of the audit, risk and improvement committee.

Likewise, the chair and members must notify the governing body and/or general manager if a real or perceived threat to their independence arises.

Eligibility requirements

The persons appointed as a chair or a member of an audit, risk and improvement committee must possess the skills, knowledge and experience necessary to undertake their roles on the committee effectively and to ensure the committee is able to operate appropriately and effectively to support the council.

A poorly skilled audit, risk and improvement committee may not be able to provide the assurance needed by the council and may lead to sub-optimal outcomes that jeopardise the

council's capacity to achieve its strategic objectives.

Councils must ensure that the chair and other members of the council's audit, risk and improvement committee meet the below eligibility criteria.



Prequalified members

In addition to meeting the independence requirements listed above, prequalified audit, risk and improvement committee voting members must be sourced from the NSW Government's prequalification scheme.

Individuals that have been prequalified under the scheme have been assessed by an independent expert panel convened by the NSW Government as having the skills, knowledge and experience to perform the role as a chair or member of a council's audit, risk and improvement committee.

A person prequalified under the scheme as a 'committee member' can only be appointed as a member of an audit, risk and improvement committee – they cannot be appointed as the chair.

Similarly, only a person pre-qualified as a 'chair' can be appointed as the chair of an audit, risk and improvement committee. To preserve their independence, and as a condition of the prequalification scheme, prequalified members can be appointed to up to (#tbc) separate audit, risk and improvement committees in the NSW public sector and the NSW local government sector.

Non-prequalified members

In addition to meeting the independence requirements listed above, non-prequalified audit, risk and improvement committee voting members must satisfy the following eligibility criteria to be appointed as a committee member.

They must:

- have the qualities and personal attributes needed to serve the council effectively in their role as a committee member
- have a functional knowledge in areas that would provide a valuable contribution to the committee and council such as:
 - local government
 - internal audit and external audit
 - risk management
 - governance
 - performance management
 - financial management and reporting
 - accounting
 - human resources management
 - internal control frameworks
 - fraud and corruption prevention
 - IT/cyber security
 - the local community, or
 - another relevant subject matter, and
- undertake any training on the operation of audit, risk and improvement committees recommended by the chair based on their assessment of the skills, knowledge and experience of the committee member.

A member of an audit, risk and improvement committee must also demonstrate the following personal qualities and attributes:

- a commitment to the independence of their role
- integrity
- a capacity to dedicate sufficient time and energy
- financial literacy, including an ability to read or understand basic financial statements, ask pertinent questions about them, and interpret and evaluate answers
- an ability to give direct and honest opinions and offer different perspectives and constructive suggestions, and
- inquisitiveness and independent judgment.

Councils must undertake a criminal record and financial status (bankruptcy) check of an independent non-prequalified audit, risk and improvement committee member before their appointment.

Councillor members

Non-voting councillor members must satisfy the following eligibility criteria to be appointed as an audit, risk and improvement committee member. They must:

- be financially literate
- have a good understanding of one or more of the following that would provide a valuable contribution to the committee:
 - internal audit and external audit
 - risk management
 - governance
 - performance management
 - financial management and reporting
 - accounting
 - human resources management
 - internal control frameworks
 - fraud and corruption prevention
 - IT/cyber security
 - the local community, or
 - another relevant subject matter, and
- undertake any training on the operation of audit, risk and improvement committees recommended by the chair based on their assessment of the skills, knowledge and experience of the committee member.

The mayor cannot be appointed as a councillor member on a council's audit, risk and improvement committee.

Appointment

Audit, risk and improvement committee chairs and members are appointed by a resolution of the governing body of the council.

The governing body should first appoint the chair of the audit, risk and improvement committee, who is to then assist in the selection and appointment of the other independent committee members.

Skills mix

When selecting individual audit, risk and improvement committee members, the

governing body of the council is required to ensure that the committee has the appropriate mix of skills, knowledge and experience to successfully implement its terms of reference and add value to the council.

The audit, risk and improvement committee should have:

- at least one member with financial expertise (for example, a qualified accountant or auditor or other financial professional with experience of financial and accounting matters), and
- a mix of skills and experience in:
 - business
 - financial and legal compliance
 - risk management, and
 - internal audit, and
 - any specialised business operations of the council, where the committee would benefit from having a member with skills or experience in this area (for example, IT skills or experience where IT systems have an important role in the council's business).

All audit, risk and improvement committee members should have sufficient understanding of the council's financial reporting responsibilities to be able to contribute to the committee's consideration of the annual financial statements.

Each individual should also have sufficient time to devote to their responsibilities as an audit, risk and improvement committee member. Where possible, the governing body should ensure that at least one other audit, risk and improvement committee member is also qualified to act as the chair, if this is ever required.

Letter of appointment

The appointment of chairs and members of audit, risk and improvement committees should be formalised in an official letter of appointment signed by the mayor of the council.

The letter of appointment should set out the terms and conditions of the appointment including:

- duration of appointment
- role and responsibilities
- timing and location of meetings
- time commitment
- remuneration
- the management of conflicts of interest
- confidentiality
- performance appraisal, and
- termination of appointment.

Induction

Induction of all new audit, risk and improvement committee members is vital to ensure they 'hit the ground running' in their role.

The chair is to provide a thorough induction to each new member of the audit, risk and improvement committee to ensure they understand:

- the committee's role, responsibilities and terms of reference
- the business, operations, culture, risks and controls of the council, and
- the expectations of the council about their responsibilities and performance.

This will include providing new members with any background information or documentation necessary to ensure they understand the work of the audit, risk and improvement committee.

It may also be appropriate for more detailed information or presentations to be provided from various senior staff to assist the new member to understand the operations of the council and any key challenges.

New audit, risk and improvement committee members also have an obligation to ensure that they have an appropriate understanding of the council, including its:

- operations, functions, service delivery
- key areas of risk
- internal controls, and
- financial reporting systems.

The mayor, general manager and existing chair (where appropriate) will induct a new chair.

Membership terms

Voting members

To ensure the audit, risk and improvement committee continues to offer new perspectives and remains independent, it is important that committee members are rotated periodically to maintain a fresh approach and avoid any perceptions of bias or conflicts of interest.

Councils are to ensure that chairs and members serve the following time-limited terms to facilitate a rotation of knowledge and perspectives.



The initial term of membership on an audit, risk and improvement committee is four-years (one council term).

Audit, risk and improvement committee members can be reappointed for a further term but the total period of continuous membership on the committee cannot exceed eight years (two council terms). This includes any term as chair of the committee.

Individuals who have served an eight-year term (either as a member or chair) must have a two-year break from serving on the audit, risk and improvement committee before being appointed again.

Care is to be taken to ensure that membership renewal dates are staggered so knowledge of the council's operations, financial reporting structure and other important aspects are not lost to the audit, risk and improvement committee when members change.

Ideally, no more than one member should leave the committee because of rotation in any one year.

Exemptions

If a tier 1 council is unable to replace the chair or members of its audit, risk and improvement

committee when their maximum term limit has been reached, the council can seek the approval of the Secretary DPIE to extend their term or to reappoint the chair or committee member for a further term.

The council's request must:

- be in writing
- describe the efforts the council has made to appoint a different member, and
- explain why the council has been unsuccessful.

Exemptions will only be granted in exceptional circumstances.

Chair

To ensure that the committee maintains a fresh approach, the initial term of a chair of an audit, risk and improvement committee on any one audit, risk and improvement committee is four-years (one council term).

The chair can be reappointed as chair for a further term but the total period served by a chair cannot exceed eight years (two council terms).

Where the chair's term expires and another chair is appointed, it is the responsibility of the outgoing chair to ensure the incoming chair is fully briefed on the ongoing work of the audit, risk and improvement committee.

This includes advising the incoming chair of:

- any activity that may be relevant to the ongoing functioning of the committee, and
- any outstanding matters of high risk to the council and outstanding audit recommendations.

Councillor members

The initial term of a councillor member of an audit, risk and improvement committee is four years, coinciding with the term of the council.

The councillor member can be reappointed for another term (i.e. four-years), if re-elected at the council's next ordinary election, but the total period of continuous membership on the

committee cannot exceed eight years (two council terms).

The councillor member is to be appointed by the governing body at the first meeting of the council after the ordinary election.

The councillor member's term ends at the end of the council term.

Reappointment

Prior to approving the reappointment or extension of the chair or an independent member's term, the governing body of the council must undertake an assessment of the chair's or committee member's performance.

The council may engage an external reviewer to undertake this assessment if they choose.

In undertaking the assessment, the council, or any person appointed to undertake the assessment on behalf of the council, must consult with and consider the views of the chair (in the case of the reappointment or extension of the term of a committee member other than the chair), the general manager and any councillor member of the committee.

The reappointment of members is also to be subject to the individual still meeting independence and eligibility requirements.

Fees

The fees a council pays to its chair and independent voting members of its audit, risk and improvement committee are to be agreed by the council and the Chair or member and reflect the time, commitment and responsibility involved in serving on the committee.

Chairs and members can serve on a committee on a voluntary basis if they choose to.

Councils should consider the fees payable under the prequalification scheme when determining the fees paid to prequalified chairs and members.

Superannuation

Councils are obliged under the *Superannuation Guarantee Administration Act 1992* to make compulsory superannuation guarantee contributions on behalf of audit, risk and improvement committee chairs and voting members

Roles of committee members

Chair

The position of the chair of an audit, risk and improvement committee is pivotal to the committee's effectiveness and is the focal point for the committee's relationship with the council, the internal audit function and external auditor.

The chair acts as the interface between the audit, risk and improvement committee and the general manager and other staff, the governing body, the external auditor, and the internal audit function.

Any individual audit, risk and improvement committee member who wishes to meet with the general manager or governing body of the council to discuss any issues relating to the committee's responsibilities is to do so through the chair of the committee, and vice versa.

To be successful in their role, a chair must:

- have strong leadership qualities
- have the personal courage to raise and deal with tough issues and express opinions frankly, and to support other committee members to do the same
- be able to recommend the appointment of committee members to the governing body
- maintain effective working relationships between committee members and with the council
- keep the governing body and general manager informed and brief them on the

strategic and technical aspects of internal audits and risk and control issues

- lead effective committee meetings including:
 - planning for and setting agendas for meetings, ensuring committee members are adequately informed of matters to be considered prior to meetings and allowing sufficient time for discussion of those matters at the meeting
 - ensuring the meeting runs smoothly and that the views of members are heard
 - focus the committee's deliberations on the most important issues
 - seek the input of advisers, observers and other experts to maximise committee deliberations
 - summarise discussion outcomes and actions, including assigning responsibility and timeframes for actions
- maintain an effective working relationship with the council's external auditor
- oversee the internal audit function and be alert to external accountability and internal audit concerns
- arrange for all committee members to maintain an up-to-date knowledge of the council and its activities, including any financial or regulatory developments, and
- know the strengths and weaknesses of the committee, and individual committee members and how this may affect the opinions of the committee.

Independent members

Independent audit, risk and improvement committee members are expected to be able to assess information provided to them about the council and to identify and assess key risks and issues.

Each member should be capable of making a valuable contribution to the committee.

To be successful in their role, a member must:

- take a professional approach to their responsibilities, including an appropriate commitment of time and effort

- know the business, culture and values of the council and take the time to understand changes that affect how the council operates and its risks
- have sufficient understanding of the council's financial reporting responsibilities to be able to contribute to the committee's consideration of the annual financial statements
- understand the role of the committee and the expectations of the council
- act in the best interests of the council
- take a professional approach
- be a good communicator and build effective relationships with the council and other committee members, and
- have the personal courage to raise and deal with tough issues, express opinions frankly, ask questions that go to the fundamental core of the issue and pursue independent lines of inquiry.

Issues or information councillor members raise with or provide the audit, risk and improvement committee must relate to the matters listed in section 428A of the Local Government Act, the committee's terms of reference and issues being considered by the Committee.

Councillor members of audit, risk and improvement committees are not entitled to receive information about audit, risk and improvement committee activities outside of established reporting requirements.

Councillor members of audit, risk and improvement committees must conduct themselves in a non-partisan and professional manner.

Councillor members of committees must not engage in any conduct that seeks to politicise the activities of the committee or the internal audit function or that could be seen to do so.

Councillor members

Councillor members of audit, risk and improvement committees are non-voting members of committees. This is to ensure that decision making by the committee is independent of the council.

Councillor members of committees act as an important link between the governing body and the committee.

Their role is to:

- relay to the committee any concerns the governing body may have regarding the council and issues being considered by the committee
- provide insights into local issues and the strategic priorities of the council that would add value to the committee's consideration of agenda items
- advise the governing body (as necessary) of the work of the committee and any issues arising from it, and
- assist the governing body to review the performance of the committee each council term.

Where councillor members of audit, risk and improvement committees engage in such conduct or in any other conduct that may bring the committee and its work into disrepute, the chair may recommend to the council, that the councillor member be removed from membership of the committee.

Where the council does not agree to the chair's recommendation, it must give reasons for its decision in writing to the chair.

Key relationships

General manager

A key role of audit, risk and improvement committees is to act as an independent source of advice and opinion to both the governing body and the general manager, and to act as a forum for the resolution of any disagreements between the council and internal audit function.

The general manager, in turn, also has a key role in supporting the work and effectiveness of the audit, risk and improvement committee.

To be effective, audit, risk and improvement committees need to maintain a positive working relationship with the general manager (and vice versa) and view them as a significant source of advice and information about the council and its operations.

Chairs of audit, risk and improvement committees should meet regularly with general managers to discuss key issues and review performance.

External audit

There are strong linkages between the work of councils' audit, risk and improvement committees and their external auditor and committees should actively engage with the external auditor.

Councils' external auditor can offer valuable insights on issues such as the effectiveness of the council's risk, controls, financial reporting, and compliance frameworks.

For the external auditor, communication with the audit, risk and improvement committee can in turn facilitate an effective and efficient audit and assist the communication of matters arising from the external audit to the council.

Audit, risk and improvement committees should:

- provide input on, and discuss, planned financial and performance audit coverage
- monitor councils' responses to financial statement management letters and performance audit reports, including the implementation of audit recommendations
- provide advice to the council on action taken on significant issues raised in relevant external auditor reports or better practice guides, and
- have a voting-members only meeting with the external auditor at least once per year so that the committee can obtain the views of the external auditor without internal audit or management advisers being present.

Internal audit

The audit, risk and improvement committee should maintain a strong, positive relationship with the council's internal audit function and view it as a significant source of information about what is going on in the council.

The internal audit function can also assist the audit, risk and improvement committee to develop the annual and four-yearly workplans that will guide the committee's and internal audit function's work.

The chair of the audit, risk and improvement committee should routinely meet with council staff undertaking internal audit activities to discuss key issues and review performance if needed.

At least one private meeting should be held each year and any potential compromises to the internal audit activity's independence reported.

More information about this is provided in core requirement 3.

Meetings

The audit, risk and improvement must meet at least quarterly over the course of each year.

The chair of the audit, risk and improvement committee is to decide the frequency and timing of the committee's meetings and plan them annually in advance to ensure the availability of all members and observers.

Generally, meetings should correspond with major phases of the council's financial reporting, external audit and internal audit cycles.

For example, the audit, risk and improvement committee should meet to review the council's financial statements before they are certified by the council.

Audit, risk and improvement committee meetings should also correspond with meetings of the governing body, and allow

sufficient time between audit, risk and improvement committee meetings and council meetings for the committee to action any items and prepare any reports that are to be provided to the governing body at the council meeting.

Special meetings may be held, if needed, to review the council's financial statements prior to them being submitted to the governing body of the council, or to consider the audit, risk and improvement committee's annual or four-yearly assessments.

Audit, risk and improvement committee meetings can be held in person, by telephone or videoconference.

The audit, risk and improvement committee can hold additional meetings when significant unexpected issues arise, or if the chair is asked to hold an additional meeting by a committee member or the general manager.

The governing body can also resolve to request the audit, risk and improvement committee to hold an additional meeting.

Where such a request is made, the chair can decide whether the additional meeting is required, taking into consideration the issues that the governing body has requested the audit, risk and improvement committee to consider at the meeting.

Proxies

As audit, risk and improvement committee members are appointed on the basis of their skills, knowledge and personal qualities, proxies are not permitted to attend meetings on behalf of members who are unable to attend.

Quorum

A quorum consists of a majority of audit, risk and improvement committee independent voting members.

Where the vote is tied, the chair is to have the casting vote.

Agenda

Forward agenda

The chair should prepare a 12-month forward meeting agenda to ensure that the audit, risk and improvement committee covers all its responsibilities at the appropriate time of the year.

For example, the forward agenda will set out, at the appropriate meeting, the various internal and external audit reports and management responses to be tabled and discussed.

It will also allocate appropriate time for a review of the progress of the internal audit function against the annual work plan, and to follow-up the implementation of corrective actions.

Meeting agenda

The chair of the audit, risk and improvement committee is to determine the agenda for each committee meeting.

It is recommended that the chair consult with other committee members, the general manager, the head of the internal audit function and external auditor prior to setting the agenda so that any urgent issues or risks that arise can be included.

The chair of the audit, risk and improvement committee is to decide an appropriate timescale for receiving the final agenda in the lead-up to the meeting.

Papers

The audit, risk and improvement committee is to decide in consultation with the general manager and the head of the internal audit function an appropriate timeframe for receiving papers and other necessary information to support agenda items to be considered at each committee meeting.

Minutes

Each audit, risk and improvement committee meeting must be minuted to preserve a record of the issues considered and the actions and decisions taken by the committee.

Audit, risk and improvement committee meeting minutes must:

- include a record of attendance
- cover each agenda item and document the discussion held and the outcome or conclusion from the discussions, including any recommendations, action points and/or allocation of tasks to relevant people
- be approved by the chair before circulation
- be provided to committee members, the governing body of the council, the general manager, the head of the internal audit function and external auditor
- be provided soon after the meeting date to ensure relevant individuals are made aware of any significant issues discussed at the meeting that need to be dealt with. The exact time period is to be determined by the committee and the general manager.

The minutes must be confirmed as an accurate record of the meeting at the next meeting of the audit, risk and improvement committee.

If any important details have been incorrectly recorded or omitted, they can be discussed and the minutes amended prior to confirmation at a subsequent meeting.

After the minutes are confirmed as an accurate record of the meeting, they must be signed by the chair.

All audit, risk and improvement committee members and observers should receive a copy of the minutes of all meetings.

Attendance of observers

Due to the sensitive nature of issues to be discussed, audit, risk and improvement committee meetings should not be open to the public.

In addition to audit, risk and improvement committee members, the general manager and the head of the internal audit function are to attend committee meetings as non-voting observers.

The NSW Auditor-General, as council's external auditor, or their representative, is to be invited to each committee meeting as an independent non-voting observer and can choose whether to attend.

The chair of the audit, risk and improvement committee can request the following people to attend a committee meeting or to meet with the committee in order to provide additional information relevant to its role:

- council's chief financial officer (or equivalent) given their knowledge of, and responsibility for, council's financial management
- the head of the council's risk management function
- senior managers
- any councillor
- any employee or contractor of the council, and/or
- any external independent expert or external party whose advice is needed (subject to confidentiality considerations).

These individuals must attend meetings where requested and, as far as is practicable, provide the information requested.

Observers have no voting rights at audit, risk and improvement committee meetings and can be excluded from a meeting by the chair of the committee at any time where necessary.

Private meetings

The audit, risk and improvement committee can hold closed meetings whenever it needs to discuss confidential or sensitive issues with only voting members of the committee present.

In addition to attending audit, risk and improvement committee meetings, the committee can meet privately at any time with the head of the internal audit function and/or

external auditor without the general manager present. At least one private meeting must occur annually.

- ensuring new members receive appropriate induction, and
- managing expenditures relating to the committee.

Confidentiality

It is at the discretion of the governing body of the council whether audit, risk and improvement committee agendas, business papers, minutes and other reports are made available to the public.

Given the sensitivity of information it is likely to contain, it is recommended that all information pertaining to the audit, risk and improvement committee and internal audit activities is to be treated as confidential unless otherwise determined by the committee or a resolution of the council.

Shared arrangements

If the audit, risk and improvement committee has been established by a joint organisation, the executive officer of the joint organisation is responsible for organising secretariat support.

Councils that share their audit, risk and improvement committee can also share their secretariat function if they choose to.

Access to council, staff, resources and information

It is essential for the audit, risk and improvement committee to be able to access the staff and information about the council it needs to review the matters listed in section 428A of the Local Government Act and the resources necessary to undertake its other responsibilities.

Secretariat

The general manager of a council is to appoint a council employee/s to provide secretariat support to the audit, risk and improvement committee.

The main functions of this role are:

- liaising with the chair to prepare agendas for audit, risk and improvement committee meetings
- ensure that committee papers are of an appropriate standard and provided with enough time to allow appropriate review and consideration
- recording minutes of meetings
- providing assistance to the chair in arranging meetings and council site visits
- supporting the chair to prepare reports for the council
- arranging appropriate meeting facilities and equipment
- keeping members abreast of developments affecting the council that may relate to the work of the committee
- maintaining a record of when member's terms of appointment are due for renewal or termination

Council staff

A council's audit, risk and improvement committee must have direct and unrestricted access to the general manager and senior management of the council in order to fulfil its responsibilities.



Should the audit, risk and improvement committee need to meet with another council staff member or contractor to obtain information to fulfil its role, the chair of the committee is to obtain permission from the general manager before inviting the staff member or contractor to meet with the Committee.

Subject to the general manager’s permission being given, the staff member or contractor must attend.

Any disputes between the general manager and audit, risk and improvement committee regarding access to council staff are to be resolved by the governing body.

Council resources and information

A council’s audit, risk and improvement committee must have direct and unrestricted access to any council resources or information it needs to fulfil its responsibilities.



In its dealings with the council, the audit, risk and improvement committee should be mindful of the environment the council is operating in and the priorities that the general manager needs to manage.

The audit, risk and improvement committee should therefore keep to a minimum the demands it places on the council and utilise as far as is practicable, existing information to obtain the necessary level of assurance in relation to its responsibilities.

The audit, risk and improvement committee may only release council information to external parties that are assisting the committee to fulfil its responsibilities with the approval of the general manager, except when it is being provided to an external investigative, audit or oversight agency for the purpose of informing that agency of a matter that may warrant its attention.

After their engagement ends with a council, a chair or member of an audit, risk and improvement committee must not disclose or make use of any confidential information acquired in the course of their engagement with the council without the approval of the council.

External advice

The audit, risk and improvement committee can obtain any external legal or other professional/expert advice it needs to exercise its responsibilities. For example, where a council has implemented a specialised IT system, the committee can seek the expert opinion of an IT specialist to assist its review of its implementation.

To minimise the potential costs to council, the governing body and the chair of the audit, risk and improvement committee must agree at the start of each council term how costs are to be met, i.e.:

- the governing body will set a fixed budget at the start of each council term for external expenses, or
- the committee will seek the governing body’s permission prior to engaging external advice.

Disputes

Members of an audit, risk and improvement committee should maintain an effective working relationship with each other and the council and try to resolve any differences they may have professionally.

In the event of a disagreement between the audit, risk and improvement committee and the general manager or other senior managers (for example, about findings or recommendations of audits), the dispute is to be resolved by the governing body of the council.

Unresolved disputes regarding compliance with statutory or other requirements are to be referred to the Secretary DPIE in writing.

Conduct

Audit, risk and improvement committee members are to be held to the same ethical and behavioural standards as other officials of

the council and must comply with the council's code of conduct.

As required under the council's code of conduct, audit, risk and improvement committee members (a well as any council officials attending as observers) must declare and appropriately manage any conflicts of interest they may have in matters being dealt with by the committee.

Declarations of conflicts of interest and the actions taken to manage them must be recorded in the minutes of meetings.

Councils should identify the chairs and members of audit risk and improvement committees as 'designated persons' for the purposes of the council's code of conduct and require them to complete and submit returns of their interests.

Complaints of breaches of the council's code of conduct by audit, risk and improvement committee members are to be dealt with in accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*.

Under the Procedures, the general manager is responsible for managing and resolving any code of conduct complaints made against audit, risk and improvement committee members.

However, to safeguard the independence of audit, risk and improvement committee members, the general manager must consult with the governing body of the council prior to taking disciplinary action against Committee members under the Procedures.

Prequalified audit, risk and improvement committee members are also required to comply with the code of conduct governing the prequalification scheme.

Any proven breaches of the council's code of conduct should be reported by the council to the administrator of the prequalification scheme so that action can also be taken under that scheme, where appropriate.

Insurance

It is at each council's discretion whether professional indemnity and public liability insurance is required for chairs and members of audit, risk and improvement committee members.

In some cases, the chair or a member of an audit, risk and improvement committee may already be covered by the council's professional indemnity and public liability insurance policies or by their own insurance.

This will need to be ascertained by the council and chair or member on a case-by-case basis having regard to the terms of any relevant insurance policy.

Where a council determines that professional indemnity or public liability is absent but required, the chair or member can obtain their own insurance, or the council can consider obtaining it on their behalf.

Learning and development

Audit, risk and improvement committee chairs and members are encouraged to keep informed of current developments and to maintain and develop the skills, knowledge and capabilities necessary to exercise their functions effectively.

Several professional development networks and programs are available, for example, through organisations such as:

- the Australian Institute of Company Directors
- Chartered Accountants Australia and New Zealand
- The Actuaries Institute, and the
- Local Government Professionals Association.

Audit, risk and improvement chairs and members are also encouraged to serve on more than one local government committee to

extend the breadth of their experience and understanding of councils and their operations and risks.

Review of Committee performance

It is important that the work of each council's audit, risk and improvement committee is regularly assessed, and the committee is held accountable for its performance.

This will ensure that the audit, risk and improvement committee is providing a valuable contribution to the council and enable the governing body to determine whether any changes to the committee's terms of reference or membership are required.

At least once each council term (i.e. four years) the governing body of the council is to conduct a review of the effectiveness of the audit, risk and improvement committee in conformance with the International Professional Practice Framework.



This will ensure that audit, risk and improvement committees are assessed consistently across all councils and allow councils to have confidence in the work of their committees.

To conduct the review, the governing body can:

- engage a suitably qualified external assessor or peer to undertake the review, or
- undertake the review itself and engage an external assessor or peer to conduct an independent evaluation of the findings.

The external assessor or peer should have specific skills relevant to the major risks of the council and a strong understanding of what constitutes best practice in relation to the operations and performance of audit, risk and improvement committees.

Review criteria

The review of the audit, risk and improvement committee's performance must consider:

- the appropriateness of the committee's terms of reference and whether these have been complied with
- the processes and procedures undertaken by the committee
- the collective performance of the committee – for example:
 - the quality and timeliness of assurance and advice provided by the committee to the governing body and general manager
 - the effectiveness of the committee in meeting its responsibilities
 - the relationship and quality of communication with the council and other stakeholders
- the individual performance of each member – for example, their:
 - understanding of the council, its key risk and internal controls
 - ability to act objectively and independently
 - preparation for committee meetings
 - contribution to the work of the committee through their participation in discussion and decision-making, skills and experience
- the performance of the chair, including whether the chair has (in addition to their performance as a member of the committee):
 - demonstrated positive leadership
 - maintained effective working relationships among audit, risk and improvement committee members and with the council, council's external auditor and the internal audit function
 - ensured the governing body and general manager was well informed and briefed on the strategic and technical aspects of internal audits and risk and control issues, and
 - lead effective committee meetings.
- the way the committee, external auditor, council and internal audit function work together to manage risk and support the council and how effective this is

- whether the committee has effectively reviewed the factors identified in section 428A of the Local Government Act and contributed to an improvement in these areas, and
- whether the composition of the committee is appropriate and whether the council should be assigned to a different tier under these guidelines.

When conducting the review, the governing body is to consider feedback on each member’s performance by the chair and councillor member of the committee and the general manager.

Self-assessments by the chair and members of the audit, risk and improvement committee can also be used.

The governing body of council is also able to request the chair of the Committee to address the council and answer any questions about the operation of the committee.

The chair of the audit, risk and improvement committee is to develop an action plan for the governing body of the council to address any issues identified in the performance review and present it to the governing body at the four-yearly assessment meeting.

- the chair and all members of the committee meet the eligibility and independence criteria required of their position, and have been appointed in accordance with prescribed membership term limits
- council’s audit, risk and improvement committee operates according to terms of reference approved by the governing body of the council that are consistent with the approved Model Terms of Reference contained in these Guidelines
- council’s audit, risk and improvement committee operates according to annual and four-yearly strategic plans endorsed by the governing body of the council
- council’s audit, risk and improvement committee provides an annual assessment to the governing body each year, and a strategic assessment of all the matters listed in section 428A of the Local Government Act to the governing body each council term
- the council provides the committee with direct and unrestricted access to the general manager, senior management, council information and council resources so it can fulfil its responsibilities, and
- at least once each council term the governing body of the council reviews the effectiveness of the audit, risk and improvement committee.

Annual attestation

It is important that councils are accountable to their communities for the efficacy of their internal controls and assurance mechanisms and the operations of their audit, risk and improvement committees.

The Local Government Regulation (clause #tbc) requires the general manager to attest each year in the council’s annual report whether the council has complied with the following requirements in relation to its audit, risk and improvement committee, as detailed in these Guidelines:

- council’s audit, risk and improvement committee is independent of the council and has three or more members according to the council’s prescribed category as a tier 1, tier 2 or tier 3 council

Further information about annual attestation requirements is also detailed in the statutory framework section of these Guidelines.

Resignation of committee members

Where the Chair or a member of an audit, risk and improvement committee is unable to complete their term, or does not intend to seek reappointment after the expiry of their term, they should give sufficient notice to the chair (in the case of a committee member) and the governing body (in the case of the chair) prior to their resignation to enable the council to ensure a smooth transition to a new committee member.

The notice period is to be agreed by the governing body of the council and the committee.

A member of an audit, risk and improvement committee should have the opportunity to have an exit meeting with the Chair to discuss their reason for leaving and to provide feedback on their experience serving on the committee as well as any other issues.

Resigning chairs should have the opportunity to have an exit meeting with the mayor and general manager (if appropriate).

Dismissal of committee members

The governing body of a council can terminate via resolution the engagement of the chair or any member of the audit, risk and improvement committee under certain circumstances before the expiry of their terms.

Dismissal of any independent chair or member is to be reported to the Office of Local Government.

Prequalified members

A prequalified chair or member can be dismissed by the governing body before the expiry of their term where the chair or member has:

- breached the conditions of the prequalification scheme, or become ineligible under it
- breached the council's code of conduct
- performed unsatisfactorily or not to expectations, or
- declared, or is found to be in, a position of a conflict of interest which is unresolvable.

The council must also report the dismissal to the NSW government agency responsible for administering the prequalification scheme to ensure action can also be taken under the scheme, if necessary.

Non-prequalified members

A non-prequalified independent member of the audit, risk and improvement committee can be dismissed by the governing body before the natural expiry of their term where the chair or member has:

- breached the council's code of conduct
- performed unsatisfactorily or not to expectations
- declared, or is found to be in, a position of a conflict of interest which is unresolvable
- been declared bankrupt or found to be insolvent
- experienced an adverse change in business status
- been proven to be in a serious breach of their obligations under any NSW legislation, or
- experienced an adverse change in capacity or capability.

Councillor members

The position of a councillor member on an audit, risk and improvement committee can be terminated at any time by the governing body via resolution.

Further resources

The following resources may be useful to councils seeking more information about the establishment and operation of their audit, risk and improvement committee.

This is not an exhaustive list but provides a useful starting point for councils that seek to better understand what audit, risk and improvement committees do, and how they can be supported to add maximum value to councils.

[Audit Committees – A Guide to Good Practice \(3rd edition\)](#) – Auditing and Assurance Standards Board, Australian Institute of Company Directors and The Institute of Internal Auditors-Australia (2017)

Provides a checklist to assess the performance of audit, risk and improvement committees and members.

[Audit Committees – A Guide to Good Practice for Local Government](#) – Victorian Government, Department of Planning and Community Development (2011)

Provides detailed information on the activities audit, risk and improvement committees can perform in relation to external audit, financial management, risk management and internal audit.

[Audit Committee Guidelines – Improving Accountability and Performance](#) – The State of Queensland (Queensland Treasury and Trade) (2012)

Provides sample:

- letter of appointment for audit, risk and improvement committee members
- self-assessment questionnaire for committee members, external peer review checklist and management feedback questionnaire when assessing committee performance, and
- committee meeting agenda.

[Audit Committees \(RM-G2\)](#) – Australian Government, Department of Finance

Provides a list of professional peak bodies councils could contact to source audit, risk and improvement committee members.

[Chairing an Audit Committee](#) – KPMG

Provides information about the role of audit, risk and improvement committee chairs, particularly in relation to:

- leadership, and
- managing the work of audit, risk and improvement committee members.

[Code of Conduct: Audit and Risk Committee Chairs and Members](#) – NSW Treasury (2015)

Outlines the conduct requirements and ethical standards of members and chairs under the prequalification scheme.

[Dealing with Corruption, Fraud and the ICAC: the role of public sector Audit and Risk Committees](#) – Independent Commission Against Corruption (2020)

Provides information about the role of audit, risk and improvement committees and risk management in relation to fraud and corruption.

[Establishing a skills-based audit committee](#) – Institute of Internal Auditors-Australia (2020)

Provides an analysis matrix template to assess the skills mix of an audit, risk and improvement committee when appointing committee members.

[Guide for Audit & Risk Committees: Understanding Financial Statements](#) – NSW Treasury (2017)

Provides information on activities audit, risk and improvement committee can undertake when reviewing financial statements.

[How can audit committee members add value?](#) – PriceWaterhouseCoopers (2011)

Provides a checklist for measuring the performance of audit, risk and improvement committees

Internal Audit and Risk Management Policy for the General Government Sector (TPP-20-08) – NSW Treasury (2020)

Provides information on the NSW public sector risk management and internal audit policy, including:

- the operation of shared audit, risk and improvement committees in the NSW public sector
- matters to consider when deciding whether to enter into a shared arrangement, and
- recommended content for shared use agreements.

Prequalification Scheme: Audit and Risk Committee Independent Chairs and Members – Guidelines for Members and Agencies – NSW Treasury (2020)

Provides information on the operation of the prequalification scheme.

Prequalification Scheme: Audit and Risk Committee Independent Chairs and Members – Scheme Conditions – NSW Treasury (2020)

Provides information about the prequalification scheme's application process, including:

- the eligibility criteria for members and Chairs, and
- remuneration rates.

Public Sector Audit Committees: Independent assurance and advice for Accountable Authorities – Australian National Audit Office (2015)

Provides information about the role and functions of audit, risk and improvement committees, including:

- member roles and responsibilities
- how to foster good relationships between the council and committee, and
- checklists for:
 - secretariat actions
 - planning forward meeting agendas, and
 - assessing the performance of members.

Service Delivery Review: A how to manual for local government (second edition) – Australian Centre of Excellence for Local Government (2015)

Outlines the factors councils and audit, risk and improvement committees may consider when reviewing service delivery by the council.

Setting up the Audit Committee – PriceWaterhouseCoopers (2011)

Provides information on:

- how a council might assess the financial literacy of an audit, risk and improvement committee member, and
- best practice for inducting new committee members.

The Role of the Audit Committee Chair – KPMG (2019)

Provides information on the role of audit, risk and improvement committee chairs, particularly in relation to:

- running committee meetings, and
- overseeing risk management.

Core requirement 2:

Risk management

- Each council and joint organisation must implement a risk management framework that is consistent with current Australian standards for risk management

Guiding principles for risk management

- Each council must accept responsibility and accountability for risk management in the council
- Each council has a risk management framework that is appropriate for that council and is consistent with the accepted Australian risk management standard
- Risk management is an integral part of all council management, operations, functions and activities and it is clear who is responsible for managing each risk
- Each council supports the development of a positive risk culture
- Councils regularly review their risk management framework and can flexibly adapt their risk management activities to suit their operations and risk profiles
- Each council is accountable to the community for complying with its statutory obligation to adopt and maintain a risk management framework.

Councils can adopt additional requirements that supplement those in the standard provided they do not conflict with the standard.

The current risk management standard at the time of the release of these Guidelines is *AS ISO 31000:2018 Risk Management – Guidelines*.

Under current licensing and copyright requirements, each council will need to purchase an individually licensed copy of *AS ISO 31000:2018* from Standards Australia to obtain a full copy of the standard.

The following is a summary of the definitions, principles, key elements and process of *AS ISO 31000:2018*.

Definitions

The definition of 'risk' and 'risk management' adopted by councils as part of their risk management framework will be the same as that adopted in the current Australian risk management standard.

At the time of printing, *AS ISO 31000:2018* defines:

- risk as the "effect of uncertainty on objectives, where an effect is a deviation from the expected. It can be positive, negative or both, and can address, create or result in opportunities and threats", and
- risk management as "coordinated activities to direct and control an organisation with regard to risk".

Standards

Each council must manage its strategic and operational risks and implement a risk management framework that is consistent with the current Australian risk management standard and appropriate for the council's risks.



It is recognised that each council will have different risk management requirements depending on its size, needs, budget, operational complexity and risk management maturity.

Councils have the flexibility under the Australian risk management standard to adapt the size, scope and delivery of their risk management framework provided it reflects the principles, key elements and processes set out in the standard for managing risks in any sized council or organisation.

Principles

In summary, *AS ISO 31000:2018* requires a council's approach to risk management to be based on the following eight specific principles to ensure it is effective:

- **integrated** - risk management is integrated into all council activities and decision-making processes
- **structured and comprehensive** - risk management is a structured and comprehensive process that achieves consistent and comparable results

- **customised** - the risk management framework and process are customised to the council
- **inclusive** - risk management is inclusive of all stakeholders and enables their knowledge, views and perceptions to be considered
- **dynamic** - risk management is dynamic and able to respond to changes and events in an appropriate and timely manner
- **best available information** - risk management decisions are based on the best available information and takes into account any limitations and uncertainties
- **human and cultural factors** - risk management takes into account human and cultural factors, and
- **continual improvement** - risk management is continuously and periodically evaluated and improved through learning and experience.

Key elements

To achieve these principles, *AS ISO 31000:2018* requires each council to ensure its risk management framework demonstrates the following six elements:

Leadership and commitment

AS ISO 31000:2018 requires risk management to be supported by a positive culture that promotes and communicates risk management as part of everyday activities and decision-making.

The standard states that this culture can only exist when management (i.e. the governing body, general manager and senior staff) demonstrate strong leadership and commitment to risk management.

Practical measures the governing body and/or general manager can take under *AS ISO 31000:2018* to exhibit strong leadership in risk management are set out further below.

Integration

AS ISO 31000:2018 requires that risk management be fully integrated within a council and made part of the council's purpose, governance, leadership, strategy, objectives and operations.

Risk is to be managed in every part of the council's organisational structure and every council employee be responsible for managing risk.

Design

AS ISO 31000:2018 requires that the design of a council's risk management framework:

- is based on the unique needs, characteristics and risks of the council, and its external and internal context
- demonstrates the council's continual commitment to risk management
- assigns risk management roles, responsibilities and accountabilities within the council
- allocates appropriate council resources for risk management, and
- effectively documents and communicates risk management across the council.

Implementation

AS ISO 31000:2018 requires that each council implements its risk management framework by:

- developing a risk management plan that provides structure for how the council will implement its risk management policy and conducts its risk management activities, and
- ensuring the council's risk management activities are clearly understood and practiced.

The plan should identify decision makers for risk within the council and ensure risk management processes and arrangements are well understood by the council and practiced.

Evaluation

AS ISO 31000:2018 requires that each council regularly evaluates the effectiveness of its risk management framework and determines whether it remains suitable.

Improvement

AS ISO 31000:2018 requires that each council continually adapts and improves the design of its risk management framework and how it is integrated throughout the council to help the council move to a higher level of risk maturity.

Process

AS ISO 31000:2018 provides each council with a systematic process to identify, assess and prioritise risks, decide how they will be managed, and document and communicate them across the council.

The process defined in *AS ISO 31000:2018* consists of the following steps:

- defining the scope of the council's risk management activities to assist in planning the council's risk management approach
- establishing the internal and external context to ensure that the council understands the internal and external environment it operates in and how risk management will impact, and be impacted by these
- deciding the performance indicators the council will use to measure the effectiveness of its risk management framework and identify gaps between its actual and desired performance
- defining the council's risk criteria/appetite – that is, the amount and type of risk that the governing body is willing to take, or not take, in order to achieve its strategic plan and objectives
- conducting risk assessments to determine what risks need to be managed
- deciding risk treatment options
- developing risk treatment plans that document how controls will be implemented, and
- writing risk reports that will document and communicate the risk management

framework to all staff and be used by the council to regularly review the risk management framework.

County councils and joint organisations

County councils and joint organisations have a lower risk profile than larger and more operationally complex general-purpose councils.

However, they are still responsible for the expenditure of public money, providing services (in the case of county councils), and delivering outcomes on behalf of their member councils and regions (in the case of joint organisations), and need to identify and manage risks appropriately.

Given their lower risk profiles, county councils and joint organisations can share the administration of their risk management framework with another council to reduce costs.

Alternatively, joint organisations can undertake the coordination and administration of their member councils' risk management frameworks on behalf of the councils.

Any shared risk management function must operate as an individual resource for each council in the shared arrangement and fulfil the statutory requirements for each council individually.

A shared risk management function should only be established and utilised by a county council or joint organisation where the shared function can maintain a high level of understanding and fulfilment of each council's risk management needs, as well as effective working and reporting relationships with the general manager and senior staff of each council in the shared arrangement.

Councils that establish a shared risk management function should develop and sign a formal agreement with the other councils in the shared arrangement which outlines how

the shared arrangement will operate and costs are shared.

demonstrate strong leadership and commitment to risk management

In practice, this will see the general manager, governing body and council staff take on the following responsibilities:

Resourcing

AS ISO 31000:2018 requires each council to ensure sufficient resources are allocated to implement the council's risk management framework and deliver the internal controls needed to ensure the council's risks are appropriately managed.

In practice, this responsibility will fall to the governing body and/or general manager of the council.

These resources include the necessary:

- human resources (with appropriate skills and experience)
- technology, equipment, tools and information management systems for managing risk
- documented processes and procedures, and
- professional development and training for staff to ensure they can fulfil their risk management responsibilities.

To ensure that the governing body and/or general manager makes informed budgeting decisions, the audit, risk and improvement committee is to advise of the resources it considers that the council needs to effectively implement its risk management framework, having regard to any budgetary constraints facing the council and the council's operational environment.

Governing body – strategic leadership

Consistent with the governing body's strategic leadership role under section 223 of the Local Government Act, the governing body is responsible for setting the foundational elements of council's risk management framework and the 'tone at the top'.

This includes approving via resolution the council's risk criteria/appetite – a statement that conveys how much risk will be tolerated by the governing body in the pursuit of the strategic objectives for the council, and how risk is to be managed and decisions made within this context.

The council's risk criteria/appetite is to be approved in consultation with the audit, risk and improvement committee.

General manager – operational leadership

Consistent with the general manager's role under section 335 of the Local Government Act to conduct the day-to-day management of the council, the general manager has ultimate responsibility and accountability for risk management in the council.

The responsibility is also specified in the Local Government Regulation (clause #tbc).

This includes:

- overseeing the council's risk management framework and ensuring it is effectively communicated, implemented and reviewed regularly
- approving the council's risk management policy, plans and risk reports (where applicable)
- promoting and championing a positive risk culture

Roles and responsibilities

AS ISO 31000:2018 requires that each council assign risk management roles and responsibilities to all relevant roles within the council.

To ensure effective implementation, the standard also requires each council to

- assigning authority and accountability for risk management at appropriate levels and to appropriate staff in the council, and ensuring they are held accountable for these responsibilities
- annually attesting that council's risk management framework complies with statutory requirements (see below), and
- approving the council's implementation of corrective actions recommended by the council's internal audit function, external audit and audit, risk and improvement committee.

Depending on the council's needs, resources and organisational structure, and to assist the integration of risk management across the council, the general manager may wish to delegate responsibility for key aspects of the council's risk management framework to a senior manager or group of senior managers established for this purpose.

The delegate would report to the general manager on risk management issues.

An example risk management policy is provided at **Appendix 5**.

Risk management function – oversight and facilitation

Each council is to establish a risk management function responsible for the day-to-day activities required to implement the council's risk management framework and provide specialist risk management skills and knowledge.

The council's risk management function is a key support to the general manager in meeting their risk management responsibilities and reports directly to the general manager or their delegate.

Each council will have the flexibility to establish its risk management function based on its structure, resourcing, risk management needs and risk management maturity.

Regardless of its structure and composition, the role and responsibilities of the risk management function should include:

- supporting the general manager by coordinating and providing clear and concise risk information, advice and/or reports that can be used in planning and decision-making
- coordinating the various activities relating to risk management within the council
- helping to build a risk management culture within the council, including facilitating and driving risk management at the strategic and operational level within the council and ensuring consistency in practice
- ensuring there are easily accessible systems and processes in place to enable all staff to conveniently undertake risk management in their day-to-day work
- ensuring risk management processes are applied consistently across the council
- organising appropriate staff risk management training and development
- developing and maintaining a risk reporting framework to enable regular advising/reporting of key risks, and the management of those risks, to the general manager or their delegate
- supporting council staff with their risk management obligations and providing staff with advice and tools to ensure risk management compliance
- implementing effective risk management communication mechanisms and information system/s
- establishing and maintaining an ongoing monitoring system to track the risk management activities undertaken within council and assessing the need for further action
- assessing risk management information for completeness, accuracy and consistency (for example, risk registers, risk treatment plans), and
- preparing advice or reports for the audit, risk and improvement committee and attending committee meetings (where requested).

In order to fulfil its role, the risk management function needs to:

- have a well-developed understanding of the council and its operations

- have the skills, knowledge and leadership qualities required to support and drive risk management
- have sufficient authority to intervene in instances where risk management efforts are being hampered by a lack of cooperation or through lack of risk management capability or maturity, and
- be able to add value to the risk management process by providing guidance and support in managing difficult risk, or risks spread across a number of the council's business units or operational areas.

Dual responsibilities

It is important that the risk management function is independent of line management to reduce the potential for management influence on the risks that are reported on, and to ensure independence.

Where risk management oversight or facilitation activities are performed by council staff with other council responsibilities, the council must put safeguards in place to limit any cognitive bias (which can lead to faulty risk assessments and decision-making errors).

Depending on the specific needs and circumstances of the council, these safeguards could include:

- the audit, risk and improvement committee being informed of the other council responsibilities the risk management function has, including reporting lines, responsibilities and expectations related to the role/s
- any potential issues or conflicts of interest arising from these other roles being formally documented and communicated to the committee
- risk management staff being prohibited from undertaking risk management evaluations and reviews in relation to the council operations they are responsible for, and/or
- the committee regularly assessing that the safeguards put in place are effective.

Internal audit function – review and assurance

Council's internal audit function is responsible for reviewing and providing advice to the audit, risk and improvement committee and the council on the effectiveness of the council's risk management framework.

Given the need to maintain the independence and objectivity of the internal audit function, the following boundaries are to apply with respect to the role of the internal audit function in relation to the council's risk management framework:

- it is to be clear that council management remains responsible for risk management
- the internal audit function is to provide advice and challenge and support management's decision-making, as opposed to taking risk management decisions themselves
- the internal audit function should not:
 - manage any of the risks on behalf of the council
 - set the council's risk criteria/appetite
 - impose risk management processes
 - decide or implement risk responses, or
 - be held accountable for risk management activities.

Audit, risk and improvement committee – advice and assurance

An audit, risk and improvement committee's role in relation to risk management is to support the governing body and general manager to ensure that the council's risk management framework is appropriate and operationally effective.

The breadth and depth of this assurance role is to be determined by the council and the audit, risk and improvement committee and could include:

- assessing whether risks at all levels are identified, assessed and reviewed regularly by the council

- being involved in the regular review of the council's risk register
- reviewing the integration of risk management into business planning and program implementation activities, and/or
- providing assurance in relation to the management of risk or governance arrangements on individual projects, programs or activities.

Appendix 4 provides further examples of the activities the audit, risk and improvement committee could perform in relation to risk management.

- the internal control framework appropriately reflects the council's risk criteria/appetite
- risks are formally considered when developing and implementing all council policies, programs, projects and other activities, including procurement
- risk management covers all relevant risk categories including strategic, operational, compliance, reputational and reporting risks
- major risks have been identified and assessed by the council and appropriate risk treatments have been implemented that reflect the council's risk criteria
- the council's internal controls are effective and appropriate
- the council's risk register and risk profile are current and appropriate
- risk information is captured and communicated in a timely manner across the council, enabling management and staff to carry out their responsibilities, and
- the council's risk management policies, procedures and plans are being complied with.

Review and reporting

Quarterly reporting

Each council is to ensure its risk management framework is regularly monitored and reviewed to ensure it is relevant, effective and complies with the current Australian risk management standard.

Each council is to base its ongoing monitoring and review process on its own needs, however, this should include at a minimum, providing quarterly advice from the risk management function to the general manager or their delegate.

This will ensure that risks are being correctly identified, prioritised and treated, and any emerging problems are known and rectified quickly.

The general manager should discuss the annual assessment of the council's risk management function with the governing body and audit, risk and improvement committee at the council's strategic assurance meeting held each council term.

Annual assessment

Each council's risk management function is to conduct an annual self-assessment of the council's risk management framework.

The annual self-assessment is to report to the general manager whether the council's risk management framework:

- complies with statutory requirements
- is sufficiently resourced
- operates effectively, this includes whether:

Strategic assessment

The Local Government Regulation (clause #tbc) requires that a council's audit, risk and improvement committee keep the implementation of a council's risk management framework under review and provide advice to the council on its implementation.

A council's audit, risk and improvement committee must provide an assessment of the effectiveness of the council's risk management framework to the governing body each council term, as part of the committee's four-yearly strategic assessment.



As part of the audit, risk and improvement committee's assessment of the council's risk management function, it should consider whether:

- the council is providing sufficient resources for risk management
- the council's risk management framework complies with statutory requirements, and
- the council's risk management framework operates effectively, is being complied with and supports the achievement of the council's strategic goals and objectives

The general manager is to develop an action plan for the governing body to address any risk management issues identified by the committee.

The audit, risk and improvement committee and general manager should discuss the strategic assessment and action plan with the governing body at the council's strategic assurance meeting held each council term.

Performance measures

To ensure the effectiveness of council's risk management activities can be regularly monitored and reviewed, each council must ensure that it:

- assigns performance targets to risk management activities that can be measured against goals and objectives, and
- can obtain the data needed to measure the impact of the council's risk management framework

Annual attestation

The Local Government Regulation (clause #tbc) requires the general manager to attest each year in the council's annual report whether the council has complied with the following requirements in relation to its risk management activities:

- council has adopted a risk management framework that is consistent with current Australian risk management standards and appropriate for the council's risks, and
- the council's audit, risk and improvement committee reviews the implementation of the council's risk management framework and issues an assessment of the effectiveness of the council's risk management framework to the governing body each council term.

Further information on annual attestation requirements is provided in the statutory framework section of these Guidelines.

Further resources

The following resources may be useful to councils seeking more information about the establishment and operation of their risk management framework. They provide examples, checklists, samples, templates and other practical tools councils could use.

This is not an exhaustive list but provides a useful starting point for councils that seek further information.

[A Guide to Risk Management – The State of Queensland \(Queensland Treasury\) \(2020\)](#)

Provides guidance on how to apply the Australian risk management standard, including checklists for each stage of the risk management process.

[AS ISO 31000:2018 Risk Management – Guidelines – International Standards Organisation \(2018\)](#)

The current Australian risk management standard at the time of printing (for purchase from the International Standards Organisation)

[Audit Committee Guidelines – Improving Accountability and Performance – The State of Queensland \(Queensland Treasury and Trade\) \(2012\)](#)

Provides checklists of the matters audit, risk and improvement committees are to consider when reviewing a council's risk management framework and internal controls.

[Dealing with Corruption, Fraud and the ICAC: the role of public sector Audit and Risk Committees – Independent Commission Against Corruption \(2020\)](#)

Provides information about the role of risk management in relation to fraud and corruption.

[Risk Management Toolkit for Public Sector Agencies \(TPP 12-03\) – NSW Treasury \(2012\)](#)

Consists of three parts:

- Executive Guide (TPP 12-03a)
- Volume 1 – Guidance for Agencies (TPP 12-03b), and
- Volume 2 – Templates, Examples and Case Study (TPP 12-03c).

Provides detailed and practical advice on the various elements of the Australian risk management standards (ISO 31000), templates and worked examples.

[The Three Lines of Defence in Effective Risk Management and Control – Institute of Internal Auditors \(2013\)](#)

Outlines the three lines of defence approach to risk management and the role of management and internal audit in risk management.

[The Role of Internal Auditing in Enterprise-Wide Risk Management – Institute of Internal Auditors](#)

Outlines what enterprise risk management is, how it can be implemented and the role of internal audit in risk management.

[Victorian Government Risk Management Framework Practice Guide – Victorian Managed Insurance Agency \(2016\)](#)

Provides guidance on how to apply the Australian risk management standard, including examples of a risk appetite/criteria statement.

Core requirement 3:

Internal audit

- Each council and joint organisation must have an independent internal audit function that reports to the audit, risk and improvement committee and is consistent with current international standards for internal audit

Guiding principles for internal audit

- The internal audit function operates independently and with appropriate expertise in a manner that is appropriate for the council.
- The internal audit function has access to all council information necessary to fulfil its role and responsibilities
- The internal audit function is appropriately positioned in the council's governance framework to ensure its work complements the work of other internal and external assurance providers
- The internal audit function has a comprehensive work plan linked to the council's strategic objectives and current and emerging risks
- The audit, risk and improvement committee receives relevant and timely advice from the internal audit function to ensure the committee can fulfil its role and responsibilities
- The internal audit function operates in a manner consistent with accepted international standards
- The work of the internal audit function is thoroughly planned and executed, risk-based, client-focused and linked to the council's strategic goals
- The internal audit function adds value to the council and is held accountable by the committee and governing body for its performance, and
- Each council is accountable to the community for the effective implementation of its internal audit function.

Internal audit is defined in the International Professional Practices Framework issued by the Institute of Internal Auditors as 'an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. It helps an organisation accomplish its objective by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes'.

A council's internal audit function must operate independently of the council and internal audit activities cannot be subject to direction by the council.



To ensure that the internal audit function remains independent from council management it must have a dual reporting line that reports:



- administratively to the general manager or a sufficiently senior role in the council to ensure the internal audit function fulfils its responsibilities, and
- functionally to the audit, risk and improvement committee.

Resourcing

The governing body and general manager of the council must ensure that the council's internal audit function is sufficiently resourced to effectively carry out its work. The chair of the audit, risk and improvement committee should be consulted on the resourcing required.

The audit, risk and improvement committee's resourcing recommendations are to be minuted by the committee.

Independence

Each council in NSW, (including county council and joint organisation) must have an internal audit function to provide an independent unbiased assessment of the council's operations and risk and control activities.



Internal audit charter

It is important that council's internal audit function has clear guidance on how it should serve the audit, risk and improvement committee and the council, and that the committee and council has input into how the internal audit function will operate.

This will ensure there is no ambiguity between the audit, risk and improvement committee, the council or the internal audit function and that the performance of the internal audit function can be assessed.

The Local Government Regulation (clause #tbc) requires each council to adopt an internal audit charter, consistent with the approved Model Internal Audit Charter (Appendix 6), to guide how internal audit will be undertaken by the council and measure its effectiveness.



The internal audit charter is to be developed by the audit, risk and improvement committee in consultation with the general manager and the head of the internal audit function and approved via resolution by the governing body of the council.

The Local Government Regulation (clause #tbc) allows councils to include additional provisions in their internal audit charter so long as they are not inconsistent with the approved Model Internal Audit Charter.

The audit, risk and improvement committee is to review the council's internal audit charter annually in consultation with the general manager and the head of the internal audit function.

responsibility for internal audit under the Local Government Regulation (clause #tbc).

This means that the general manager is responsible for:

- advising the governing body on the resources required for the effective functioning of the internal audit function
- ensuring appropriate administrative support is provided to support the work of the internal audit function - for example, access to council's human resources networks, payroll, work health and safety, office facilities and resources, council information etc
- ensuring that the internal audit function is appropriately positioned within the council to work with external bodies and internal business units and fulfil its role and responsibilities
- ensuring the internal audit function complies with the International Professional Practices Framework, and
- annually attesting, on behalf of the council, that the council is fulfilling its statutory obligations in relation to internal audit.

The general manager has no role in the performance of the internal audit function - for example, the conduct of internal audits, the audit techniques used, or the reporting of internal audit findings to the audit, risk and improvement committee.

Delegation

The general manager can, in consultation with the governing body of the council and the audit, risk and improvement committee, delegate their functions in relation to the oversight of the council's internal audit function to another role in the council that is sufficiently senior to ensure the internal audit function meets its responsibilities.

In making a delegation, consideration should be given to how the delegation will influence the internal audit function's ability to achieve the internal audit charter given the:

- seniority and expertise of the delegate and demands placed on them by their other roles and responsibilities in the council

Role of the general manager

Consistent with their role under the Local Government Act (section 355) to conduct the day-to-day management of the council, the general manager has administrative

- support available to the delegate to successfully execute their delegation in relation to internal audit
- complexity of the council's core business
- risk profile of the council
- expectations of stakeholders, and
- likely demands placed on the internal audit function.

- establish an internal audit function for their own exclusive use, or
- share their internal audit function with another council, county council or joint organisation.

For cost and administrative efficiency, councils are also able to:

- establish an in-house internal audit function comprising of council staff/contractors, and/or
- outsource their internal audit function to an external provider/s – for example, a private sector accounting firm, internal audit firm, internal audit contractor etc.

Role of the audit, risk and improvement committee

Under the Local Government Regulation (clause #tbc), the audit, risk and improvement committee exercises functional oversight of a council's internal audit function to ensure it operates independently from the council.

This means that the audit, risk and improvement committee is responsible for:

- assisting the governing body to identify the resources necessary for the effective functioning of the internal audit function
- setting the annual and four-yearly work plans for the internal audit function, including the audits that will be completed
- assessing the findings and recommendations of completed audits and providing the committee's advice and opinion on issues raised to the general manager and governing body of the council
- developing the internal audit charter that will guide the work of the internal audit function and how it operates, and
- reviewing the performance of the internal audit function.

These options will assist councils, county councils and joint organisations:

- to establish their internal audit function in the most cost-effective way
- in remote locations that may find it difficult to appoint or retain the staff necessary to support a stand-alone internal audit function
- to access a larger resource pool than would be available to a single council, and create efficiencies through common systems, shared knowledge and internal audit tools.

When deciding the most appropriate way to structure a council's internal audit function, the general manager should consider the viability and capacity of a shared internal audit function to achieve the council's internal audit charter given the:

- size of the council in terms of both staffing levels and budget
- geographical and functional distribution of the council's operations
- complexity of the council's core business
- risk profile of the council
- expectations of stakeholders, and
- likely demands placed on the internal audit function by other councils in the shared arrangement.

Structure

Each council will have different internal audit function requirements depending on the council's size, needs, budget and operational complexity and can either:

Whatever structure is adopted, the head of a council's internal audit function must:



- be a council employee and cannot be outsourced, other than through a shared arrangement with another council, and
- meet the eligibility and independence criteria for the position.

This is to ensure that the council retains strategic control of the internal audit function and can actively monitor its performance.

County councils

County councils may enter into a shared arrangement with one of their constituent councils or another county council.

Joint organisations

Joint organisations that do not host a shared internal audit function for the use of their member councils can enter into a shared arrangement with a member council.

In-house internal audit function

An in-house internal audit function is where internal auditors and other staff (where required) are employed by the council to conduct the internal audits and other activities in the audit, risk and improvement committee's annual and four-yearly strategic work plan.

The advantages of establishing an in-house internal audit function may include:

- council retaining ownership of internal audit information
- confidentiality of sensitive information contained in audits
- stronger direction and oversight by the council of the internal audit function with more direct control over the quality of audits conducted

- internal auditors having council-specific knowledge and experience that delivers better audit results
- greater agility to respond quickly to emerging issues, and
- the retention of corporate knowledge within the council.

Disadvantages may include:

- challenges attracting and retaining suitable staff
- specialist skills may not be available in-house
- reduced flexibility, and
- the need to provide council facilities and office space for internal audit personnel.

Councils that establish an in-house internal audit function are not limited to employing staff members and can supplement the internal audit team's work with audits undertaken by external providers where necessary.

Councils that have been categorised as a tier 2 or tier 3 council are encouraged to establish an in-house internal audit function given their:

- significant assets
- higher risk profiles
- higher levels of expenditure, and
- more complex transactions and operations.

Head of an in-house internal audit function

Each council's internal audit function must be led by a staff member with sufficient skills, knowledge, experience and integrity to ensure it undertakes its role appropriately, meets its responsibilities to the audit, risk and improvement committee and makes a valuable contribution to the council.

The head of an in-house internal audit function (described as the 'chief audit executive' in the International Professional Practices Framework) also needs to report to the general manager or a sufficiently senior role in the council that ensures the internal audit function fulfils its responsibilities.

For some councils with larger budgets and higher risks, the head of the internal audit function will require the support of a dedicated internal audit team to fulfil the internal audit charter.

For other smaller councils, their size and risk profile may not justify additional internal audit staff and the head of the internal audit function will be sufficient.

The head of the internal audit function may also have other council responsibilities outside of internal audit.

Role and responsibilities

For all in-house internal audit functions, regardless of size, the key responsibilities of the head of the internal audit function include:

- managing the day-to-day activities of the council's internal audit activities to ensure they add value to council
- managing the council's internal audit budget
- supporting the operation of the audit, risk and improvement committee
- approving internal audit project plans, conducting or supervising audits and assessments and providing independent advice to the committee
- monitoring the council's implementation of corrective actions that arise from the findings of audits
- fulfilling the committee's annual work plan and four-yearly strategic plan
- ensuring the council's internal audit activities comply with statutory requirements
- managing internal audit personnel and ensuring that they have the skills necessary to fulfil the role and responsibilities of the internal audit function (where appropriate), and
- contract management and oversight of supplementary external providers (where appropriate).

Eligibility criteria

To fulfil these responsibilities, the head of the internal audit function:

- must be a council employee and cannot be outsourced, other than through a shared arrangement with another council – this is to ensure that the council retains strategic control of the internal audit function and is able to actively monitor the performance of the internal audit function
- must be independent, impartial, unbiased and objective when performing their work and free from conflicts of interest
- should possess the following skills, knowledge and experience to effectively carry out their role:
 - the credibility to ensure they can negotiate on a reasonably equal footing with the general manager (or their delegate), governing body and audit, risk and improvement committee
 - the skills, knowledge and personal qualities necessary to lead credible and accepted internal audit activities in the council
 - strong experience overseeing internal audit
 - appropriate qualifications and professional certifications, and
 - local government experience (preferred).

The head of the internal audit function must also operate and conduct their internal audit activities in accordance with the International Professional Practices Framework, including its Code of Ethics.

As a council employee, the head of the internal audit function must comply with all relevant council policies and procedures as required by other council staff members, including the council's code of conduct.

Independence

It is important that the head of an in-house internal audit function has the functional independence to ensure that this role has the freedom necessary to independently assess and report on the way council operates. As a safeguard, the Local Government Regulation (clause #tbc) requires the general manager to consult with the chair of the audit, risk and improvement committee before

appointing or changing the employment conditions of the head of the internal audit function (including disciplinary measures).

Where dismissal occurs, the general manager must report to the governing body advising of the reasons why the head of the internal audit function was dismissed.

Where the chair of the audit, risk and improvement committee has any concerns about the treatment of the head of the internal audit function, or any action taken that may compromise the head of the internal audit function's ability to undertake their functions independently, they can report their concerns to the governing body of the council.

The head of the internal audit function is required to confirm at least annually to the audit, risk and improvement committee the independence of internal audit activities from the council.

Access to council staff and information

All internal audit personnel, including the head of an in-house internal audit function have direct and unrestricted access to council staff, the audit risk and improvement committee and council information and resources necessary to undertake their role and responsibilities.



All council staff and contractors should have unrestricted access to the head of the internal audit function to allow them to alert them to emerging risks or internal audit related issues.

Internal audit team

Any other staff members appointed to council's in-house internal audit function report directly to the head of the internal audit function.

As council employees, internal audit staff must comply with all relevant council policies and procedures including the council's code of conduct.

In-house internal auditors must also conduct internal audit activities in accordance with the International Professional Practices Framework.

Internal audit should be performed by professionals with an appropriate level of understanding of the council's culture, systems and processes to provide assurance that the internal controls in place are sufficient to mitigate the risks, that the governance processes are adequate and that organisational goals and objectives are met.

In-house internal auditors should therefore possess the following skills, knowledge and experience to effectively carry out their role:

- the skills, knowledge and experience necessary to conduct internal audit activities in the council – for example:
 - accounting
 - finance
 - economics
 - governance
 - management
 - law
 - taxation
 - fraud and corruption
 - IT
- effective interpersonal and communication skills to ensure they can partner with council staff effectively and collaboratively
- honesty, integrity and due diligence, and
- appropriate qualifications and professional certifications.

Local government experience or expertise is also strongly preferred.

Dual responsibilities

To ensure the internal audit function's independence and objectivity, it is best practice that the head of the in-house internal audit function and any other members of an in-house internal audit team have no other council responsibilities other than internal audit.

However, it is recognised that some councils may find it difficult to employ a stand-alone head of an in-house internal audit function or other supporting internal auditors due to the

cost involved, the council's location and/or that the size of the council's operations and risk profile or the council's organisational structure may not warrant stand-alone employees.

Councils can therefore combine the head of the internal audit function's role and/or the role of a member of the internal audit team with another council role or responsibilities provided there are adequate safeguards put in place by the council to limit any real or perceived bias or conflicts of interest that may lead to faulty decision-making and cognitive bias.

An internal audit role must not be combined with the role of the general manager, chief financial officer or risk management function as it will create conflicts of interest that cannot be resolved.

Councils can also share their head of the internal audit function with another council, county council or joint organisation as part of a shared arrangement.

Depending on the specific needs and circumstances of the council, safeguards could include:

- any potential issues or conflicts of interest arising from a dual role being formally documented in council's internal audit charter
- the audit, risk and improvement committee, or another suitably qualified and independent party, reviewing internal audit briefs, findings and recommendations before they are finalised where they concern any key risks overseen by the head of the internal audit function or internal audit team member in another role
- the head of the internal audit function or an internal audit team member not having responsibility for managing any risks or implementing any audit recommendations or corrective actions in their other role/s, and/or
- the committee including an assessment of the independence and objectivity (for internal audit purposes) of the head of the internal audit function or any internal audit team members with a dual role in their

annual assessment report to the governing body.

The endorsement of the governing body, in consultation with the audit, risk and improvement committee is also required before any combined roles can commence.

Where the head of the internal audit function has a dual role in a council, they are to remain independent and report functionally to the audit, risk and improvement committee on their internal audit responsibilities.

For other council responsibilities, the head of the internal audit function reports functionally through normal council reporting lines to the general manager.

Outsourced internal audit function

Where a council outsources their internal audit function, the internal audits required by the audit, risk and improvement committee are undertaken by an external provider such as an internal audit or accounting firm, or an individual practitioner.

Contract management is overseen by an employee within the council.

The advantages of using external providers for internal audit activities may include:

- flexibility
- access to a wide range of expertise and experience, especially outside of local government and provide expertise the council may not have
- provides a window to better practice methods that small councils may find difficult to access
- the ability to purchase services as and when required
- can increase internal audit's independence from the council
- overcoming challenges recruiting a head of an internal audit function or internal audit staff, and
- potential to negotiate lower fee-for-service costs.

Disadvantages may include:

- increased costs
- potential loss of corporate knowledge from the council
- difficulty building and maintaining professional relationships between council management and external contractors
- reduced oversight and control of internal audit activities
- additional in-house staff time required to source and manage external providers and contracts
- the external provider lacking council-specific knowledge
- internal audit coordinator is unlikely to be audit trained and may not have the knowledge to ensure audit quality is maintained, and
- potential confidentiality breaches.

Given their size, resources, geographical isolation, risk profiles and complexity of operations, tier 1 councils are encouraged, at a minimum, to establish an outsourced internal audit function.

Head of an outsourced internal audit function

Compared to the head of an in-house internal audit function which personally conducts or supervises internal audits and provides their personal opinions and recommendations to the audit, risk and improvement committee, the head of an outsourced internal audit function will, in practice, primarily be a coordination and administrative role.

The key responsibilities of any council staff member assigned responsibility for leading an outsourced internal audit function is to include:

- contract management
- managing internal audit budget
- ensuring the external provider completes internal audits in line with the audit, risk and improvement committee's annual plan and four-yearly strategic plan
- forward audit reports by the external provider to the committee
- act as a liaison between the external provider and the committee

- monitoring the council's implementation of corrective actions that arise from the findings of audits and reporting progress to the Committee, and
- assisting the committee to ensure the council's internal audit activities comply with statutory requirements.

To fulfil these responsibilities, the head of an outsourced function:

- reports functionally to the audit, risk and improvement committee
- must be free from conflicts of interest
- must be a council employee and cannot be outsourced, other than through a shared arrangement with another council, county council or joint organisation - this is to ensure that the council retains control of the internal audit function and is able to actively monitor the performance of the external provider
- should possess the following skills, knowledge and experience to effectively carry out their role:
 - a good understanding of the work of audit, risk and improvement committees and internal audit, and
 - the skills, knowledge and personal qualities necessary to manage the council's contract with the external provider and liaise between the external provider and the audit, risk and improvement committee.

As a council employee, the head of an outsourced function must comply with all relevant council policies and procedures as required by other council staff members, including the council's code of conduct.

Dual responsibilities

The head of an outsourced internal audit function can be assigned other roles and responsibilities in the council.

Where the head of an outsourced function has a dual role in a council, they are to remain independent and report functionally to the audit, risk and improvement committee in relation to their internal audit responsibilities.

For other council responsibilities, the head of an outsourced function reports functionally through normal council reporting lines to the general manager.

Councils can combine the head of an outsourced function's role with another council role or responsibilities provided that there are adequate safeguards put in place by the council to limit any real or perceived bias or conflicts of interest.

Depending on the specific needs and circumstances of the council, safeguards could include:

- any potential issues or conflicts of interest arising from a dual role being formally documented in council's internal audit charter
- the audit, risk and improvement committee endorsing the dual roles before they can commence
- the head of the outsourced function not having responsibility for managing any risks or implementing any audit recommendations or corrective actions in their other role/s, and/or
- the committee including an assessment of the independence and objectivity (for internal audit purposes) of the head of the outsourced function in their annual assessment report to the governing body.

External provider/s

It is important that any external provider engaged by a council is independent and can objectively assess and report on the way council operates.

To ensure the independence of an external provider, the head of the outsourced function is to ensure the external provider:

- does not conduct any audits on specific council operations or area that they have worked on within the last two years
- is not the same auditor conducting the council's external audit
- is not the auditor of any contractors of the council that may be possibly subject to the internal audit, and

- is able to meet the council's statutory internal audit obligations.

The head of the outsourced function must also consult with the audit, risk and improvement committee and general manager regarding the appropriateness of the skills, knowledge and experience of any external provider before they are engaged by the council.

Chair of the audit, risk and improvement committee

The chair of an audit, risk and improvement committee that oversees an outsourced internal audit function is likely to have greater responsibilities than that of an in-house internal audit function.

As the head of an outsourced function is largely a coordination/administrative role, committee members, and in particular the chair of the Committee, will do the 'heavy lifting' and be the primary source of advice on the findings and recommendations of audits conducted by the external provider and assurance to the council.

Councils that establish an outsourced internal audit function must ensure that their audit, risk and improvement committee has the capacity and capability to undertake this increased role.

Shared internal audit function

Under the Local Government Regulation (clause #tbc) councils can:

- share an internal audit function with another council or joint organisation as part of an independent shared arrangement
- utilise the internal audit function established by their joint organisation that is shared by member councils
- for county councils - share an internal audit function with a constituent council, or

- for joint organisations - share an internal audit function with a member council.

Councils can establish an in-house or outsourced internal audit function as part of a shared arrangement.

A shared internal audit function must operate as a standalone internal audit function for each participating council in the shared arrangement and satisfy statutory requirements for each participating council.

A shared internal audit function should only be established and utilised where all participating councils can be confident that the shared function can deliver a high level of understanding and fulfilment of each council's internal audit needs and maintain effective working and reporting relationships with each participating council in the shared arrangement.

Councils that establish a shared internal audit function should develop and sign a formal agreement with the other councils in the shared arrangement which outlines how the shared arrangement will operate and how costs will be shared.

Implementation

Given the administrative complexity of an internal audit function shared between councils and reporting to multiple governing bodies and general managers, the following arrangements are recommended:

- the internal audit function is hosted by one of the councils, county councils or joint organisations in the shared arrangement
- the head of the internal audit function and any other internal audit team members are employees of the host council
- the head of the internal audit function reports administratively to the general manager (or their delegate) of the host council, and
- the general manager of the host council can only appoint or dismiss the head of the internal audit function in consultation with the general managers and audit, risk and improvement committees of each participating council.

For internal audit functions established by joint organisations and shared between member councils it is recommended that:

- the internal audit function is physically located at the offices of the joint organisation or a member council
- the head of the internal audit function reports administratively to the executive officer of the joint organisation
- the head of the internal audit function and any internal audit staff are employees of the joint organisation, and
- the Executive officer of the joint organisation can only appoint or dismiss the head of the internal audit function in consultation with the general managers and audit, risk and improvement committees of each member council.

Head of a shared internal audit function

In-house function

The head of a shared in-house internal audit function needs to be able to:

- liaise with the governing body and general manager of each participating council about that council's internal audit activities
- implement the annual work plan and four-yearly strategic plan for each council
- conduct or oversee the individual audits of each council and monitoring the implementation of corrective actions
- manage any contractual arrangements with external providers on behalf of each council (where required)
- attend the audit, risk and improvement committee meetings of each respective council on behalf of that council, and
- maintain separate and confidential information for each council.

Outsourced function

The head of a shared outsourced internal audit function needs to be able to:

- manage contracts with external providers on behalf of all councils in the shared arrangement

- liaise with the audit, risk and improvement committee and general manager of each council
- coordinate the completion of audits by the external provider in line with each council's annual plan and four-yearly strategic plan
- provide audit reports by the external provider to the relevant committee and general manager and coordinate council responses
- monitor the implementation by each council of corrective actions that arise from the findings of audits and reporting progress to the committee
- assist each council's committee to ensure the council's internal audit activities comply with statutory requirements, and
- maintain separate and confidential information for each council.

The internal audit tools, techniques and methodologies used by the internal audit function must be approved by the audit, risk and improvement committee.

Where risk information or ratings are used during the internal audit process, they must be developed and applied consistently with the current Australian risk management standard.

Audit reports

The head of the internal audit function must provide the findings and recommendations of internal audits to the audit, risk and improvement committee at the end of each audit.

The audit, risk and improvement committee will determine whether audit reports should be distributed to committee members out-of-session as they are completed, or at each quarterly meeting of the committee.

Each internal audit report written must reflect the requirements of the International Professional Practices Framework.

This includes:

- necessary background information, including the objective and scope of the audit
- the audit processes and methodology used
- findings and recommendations based on the audit's objectives, prioritised according to their level of risk
- recommended remedial actions to address problems identified which have been prioritised according to risk, and
- a response or action plan from the general manager and/or responsible senior managers of the council.

The head of the internal audit function must provide a draft of each report to the responsible senior manager/s so that a response to each recommendation from each relevant business unit can be included in the final report that is submitted to the audit, risk and improvement committee.

Workplans

The work of each council's internal audit function will be guided by the strategic four-yearly workplan and annual workplan developed by the audit, risk and improvement committee (see core requirement 1).



Performing internal audits

It is essential that a council's internal audit function performs the council's internal audits to a high and consistent standard and that the findings and recommendations that arise from audits can be relied upon by the audit, risk and improvement committee and the council.

Each council's internal audits must be performed in accordance with the requirements of the International Professional Practices Framework.



The audit, risk and improvement committee must agree with the general manager the maximum time period the general manager has to approve and provide the council's response to the committee.

Responsible senior managers will have the right to reject recommended corrective action/s on reasonable grounds but should discuss their position with the head of the internal audit function or the chair of the audit, risk and improvement committee before finalising the council's position with the general manager. Reasons for rejecting the recommendation/s must be included in the final audit report.

For those recommendations that are accepted, responsible senior managers are required to ensure that:

- an action plan is prepared for each recommendation that assigns responsibility for implementation to a council staff member/s and timeframes for implementation
- all corrective actions are implemented within proposed timeframes, and
- the head of the internal audit function is provided regular updates, or as otherwise reasonably requested, in relation to the implementation of the internal audit action plan.

Where corrective actions are not implemented within agreed timeframes, the audit, risk and improvement committee can invite the responsible senior manager to explain why implementation has not occurred and how the resulting risk is being addressed in the interim.

The audit, risk and improvement committee can raise any concerns it may have about the council's response to internal audit reports with the general manager and in the committee's quarterly report to the governing body so that they are aware of the risks posed to the council.

Ongoing monitoring

The head of the internal audit function should establish an ongoing monitoring system to track the internal audits undertaken for the

council and follow-up council's progress in implementing corrective actions.

Compliance with regulatory requirements and internal audit standards could also be included as part of ongoing monitoring and self-assessment.

If necessary, any problems identified must be reported to the audit, risk and improvement committee and general manager to ensure they can be rectified quickly before their consequences escalate.

The audit, risk and improvement committee can raise any concerns it has that may arise between meetings with the governing body via an additional report where needed. The chair of the committee can also request to meet with the mayor.

This will ensure that the governing body is fully aware of significant emerging risks posed to the council.

Policies and procedures

The general manager, in consultation with the audit, risk and improvement committee, must develop and maintain policies and procedures to guide the operation of the council's internal audit function and the performance of internal audits.

These policies and procedures could include:

- the structure and resourcing of the internal audit function
- how internal audits will be conducted, reported, implemented and monitored
- audit methodology
- timeframes for reporting and council's response to recommendations
- how any internal audit-related disputes will be resolved
- the internal audit function's access to council staff, resources and information
- how the performance of the internal audit function will be reviewed
- communication between the audit, risk and improvement committee and internal audit function, and the internal audit function and the general manager, and

- information management including document retention, security and access to audit reports.

for consideration and action before their consequences escalate.

Providing advice to the audit, risk and improvement committee

Ongoing reporting to the audit, risk and improvement committee is essential to ensure that the committee is kept informed of matters considered by the internal audit function and any emerging issues that may require reporting to the governing body or general manager.

Quarterly updates

The head of the internal audit function is to ensure that the audit, risk and improvement committee is advised at each of the committee's quarterly meetings of

- the internal audits completed during that quarter
- progress in implementing the annual work plan, and
- progress made implementing corrective actions arising from any past internal audits.

The way this information is communicated is to be decided by the audit, risk and improvement committee in consultation with the head of the internal audit function.

Ongoing advice

The head of the internal audit function can meet with the chair of the audit, risk and improvement committee at any time, as necessary, between committee meetings.

This is particularly important to ensure that any urgent or emerging issues identified by the internal audit function can be quickly reported to the audit, risk and improvement committee

Internal audit documents

Internal audit documentation includes any information or documents produced or obtained by a council's internal audit function that relates to the internal audit activities of the council.

All internal audit documents:

- are for internal use only, subject to the requirements of the *Government Information (Public Access) Act 2009* (GIPA Act)
- are to remain the property of the audited council, including where internal audit services are performed by an external provider – all rights reside with the audited council
- must be documented, retained and controlled in accordance with the International Professional Practices Framework and council policies
- can be accessed by the audit, risk and improvement committee and external auditor without restriction
- can be accessed by the governing body via resolution, subject to the approval of the chair of the committee (any disputes can be referred to the Office of Local Government for resolution)
- subject to the GIPA Act, can only be released to an external party with the approval of the general manager and the chair of the committee, except where the information is being provided to an external oversight or investigative body for the purposes of informing that agency of a matter that may warrant its attention.

Any internal audit documentation provided to any individual, including members of the governing body, should be treated as strictly confidential.

The chair of the audit, risk and improvement committee may refuse to provide access to

internal audit documents or information to anyone who has previously released such information without authorisation.

Review of internal audit function performance

It is important that the work of each council's internal audit function is regularly assessed, and internal auditors held accountable for their performance.

This will ensure that the internal audit function is making a valuable contribution to the council and allows the audit, risk and improvement committee and the council to understand how the council is performing in relation to the matters listed in section 428A of the Local Government Act.

It will also ensure that the audit, risk and improvement committee and council can determine whether any changes to the internal audit function are required.

Annual assessment

The audit, risk and improvement committee must review the performance of the internal audit function each year and report its findings to the governing body as part of the committee's annual assessment.

The annual assessment is to ensure that any concerns regarding the operation of the internal audit function and compliance with the International Professional Practices Framework can be dealt with before they are identified in the four-yearly strategic review, by which time their consequences may have escalated.

An annual assessment will also encourage continuous improvement of the council's internal audit activity.

The audit, risk and improvement committee is to determine the nature of this assessment. It could be conducted, for example, via a self-

assessment performed by the head of the internal audit function.

More information about the audit, risk and improvement committee's annual assessments is provided under core requirement 1.

Four-yearly strategic assessment

A council's audit, risk and improvement committee is to provide an assessment of the effectiveness of the council's internal audit function to the general manager and governing body in each term of the council, as part of the committee's four-yearly strategic assessment.



This assessment is to occur regardless of whether the council has established an in-house or outsourced internal audit function, as the assessment focuses on how the council has implemented its internal audit function.

As part of the audit, risk and improvement committee's assessment of the council's internal audit function, it should consider:

- the views of an independent external party with strong knowledge of internal audit operation
- the independence of the internal audit function
- whether resourcing is sufficient
- whether the internal audit function complies with statutory requirements and the International Professional Practices Framework
- the appropriateness of annual work plans and strategic plans based on the risks facing the council
- progress against key performance indicators
- whether the internal audit function adds value and delivers outcomes for the council, and
- the appropriateness of the internal audit charter.

To ensure the views of the external party consulted are robust, the external party should have:

- strong skills, knowledge and expertise in internal audit

- a working knowledge of the International Professional Practices Framework, and
- no conflicts of interest that may result in bias or a lack of objectivity.

The audit, risk and improvement committee, in consultation with the general manager, is to develop an action plan for the governing body to address any internal audit issues identified by the committee.

The audit, risk and improvement committee's strategic assessment and action plan is to be discussed with the governing body and general manager at the strategic assurance meeting held each council term.

More information about the audit, risk and improvement committee's strategic assessment is provided under core requirement 1.

- make a public interest disclosure under the *Public Interest Disclosures Act 1994* to the:
 - Independent Commission Against Corruption (concerning corrupt conduct)
 - NSW Ombudsman (concerning maladministration)
 - NSW Auditor General (concerning serious and substantial waste of public money)
 - Office of Local Government (concerning serious and substantial waste in local government and breaches of pecuniary interest obligations), and/or
 - Information and Privacy Commissioner (concerning government information contraventions).

Reporting concerns about councillors or council staff

Given the nature of internal audit, there may times where the internal audit function identifies concerns about the conduct of council staff.

Where the head of the internal audit function has concerns regarding a staff member, they can:

- raise their concerns with the chair of the audit, risk and improvement committee (if it relates to the effectiveness of the internal audit function)
- report breaches of the council's code of conduct to the general manager, or by the general manager to the Mayor, as required by the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*
- report their concerns through the council's internal reporting policy, complaints handling policy or other associated protocols, and/or

Annual attestation

The Local Government Regulation (clause #tbc) requires the general manager to attest each year in the council's annual report whether the council has complied with the following requirements:

- council has an internal audit function that provides an independent unbiased assessment of the council's operations and risk and control activities
- council's internal audit function reports to the audit, risk and improvement committee on internal audit matters
- the internal audit function operates independently of the council
- council's internal audit function operates according to an internal audit charter, which is consistent with the approved Model Internal Audit Charter contained in these guidelines
- council has appointed an appropriately skilled and eligible staff member to direct the council's internal audit activities or is part of a shared arrangement where a participating council has appointed a staff member to lead internal audit
- internal audit activities are conducted in accordance with the International Professional Practices Framework

- council's internal audit function operates according to annual and four-yearly strategic plans adopted by the governing body of the council
- council provides the internal audit function with direct and unrestricted access to the general manager and other staff, council information and resources so it can fulfil its responsibilities, and
- at least once each council term (i.e. four years) the audit, risk and improvement committee conducts a review of the effectiveness of the council's internal audit function.

Further information on annual attestation requirements are detailed in the statutory framework section of these Guidelines.

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Further resources

The following resources may be useful to councils seeking more information about the establishment and operation of their internal audit function.

This is not an exhaustive list but provides a useful starting point for councils that seek to better understand internal audit, how it can be used by councils to improve performance, and practical tools, examples and templates to adapt for their own use.

[International Professional Practices Framework \(mandatory guidance\)](#) – Institute of Internal Auditors (2017)

Outlines the mandatory requirements for undertaking internal auditing under the International Professional Practices Framework.

Consists of four parts:

- Core Principles for the Professional Practice of Internal Auditing
- Definition of Internal Auditing
- Code of Ethics, and
- International Standards for the Professional Practice of Internal Auditing

[International Professional Practices Framework \(recommended guidance\)](#) – Institute of Internal Auditors (2017)

Provides detailed guidance on how to implement the International Professional Practice Framework.

Consists of two parts:

- Implementation Guide – assists an internal audit function to apply the standards and understand how compliance will be measured by the audit, risk and improvement committee, and
- Supplemental Guide (Practice Guides) – provides detailed processes and procedures for the internal audit function.

[How can audit committee members add value?](#) – PriceWaterhouseCoopers (2011)

Provides a checklist for measuring the performance of an internal audit function.

[Internal Audit in Australia](#) – Institute of Internal Auditors Australia (2016)

Provides an overview of the role of internal audit and the internal audit function, including:

- the different types of work plans that can be used to guide internal audit activity
- the skills, knowledge, experience and qualifications/certifications required of internal auditors
- performing, reporting and monitoring internal audits, and
- how to review the performance of an internal audit function, including performance measures that could be used

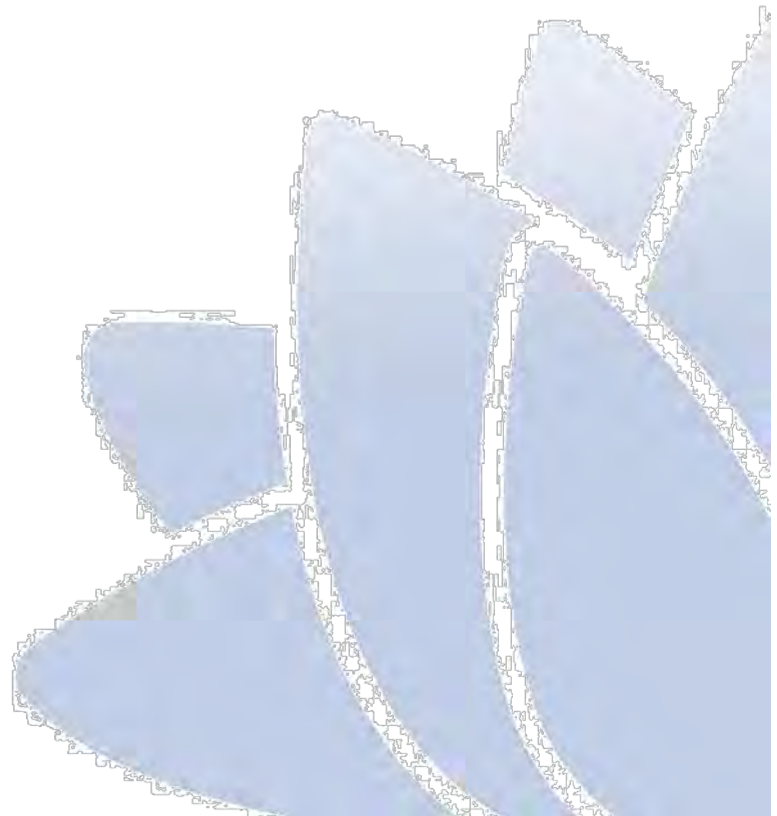
[Practice Guide – Talent Management: Recruiting, Developing, Motivating and Retaining Great Team Members](#) – Institute of Internal Auditors (2015)

Provides guidance on how to establish an effective internal audit team (for purchase from the Institute of Internal Auditors).

[Quality Assessment Manual for the Internal Audit Activity](#) – Institute of Internal Auditors (2017)

Outlines how the performance of council's internal audit function can be assessed both internally and externally against the International Professional Practices Framework.

Implementation



Under the Local Government Act, all councils and joint organisations are required to appoint an audit, risk and improvement committee by June 2022.

Following June 2022, councils will have two years, until 30 June 2024, to comply with the risk management and internal audit requirements under these Guidelines and five years to comply with the audit, risk and improvement committee requirements.

Audit, risk and improvement committees

New Committees

Councils that currently do not have an audit, risk and improvement committee must appoint a Committee by June 2022 that complies with the requirements of these Guidelines.

Existing Committees

Councils that already have an audit, risk and improvement committee will already comply with the requirement under the Local Government Act to appoint a committee.

These councils will have until June 2027 (five years) to ensure the membership of their committees comply with these guidelines.

Additional transition time is provided to allow the terms of existing audit, risk and improvement committee members that may not otherwise be eligible for membership of the committee under the new requirements, to naturally expire.

Staged compliance will provide greater stability in the membership of existing committees, ensure the retention of corporate knowledge on the committee, and reduce demand on the prequalification scheme.

Risk management framework

Councils have until 30 June 2024 to ensure their risk management framework complies with these guidelines.

However, councils that already have a mature risk management framework are encouraged, for their own benefit, to comply sooner.

Internal audit function

As a transitional measure, councils will have until 30 June 2024 to ensure their internal audit function complies with these guidelines.

However, councils that already have an internal audit function are encouraged, for their own benefit, to comply sooner.

Attestation

Attestation requirements will commence in 2024 for risk management and internal audit, and 2027 for audit, risk and improvement committees.

All councils will be required to publish their attestation certificates commencing with their 2024-2025 annual report.

However, councils with more mature audit, risk and improvement committees, internal audit function and/or risk management frameworks are encouraged to consider publishing attestation certificates in their annual reports sooner.

Appendix 1:

Attestation template and Determination template



Internal Audit and Risk Management Attestation Statement for the [years] Financial Year for [council/joint organisation]

I am of the opinion that [council/joint organisation] has an audit, risk and improvement committee and risk management and internal audit processes that, excluding the exceptions outlined below, operate in compliance with the requirements set out in the *Local Government Act 1993* and *Local Government (General) Regulation 2005*.

Specifically:

Audit, risk and improvement committee

Requirement	Compliance
[Council's/joint organisation's] audit, risk and improvement committee is independent of the [council/joint organisation] and has three or more members that comply with or exceed the minimum requirements for the [council's/joint organisation's] prescribed category as a [tier #] council	[compliant or non/compliant]
The chair and all members of [council's/joint organisation's] audit, risk and improvement committee meet the eligibility and independence criteria required of their position, and have been appointed in accordance with prescribed membership term limits	[compliant or non/compliant]
[Council's/joint organisation's] audit, risk and improvement committee operates according to terms of reference approved by the [governing body of the council/board of the joint organisation] that are consistent with the approved Model Terms of Reference	[compliant or non/compliant]
[Council's/joint organisation's] audit, risk and improvement committee operates according to annual and four-yearly strategic plans endorsed by the [governing body of the council/board of the joint organisation]	[compliant or non/compliant]
[Council's/joint organisation's] audit, risk and improvement committee provides an annual assessment to the [governing body/board of the joint organisation] each year, and a strategic assessment of all the matters listed in section 428A of the Local Government Act to the [governing body/board] each council term	[compliant or non/compliant, include date of last strategic assessment provided]
The [council/joint organisation] provides the audit, risk and improvement committee with direct and unrestricted access to the [general manager/executive officer], senior management, [council/joint organisation] information and [council/joint organisation] resources so it can fulfil its responsibilities	[compliant or non/compliant]
At least once each council term the [governing body of the council/board of the joint organisation] reviews the effectiveness of the audit, risk and improvement committee.	[compliant or non/compliant, include date of last review]

Membership

The chair and membership of the audit, risk and improvement committee are:

Independent chair	[name]	[start term date]	[finish term date]
Independent member	[name]	[start term date]	[finish term date]
Independent member	[name]	[start term date]	[finish term date]
Independent member ¹	[name]	[start term date]	[finish term date]
Independent member ¹	[name]	[start term date]	[finish term date]
[Councillor/board] member ¹	[name]	[start term date]	[finish term date]

Risk Management

Requirement	Compliance
[Council/joint organisation] has adopted a risk management framework that is consistent with current Australian risk management standards and appropriate for the [council's/joint organisation's] risks	[compliant or non/compliant]
[Council's/joint organisation's] audit, risk and improvement committee is responsible for reviewing the implementation of [council's/joint organisation's] risk management framework and issues a strategic assessment of the effectiveness of the [council's/joint organisation] risk management framework to the [governing body/board] each council term.	[compliant or non/compliant, include date of last strategic assessment provided]

Internal Audit

Requirement	Compliance
[Council/joint organisation] has an internal audit function that provides an independent unbiased assessment of the [council's/joint organisation's] operations and risk and control activities	[compliant or non/compliant]
[Council's/joint organisation's] internal audit function reports to the audit, risk and improvement committee on internal audit matters	[compliant or non/compliant]
[Council's/joint organisation's] internal audit function operates independently of the [council/joint organisation] and internal audit activities are not subject to direction by the [council/joint organisation]	[compliant or non/compliant]
[Council's/joint organisation's] internal audit function operates according to an internal audit charter, which is consistent with the approved Model Internal Audit Charter	[compliant or non/compliant]
[Council/joint organisation] has appointed an appropriately skilled and eligible staff member to direct the [council's/joint organisation's] internal audit activities or is part of a shared	[compliant or non/compliant]

¹ Delete row if optional member not appointed

Requirement	Compliance
arrangement where a participating [council/joint organisation] has appointed a staff member to direct shared internal audit activities	
Internal audit activities are conducted in accordance with the International Professional Practices Framework	[compliant or non/compliant]
[Council's/joint organisation's] internal audit function operates according to annual and four-yearly strategic plans developed by the [council's/joint organisation's] audit, risk and improvement committee and endorsed by the [governing body of the council/board of the joint organisation]	[compliant or non/compliant]
[Council/joint organisation] provides the internal audit function with direct and unrestricted access to the [council/joint organisation] staff, [council's/joint organisation's] audit, risk and improvement committee, [council/joint organisation] information and resources so it can fulfil its responsibilities	[compliant or non/compliant]
At least once each council term [council's/joint organisation's] audit, risk and improvement committee reviews the effectiveness of the [council's/joint organisation's] internal audit function and reports this to the [governing body of the council/board of the joint organisation].	[compliant or non/compliant]

Departures from regulatory requirements

I advise that the audit, risk and improvement committee, risk management and internal audit activities for [council/joint organisation] depart from the requirements set out in the *Local Government Act 1993* and *Local Government (General) Regulation 2005* in the following ways:

Non-compliance	Reason	Alternative measures being implemented	Exemption granted by the Chief Executive of the Office of Local Government
[regulatory requirement]	[detailed description of reasons giving rise to the non-compliance]	[detailed description of the practicable alternative measures implemented to achieve equivalent level of assurance]	[yes/no]

These processes, including the alternative measures implemented, demonstrate that [council/joint organisation] has established and maintained frameworks, including systems, processes and procedures for appropriately managing audit and risk within [council/joint organisation].

[signed]
 [name and position]
 [date]

[Council/joint organisation] compliance with mandatory risk management and internal audit requirements

I am advised that [council/joint organisation] has not complied with the following requirements with respect to the operation of its [audit, risk and improvement committee/risk management/internal audit processes] (omit where relevant):

Requirement	Reason for non-compliance
[regulatory requirement]	[detailed description of reasons giving rise to the non-compliance]

I note that the following alternative arrangements have been implemented to achieve outcomes equivalent to the requirement/s:

Summary of alternative arrangements	How they will achieve equivalent outcomes
[summary of alternative arrangement]	[summary of how they will achieve equivalent outcomes]

I am satisfied that these alternative arrangements will achieve outcomes equivalent to the requirement/s.

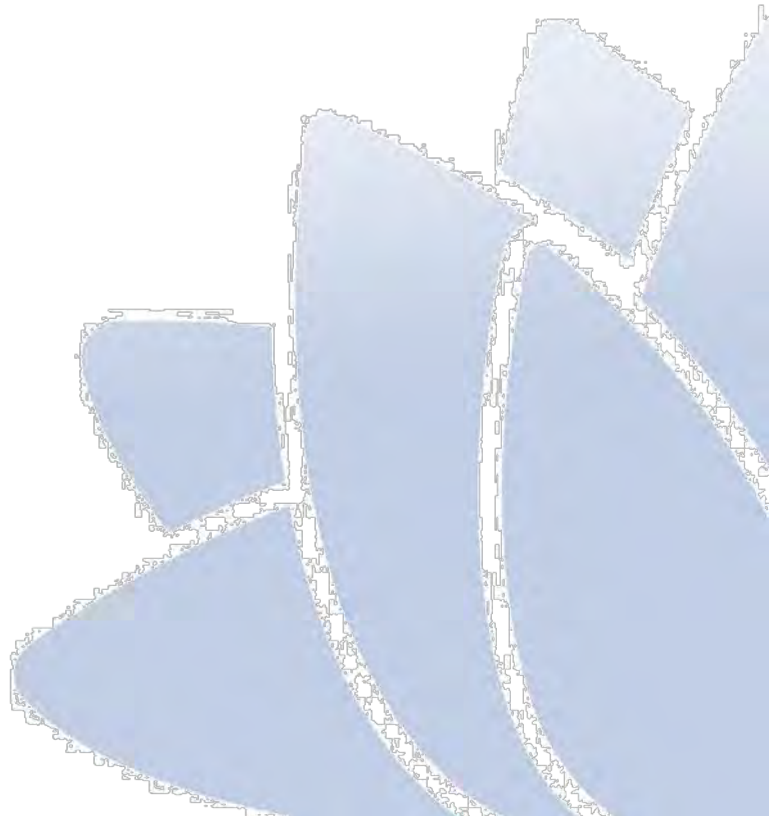
This exemption from the requirements of the *Local Government (General) Regulation 2005* is valid for the financial year/s of [years].

[signed]
[name and position]
[date]

[Office of Local Government contact officer contact details]

Appendix 2:

Audit, risk and improvement committee – role and responsibilities



Under section 428A of the Local Government Act, each council (including county councils and joint organisations) must have an audit, risk and improvement committee to independently review and provide advice to the council regarding the following aspects of council's operations:

- (a) compliance
- (b) risk management
- (c) fraud control
- (d) financial management
- (e) governance
- (f) implementation of the strategic plan, delivery program and strategies
- (g) service reviews
- (h) collection of performance measurement data by the council, and
- (i) any other matters prescribed by the regulation (i.e. internal audit).

The committee must also provide information to the council for the purpose of improving council's performance of its functions.

The audit, risk and improvement committee and council are to agree on the specific activities the committee is to review based on the council's needs, risks and business functions.

The following is a list of activities audit, risk and improvement committees and councils should consider as part of the committee's 'audit', 'risk' and 'improvement' roles based on the requirements of section 428A of the Local Government Act.

This is not an exhaustive list and audit, risk and improvement committees and councils are encouraged to carefully consider the council's business operations, service delivery, financial management processes, internal audit function, external accountability requirements, risk management framework, governance arrangements and integrated planning and reporting framework to maximise the advice and assistance the committee can provide to the council.

Audit

Internal audit

section 428A(2)(i)

Principle

Council has an effective internal audit function and receives maximum value from its internal audit activities.

Committee's role

- Provide overall strategic oversight of internal audit activities
- Act as a forum for communication between the governing body, general manager, senior management, the internal audit function and external audit
- Coordinate as far as is practicable, the work programs of internal audit and other assurance and review functions
- Advise the general manager and governing body of the council:
 - whether the council is providing the resources necessary to successfully deliver the internal audit function
 - if the council is complying with internal audit requirements, including compliance with the International Professional Practices Framework
 - if the council's internal audit charter is appropriate and whether the internal audit policies and procedures and audit/risk methodologies used by the council are suitable
 - of the strategic four-year plan and annual work plan of internal audits to be undertaken by the council's internal audit function
 - if council's internal audit activities are effective, including the performance of the head of the internal audit function and internal audit function
 - of the findings and recommendations of internal audits conducted, and corrective actions needed to address issues raised
 - of the implementation by council of these corrective actions

- on the appointment of the head of the internal audit function and external providers, and
- if the internal audit function is structured appropriately and has sufficient skills and expertise to meet its responsibilities

External audit

Principle

Council receives maximum value from its external audit activities.

Committee's role

- Act as a forum for communication between the governing body, general manager, senior management, the internal audit function and external audit
- Coordinate as far as is practicable, the work programs of internal audit and external audit
- Provide input and feedback on the financial statement and performance audit coverage proposed by external audit and provide feedback on the audit services provided
- Review all external plans and reports in respect of planned or completed audits and monitor council's implementation of audit recommendations
- Provide advice to the governing body and/or general manager on action taken on significant issues raised in relevant external audit reports and better practice guides

contractual requirements when undertaking its functions.

Committee's role

Advise the general manager and governing body of the council of the adequacy and effectiveness of the council's compliance framework, including:

- if the council has appropriately considered legal and compliance risks as part of the council's risk management framework
- how the council manages its compliance with applicable laws, regulations, policies, procedures, codes, and contractual arrangements, and
- whether appropriate processes are in place to assess compliance.

Risk management

section 428A(2)(b)

Principle

Council has an effective risk management framework and internal controls that successfully identify and manage the risks it faces.

Committee's role

Advise the general manager and governing body of the council:

Risk management framework

- whether the council is providing the resources necessary to successfully implement its risk management framework
- if the council has in place a current and appropriate risk management framework that is consistent with the Australian risk management standard
- whether the council's risk management framework is adequate and effective for identifying and managing the risks the council faces, including those associated individual projects, programs and other activities
- if risk management is integrated across all levels of the council and across all processes, operations, services, decision-making, functions and reporting

Risk

Compliance framework

section 428A(2)(a)

Principle

Council has an effective compliance framework that ensures it is complying with its legal obligations and other governance and

- of the adequacy of risk reports and documentation, for example, the council's risk register and risk profile
- whether a sound approach has been followed in developing risk management plans
- whether appropriate policies and procedures are in place for the management and exercise of delegations
- if council has taken steps to embed a culture that is committed to ethical and lawful behaviour
- if there is a positive risk culture within the council and strong leadership that supports effective risk management
- of the adequacy of staff training and induction in risk management
- how the council's risk management approach impacts on the council's insurance arrangements
- of the effectiveness of council's management of its assets, and
- of the effectiveness of business continuity arrangements, including business continuity plans, disaster recovery plans and the periodic testing of these plans.

Internal control framework

- if the internal controls in place are appropriate for the risk council faces
- whether staff are informed of their responsibilities and processes and procedures to implement controls are complied with
- if the council's monitoring and review of controls, including policies and procedures, is sufficient, and
- if internal and external audit recommendations to correct internal control weaknesses are implemented appropriately

Fraud and corruption control framework

section 428A(2)(c)

Principle

Council has an effective fraud and corruption control framework in place that minimises the incidence of fraud and corruption.

Committee's role

Advise the general manager and governing body of the council of the adequacy and effectiveness of the council's fraud and corruption prevention framework and activities, including whether the council has:

- a fraud and corruption policy
- clearly defined responsibilities for managing fraud and corruption
- risk-based preventative and detective controls
- policies, systems and processes to respond to, investigate and report suspected fraud and corruption
- employee awareness/education measures
- robust third-party management systems
- appropriate processes and systems in place to capture and effectively investigate fraud-related information
- regular review of the fraud and corruption control framework and reporting,
- implemented applicable guidance and other better practice measures by the Independent Commission Against Corruption.

Financial management framework

section 428A(2)(d)

Principle

Council has an effective financial management framework, sustainable financial position and positive financial performance.

Committee's role

Advise the general manager and governing body of the council:

External accountability and financial reporting framework

- if council is complying with accounting standards and external accountability requirements
- of the appropriateness of councils accounting policies and disclosures
- of the implications for council of the findings of external audits and performance audits and council's

- responses and implementation of recommendations
- whether the council's financial statement preparation procedures and timelines are sound
- the accuracy of the council's annual financial statements prior to external audit, including:
 - management compliance/representations
 - significant accounting and reporting issues
 - the methods used by the council to account for significant or unusual transactions and areas of significant estimates or judgements
 - appropriate management signoff on the statements
- if effective processes are in place to ensure financial information included in the council's report is consistent with signed financial statements

Financial management framework

- if the council's financial management processes are adequate
- the adequacy of cash management and credit card use policies and procedures
- if there are adequate controls over financial processes, for example:
 - appropriate authorisation and approval of payments and transactions
 - adequate segregation of duties
 - timely reconciliation of accounts and balances
 - review of unusual and high value purchases

Financial position and performance

- if policies and procedures for management review and consideration of the financial position and performance of the council are adequate

Grants and tied funding policies and procedures

- if council's grants and tied funding policies and procedures are sound.

Governance framework

section 428A(2)(e)

Principle

Council has an effective governance framework to ensure it is appropriately directing and controlling the management of the council.

Committee's role

Advise the governing body and general manager if the council's governance framework is sound, including the council's:

- decision-making processes
- implementation of governance policies and procedures
- reporting lines and accountability
- assignment of key role and responsibilities
- committee structure
- management oversight responsibilities
- human resources and performance management activities
- reporting and communication activities
- information and communications technology (ICT) governance, and
- management and governance of the use of data, information and knowledge.

Improvement

Strategic planning

section 428A(2)(f)

Principle

Council has an effective framework that ensures it achieves its strategic plans and objectives under the integrated planning and reporting (IP&R) framework.

Committee's role

Advise the general manager and governing body of the council:

- of the adequacy and effectiveness of the council's IP&R processes
- if appropriate reporting and monitoring mechanisms are in place to measure progress against objectives, and

- whether the council is successfully implementing and achieving its IP&R objectives and strategies.

Service reviews and business improvement

section 428A(2)(g) and s428A(3)

Principle

Council has an effective framework to ensure it is delivering services and conducting its business and functions to an expected standard.

Committee's role

- Act as a forum for communication and monitoring of any audits conducted by external bodies and the implementation of corrective actions (for example, NSW government agencies, Commonwealth government agencies, insurance bodies)
- Advise the general manager and governing body of the council:
 - if council has robust systems to set objectives and goals to determine and deliver appropriate levels of service to the community and business performance
 - if appropriate reporting and monitoring mechanisms are in place to measure service delivery to the community and overall performance, and
 - how the council can improve its service delivery and the council's performance of its business and functions generally

Committee's role

Advise the general manager and governing body of the council:

- if council has a robust system to determine appropriate performance indicators to measure the achievement of its strategic objectives
- the performance indicators council uses are effective, and
- of the adequacy of performance data collection and reporting.

Performance data and measurement

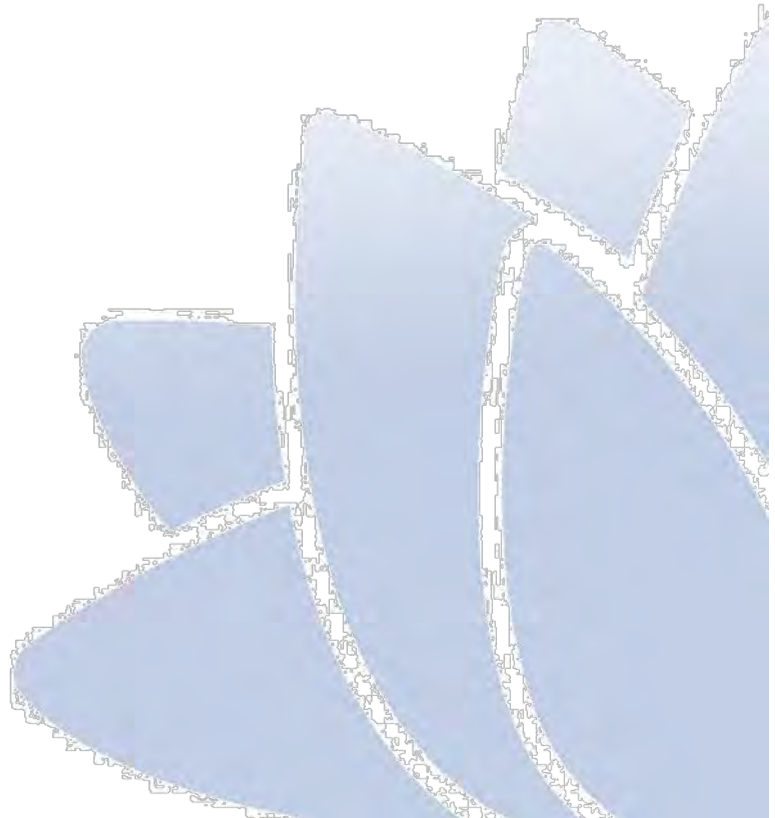
section 428A(2)(h)

Principle

Council's performance management framework ensures council can measure its performance and if it is achieving its strategic goals.

Appendix 3:

Model Terms of Reference for audit, risk and improvement committees



Model Terms of Reference for local government audit, risk and improvement committees

[Council/joint organisation] has established an audit, risk and improvement committee in compliance with section 428A of the *Local Government Act 1993* and clauses (#tbc) of the *Local Government (General) Regulation 2005*. These terms of reference set out the Committee's objectives, authority, composition and tenure, roles and responsibilities, reporting and administrative arrangements.

Objective

The objective of [council's/joint organisation's] audit, risk and improvement committee is to provide independent assurance to [council/joint organisation] by monitoring, reviewing and providing advice about the [council's/joint organisation's] governance processes, compliance, risk management and control frameworks, external accountability obligations and overall performance.

Independence

The Committee is to be independent to ensure it has no real or perceived bias or conflicts of interest that may interfere with its ability to act independently and provide [council/joint organisation] with robust, objective and unbiased advice and assurance.

The Committee is to provide an advisory and assurance role only and is to have no administrative function, delegated financial responsibility or any management functions of the [council/joint organisation]. The Committee will provide independent advice to the [council/joint organisation] that is informed by the [council's/joint organisation's] internal audit and risk management activities and information and advice provided by [council staff/joint organisation], relevant external bodies and subject matter experts.

The Committee must at all times ensure it maintains a direct reporting line to and from the [council's/joint organisation's] internal audit function and act as a mechanism for internal audit to report to the [governing body/board] and [general manager/executive officer] on matters affecting the performance of the internal audit function.

Authority

[Council/joint organisation] authorises the Committee, for the purposes of exercising its role and responsibilities, to:

- access any information it needs from the [council/joint organisation]
- use any [council/joint organisation] resources it needs
- have direct and unrestricted access to the [general manager/executive officer] and senior management of the [council/joint organisation]
- seek the [general manager's/executive officer's] permission to meet with any other [council/joint organisation] staff member or contractor
- discuss any matters with the external auditor or other external parties
- request the attendance of any employee at committee meetings, and
- obtain external legal or other professional advice. [Detail any prior approval needed or pre-determined budget for costs].

Information and documents pertaining to the Committee are confidential and are not to be made publicly available. The Committee may only release [council/joint organisation] information to external parties that are assisting the Committee to fulfil its responsibilities with the approval of the [general manager/executive officer], except where it is being provided to an external investigative or oversight agency for the purpose of informing that agency of a matter that may warrant its attention. [change if documentation is to be made available to the public]

Composition and tenure

The Committee consists of [tier 1 – one independent prequalified voting Chair, two independent voting members and one non-voting councillor/board member] [tier 2 – one independent prequalified voting Chair, one independent prequalified voting member, one independent voting member and one non-voting councillor/board member] [tier 3 – one independent prequalified voting Chair, two independent prequalified voting members and one non-voting councillor member/board member], in accordance with the *Guidelines for risk management and internal audit in local councils in NSW*.

[if applicable - council/joint organisation has been granted an exemption by the Secretary of the Department of Planning, Industry and Environment from the requirement that the Chair of the Committee be prequalified under the NSW Government's *Audit and Risk Committee Independent Chairs and Members Prequalification Scheme*.]

The [governing body/board] is to appoint the Chair and members of the Committee. The Chair is counted as one member of the Committee. Current committee members are:

[name]	Independent chair (voting)
[name]	Independent member (voting)
[name]	Independent member (voting)
[name]	[Councillor/board] member (non-voting) (if applicable) [cannot be the mayor]

All committee members are to meet the independence and eligibility criteria prescribed in the *Guidelines for risk management and internal audit in local councils in NSW*.

Members will be appointed for a four-year period. Members can be reappointed for a further term, but the total period of continuous membership cannot exceed eight years. This includes any term as Chair of the Committee. Members who have served an eight-year term (either as member or Chair) must have a two-year break from serving on the Committee before being appointed again. To preserve the Committee's knowledge of [council/joint organisation], ideally, no more than one member should leave the Committee because of rotation on any one year.

Specific member terms and conditions are to be disclosed in a letter of appointment. New members will be thoroughly inducted to their role and receive relevant information and briefings on their appointment to assist them to meet their committee responsibilities.

Prior to approving the reappointment or extension of the Chair's or an independent member's term, the [governing body/board] is to undertake an assessment of the Chair's or committee member's performance. Reappointment of the Chair and members is also to be subject to the individual still meeting independence and eligibility requirements.

Members of the Committee are to possess and maintain a broad range of skills, knowledge and experience relevant to the operations, governance and financial management of [council/joint organisation], the environment in which [council/joint organisation] operates, and the contribution that the Committee makes to the [council/joint organisation]. At least one member of the Committee must have accounting or related financial management experience with an understanding of accounting and auditing standards in a local government environment. All members should have sufficient understanding of the [council's/joint organisation's] financial reporting responsibilities to be able to contribute to the Committee's consideration of the [council's/joint organisation's] annual financial statements.

[Add any relevant details about shared arrangements, if applicable].

Role

In accordance with section 428A of the *Local Government Act 1993*, the role of the Committee is to review and provide independent advice to the [council/joint organisation] regarding the following aspects of the [council's/joint organisation's] operations:

- compliance
- risk management
- fraud control
- financial management
- governance
- implementation of the strategic plan, delivery program and strategies
- service reviews
- collection of performance measurement data by the [council/joint organisation], and
- internal audit.

The Committee must also provide information to the [council/joint organisation] for the purpose of improving [council's/joint organisation's] performance of its functions.

The Committee's specific audit, risk and improvement responsibilities under section 428A are outlined in Schedule 1 to this charter.

The Committee will act as a forum for the [council's/joint organisation's] internal audit function and oversee its planning, monitoring and reporting to ensure it operates effectively.

The Committee will have no power of direction over external audit or the manner in which the external audit is planned or undertaken but will act as a forum for the consideration of external audit findings.

The Committee is directly responsible and accountable to the [governing body of the council/board of the joint organisation] for the exercise of its responsibilities. In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of the [council/joint organisation] rests with the [governing body/board] and [general manager/executive officer].

The responsibilities of the Committee may be revised or expanded in consultation with, or as requested by, the [governing body of the council/board of the joint organisation] from time to time.

Responsibilities of members

Independent members

The Chair and members of the Committee are expected to understand and observe the requirements of the *Guidelines for risk management and internal audit for local government in NSW*. Members are also expected to:

- make themselves available as required to attend and participate in meetings
- contribute the time needed to review and understand information provided to it
- apply good analytical skills, objectivity and judgement
- act in the best interests of the [council/joint organisation]
- have the personal courage to raise and deal with tough issues, express opinions frankly, ask questions that go to the fundamental core of the issue and pursue independent lines of inquiry
- maintain effective working relationships with the [council/joint organisation]
- have strong leadership qualities (Chair)
- lead effective committee meetings (Chair), and
- oversee the [council's/joint organisation's] internal audit function (Chair).

[Councillor/board] members (if applicable)

To preserve the independence of the Committee, the [councillor/board] member of the Committee is a non-voting member. Their role is to:

- relay to the Committee any concerns the [governing body/board] may have regarding the [council/joint organisation] and issues being considered by the Committee
- provide insights into local issues and the strategic priorities of the [council/joint organisation] that would add value to the Committee's consideration of agenda items.
- advise the [governing body/board] (as necessary) of the work of the Committee and any issues arising from it, and
- assist the [governing body/board] to review the performance of the Committee.

Issues or information the councillor member raises with or provides to the Committee must relate to the matters listed in Schedule 1 and issues being considered by the Committee.

The [councillor/board] member of the Committee must conduct themselves in a non-partisan and professional manner. The [councillor/board] member of the Committee must not engage in any conduct that seeks to politicise the activities of the Committee or the internal audit function or that could be seen to do so.

If the [councillor/board] member of the Committee engages in such conduct or in any other conduct that may bring the Committee and its work into disrepute, the Chair of the Committee may recommend to the [council/joint organisation], that the [councillor/board] member be removed from membership of the Committee. Where the [council/joint organisation] does not agree to the Committee Chair's recommendation, the [council/joint organisation] must give reasons for its decision in writing to the Chair.

Conduct

Independent committee members are required to comply with the [council's/joint organisation's] code of conduct and be held to the same ethical, behavioural and conduct standards as officials of the council.

Complaints or breaches of [council's/joint organisation's] code of conduct by an independent committee member are to be dealt with in accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*. The [general manager/executive officer] must consult with the [governing body/board] before taking any disciplinary action against an independent committee member in response to a breach of the [council's/joint organisation's] Code of Conduct.

Prequalified Committee members are also required to comply with the code of conduct governing the NSW Government's *Audit and Risk Committee Independent Chairs and Members Prequalification Scheme*.

Conflicts of interest

Once a year, Committee members will provide written declarations to the [council/joint organisation] stating that they do not have any conflicts of interest that would preclude them from being members of the Committee. Independent committee members are 'designated persons' and must also complete and submit returns of interest.

Committee members and observers must declare any pecuniary or non-pecuniary conflicts of interest that may have at the start of each meeting, before discussion of the relevant agenda item or issue, and when the issue arises. Where committee members and observers are deemed to have a pecuniary or a significant non-pecuniary conflict of interest, they are to remove themselves from Committee deliberations on the issue. Details of any conflicts of interest should also be appropriately minuted.

Standards

Committee members are to conduct their work in accordance with the International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors and [current Australian risk management standard], where applicable.

Workplans

The work of the Committee is to be thoroughly planned and executed to ensure that all [council/joint organisation] activities and functions are reviewed. The Committee must develop a strategic plan every four years to ensure that all matters listed in Schedule 1 are reviewed by the Committee and the internal audit function over each [council/joint organisation] term. The strategic plan must be reviewed at least annually to ensure it remains appropriate.

The Committee may, in consultation with the [council's/joint organisation's] [governing body/board], vary the strategic work plan at any time to address new or emerging risks. The [governing body/board] of the [council/joint organisation] may also, by resolution, request the Committee to approve a variation to the strategic work plan. However, any decision to vary the strategic work plan must be made by the Committee.

The Committee must also develop an annual workplan to guide its work, and the work of the [name of internal audit function], over the forward year.

The Committee may, in consultation with the [council's/joint organisation's] governing body, vary the annual work plan to address new or emerging risks. The [governing body/board] of the [council/joint organisation] may also, by resolution, request the Committee to approve a variation to the annual work plan. However, any decision to vary the annual work plan must be made by the Committee.

When considering whether to vary the strategic or annual work plans, the Committee must consider the impact of the variation on the internal audit function's existing workload and the completion of pre-existing priorities and activities identified under the workplan.

Assurance reporting

The Committee must regularly report to the [council/joint organisation] to ensure that the [council/joint organisation] is kept informed of matters considered by the Committee and any emerging issues that may influence the strategic direction of the [council/joint organisation] or the achievement of the [council's/joint organisation's] goals and objectives.

The Committee will provide an update to the [governing body/board] and [general manager/executive officer] of its activities and opinions after every Committee meeting.

The Committee will provide an annual assessment to the [governing body/board] and [general manager/executive officer] each year on the Committee's work and its opinion on how [council/joint organisation] is performing.

The Committee will provide a comprehensive assessment every council term of all the matters listed in Schedule 1 to the [governing body/board] and [general manager/executive officer].

The Committee may at any time report to the [governing body/board] or [general manager/executive officer] on any other matter it deems of sufficient importance to warrant their attention. The Mayor and Chair of the Committee may also meet at any time to discuss issues relating to the work of the Committee.

Should the [governing body/board] require additional information, a request for the information may be made to the Chair by resolution. The Chair may only provide the information requested by the [governing body/board] where the Chair is satisfied that it is reasonably necessary for the [governing body/board] to receive the information for the purposes of performing its functions under the Local Government Act. Individual [councillors/board members] are not entitled to request or receive information from the Committee.

Administrative arrangements

Meetings

The Committee will meet at least [number] times per year, [including a special meeting to review the [council's/joint organisation's financial statements]].

The Committee can hold additional meetings when significant unexpected issues arise, or if the Chair is asked to hold an additional meeting by a committee member, the [general manager/executive officer] or the [governing body/board].

Committee meetings can be held in person, by telephone or videoconference. Proxies are not permitted if a member is unable to attend a meeting.

A quorum will consist of a majority of independent voting members. Where the vote is tied, the Chair has the casting vote.

The Chair of the Committee will decide the agenda for each committee meeting. Each committee meeting is to be minuted to preserve a record of the issues considered and the actions and decisions taken by the Committee.

The [general manager/executive officer] and [head of the internal audit function] are to attend committee meetings as non-voting observers. The external auditor (or their representative) is to be invited to each committee meeting as an independent observer. The Chair can request the

[council's/joint organisation's] [Chief Finance Officer or equivalent], [head of risk management function or equivalent], [senior managers or equivalent], any [councillors/board members], any employee/contractor of the council and any subject matter expert to attend committee meetings. These individuals must attend and provide any information requested, where possible. Observers have no voting rights and can be excluded from a meeting by the Chair at any time.

The Committee can hold closed meetings whenever it needs to discuss confidential or sensitive issues with only voting members of the committee present.

The Committee must meet separately with both the [name of internal audit function] and the [council's/joint organisation's] external auditor at least once per year.

Dispute resolution

Members of the Committee and the [council's/joint organisation's] management should maintain an effective working relationship and seek to resolve any differences they may have in an amicable and professional way via discussion and negotiation.

In the event of a disagreement between the Committee and the [general manager/executive officer] or other senior managers, the dispute is to be resolved by the [governing body of the council/board of the joint organisation].

Unresolved disputes regarding compliance with statutory or other requirements are to be referred to the Secretary of the Department of Planning, Industry and Environment in writing.

Secretariat

The [general manager/executive officer] will appoint a [council/joint organisation] employee/s to provide secretariat support to the Committee. The secretariat will ensure the agenda for each meeting and supporting papers are circulated after approval from the Chair at least [number] weeks before the meeting and ensure that minutes of meetings are prepared and maintained. Minutes must be approved by the Chair and circulated within [agreed timeframe] of the meeting to each member.

Resignation and dismissal of members

Where the Chair or a Committee member is unable to complete their term, or does not intend to seek reappointment after the expiry of their term, they should give [agreed timeframe] notice to the Chair and [governing body/board] prior to their resignation to enable the [council/joint organisation] to ensure a smooth transition to a new committee member.

The [governing body/board] can terminate via resolution the engagement of any Chair or independent committee member before the expiry of their term where the individual has:

- breached the conditions of, or become ineligible under the NSW Government's *Audit and Risk Committee Independent Chairs and Members Prequalification Scheme*
- breached the council's Code of Conduct
- performed unsatisfactorily or not to expectations
- been declared bankrupt or found to be insolvent
- experienced an adverse change in business status
- been proven to be in a serious breach of their obligations under any legislation, or
- declared, or is found to be in, a position of a conflict of interest which is unresolvable.

The position of a [councillor/board] member on the Committee can be terminated at any time by the [governing body/board] via resolution.

Review arrangements

At least once every council term the [governing body/board] must conduct an external review of the effectiveness of the Committee.

These terms of reference are to be reviewed annually by the Committee and once each council term by the [governing body/board]. Any substantive changes are to be approved by the [governing body/board].

Further information

For further information on [council's/joint organisation's] audit, risk and improvement committee contact [name] on [email address] or by phone [phone number].

Reviewed by Chair of the audit, risk and improvement committee
 [signed]
 [date]

Reviewed by [council/joint organisation] or in accordance with a resolution of the governing body
 [signed]
 [date]
 [resolution reference]
 Next review date: [date]



Schedule 1 – Audit, risk and improvement committee responsibilities

[Note: each council/joint organisation is to determine the responsibilities of its Committee related to each matter listed in section 428A of the Local Government Act 1993 and list them in Schedule 1 to the Committee's terms of reference. Suggested responsibilities are provided below and further detailed in core requirement 1 and Appendix 2 of these Guidelines.]

Audit

Internal audit

- Provide overall strategic oversight of internal audit activities
- Act as a forum for communication between the [governing body/board], [general manager/executive officer], senior management, the internal audit function and external audit
- Coordinate, as far as is practicable, the work programs of internal audit and other assurance and review functions
- Review and advise the [council/joint organisation]:
 - on whether the [council/joint organisation] is providing the resources necessary to successfully deliver the internal audit function
 - if the [council/joint organisation] is complying with internal audit requirements, including conformance with the International Professional Practices Framework
 - if the [council's/joint organisation's] Internal Audit Charter is appropriate and whether the internal audit policies and procedures and audit/risk methodologies used by the [council/joint organisation] are suitable
 - of the strategic four-year plan and annual work plan of internal audits to be undertaken by the [council's/joint organisation's] internal audit function
 - if [council's/joint organisation's] internal audit activities are effective, including the performance of the head of the internal audit function and internal audit function
 - of the findings and recommendations of internal audits conducted, and corrective actions needed to address issues raised
 - of the implementation by [council/joint organisation] of these corrective actions
 - on the appointment of the head of the internal audit function and external providers, and
 - if the internal audit function is structured appropriately and has sufficient skills and expertise to meet its responsibilities

External audit

- Act as a forum for communication between the [governing body/board], [general manager/executive officer], senior management, the internal audit function and external audit
- Coordinate as far as is practicable, the work programs of internal audit and external audit
- Provide input and feedback on the financial statement and performance audit coverage proposed by external audit and provide feedback on the audit services provided
- Review all external plans and reports in respect of planned or completed audits and monitor council's implementation of audit recommendations
- Provide advice to the [governing body/board] and/or [general manager/executive officer] on action taken on significant issues raised in relevant external audit reports and better practice guides

Risk

Risk management

Review and advise the [council/joint organisation]:

- if the [council's/joint organisation's] has in place a current and appropriate risk management framework that is consistent with the Australian risk management standard
- whether the [council/joint organisation] is providing the resources necessary to successfully implement its risk management framework
- whether the [council's/joint organisation's] risk management framework is adequate and effective for identifying and managing the risks the [council/joint organisation] faces, including those associated individual projects, programs and other activities
- if risk management is integrated across all levels of the [council/joint organisation] and across all processes, operations, services, decision-making, functions and reporting
- of the adequacy of risk reports and documentation, for example, the [council's/joint organisation's] risk register and risk profile
- whether a sound approach has been followed in developing risk management plans for major projects or undertakings
- whether appropriate policies and procedures are in place for the management and exercise of delegations
- if [council/joint organisation] has taken steps to embed a culture which is committed to ethical and lawful behaviour
- if there is a positive risk culture within the [council/joint organisation] and strong leadership that supports effective risk management
- of the adequacy of staff training and induction in risk management
- how the [council's/joint organisation's] risk management approach impacts on the [council's/joint organisation's] insurance arrangements
- of the effectiveness of [council's/joint organisation's] management of its assets, and
- of the effectiveness of business continuity arrangements, including business continuity plans, disaster recovery plans and the periodic testing of these plans.

Internal controls

Review and advise the [council/joint organisation]:

- whether [council's/joint organisation's] approach to maintaining an effective internal audit framework, including over external parties such as contractors and advisors, is sound and effective
- whether [council/joint organisation] has in place relevant policies and procedures and that these are periodically reviewed and updated
- whether appropriate policies and procedures are in place for the management and exercise of delegations
- whether staff are informed of their responsibilities and processes and procedures to implement controls are complied with
- if the [council's/joint organisation's] monitoring and review of controls is sufficient, and
- if internal and external audit recommendations to correct internal control weaknesses are implemented appropriately

Compliance

Review and advise the [council/joint organisation] of the adequacy and effectiveness of the [council's/joint organisation's] compliance framework, including:

- if the [council/joint organisation] has appropriately considered legal and compliance risks as part of the [council's/joint organisation's] risk management framework
- how the [council/joint organisation] manages its compliance with applicable laws, regulations, policies, procedures, codes, and contractual arrangements, and
- whether appropriate processes are in place to assess compliance.

Fraud and corruption

Review and advise the [council/joint organisation] of the adequacy and effectiveness of the [council's/joint organisation's] fraud and corruption prevention framework and activities, including whether the [council/joint organisation] has appropriate processes and systems in place to capture and effectively investigate fraud-related information.

Financial management

Review and advise the [council/joint organisation]:

- if [council/joint organisation] is complying with accounting standards and external accountability requirements
- of the appropriateness of [council's/joint organisation's] accounting policies and disclosures
- of the implications for [council/joint organisation] of the findings of external audits and performance audits and [council's/joint organisation's] responses and implementation of recommendations
- whether the [council's/joint organisation's] financial statement preparation procedures and timelines are sound
- the accuracy of the [council's/joint organisation's] annual financial statements prior to external audit, including:
 - management compliance/representations
 - significant accounting and reporting issues
 - the methods used by the [council/joint organisation] to account for significant or unusual transactions and areas of significant estimates or judgements
 - appropriate management signoff on the statements
- if effective processes are in place to ensure financial information included in the [council's/joint organisation's] report is consistent with signed financial statements
- if the [council's/joint organisation's] financial management processes are adequate
- the adequacy of cash management policies and procedures
- if there are adequate controls over financial processes, for example:
 - appropriate authorisation and approval of payments and transactions
 - adequate segregation of duties
 - timely reconciliation of accounts and balances
 - review of unusual and high value purchases
- if policies and procedures for management review and consideration of the financial position and performance of the [council/joint organisation] are adequate
- if [council's/joint organisation's] grants and tied funding policies and procedures are sound.

Governance

Review and advise the [council/joint organisation] regarding its governance framework, including the [council's/joint organisation's]:

- decision-making processes
- implementation of governance policies and procedures
- reporting lines and accountability
- assignment of key role and responsibilities
- committee structure
- management oversight responsibilities
- human resources and performance management activities
- reporting and communication activities
- information and communications technology (ICT) governance, and
- management and governance of the use of data, information and knowledge

Improvement

Strategic planning

Review and advise the [council/joint organisation]:

- of the adequacy and effectiveness of the [council's/joint organisation's] IP&R processes
- if appropriate reporting and monitoring mechanisms are in place to measure progress against objectives, and
- whether the [council/joint organisation] is successfully implementing and achieving its IP&R objectives and strategies.

Service reviews and business improvement

- Act as a forum for communication and monitoring of any audits conducted by external bodies and the implementation of corrective actions (for example, NSW government agencies, Commonwealth government agencies, insurance bodies)
- Review and advise the [council/joint organisation]:
 - if [council/joint organisation] has robust systems to set objectives and goals to determine and deliver appropriate levels of service to the community and business performance
 - if appropriate reporting and monitoring mechanisms are in place to measure service delivery to the community and overall performance, and
 - how the [council/joint organisation] can improve its service delivery and the [council's/joint organisation's] performance of its business and functions generally

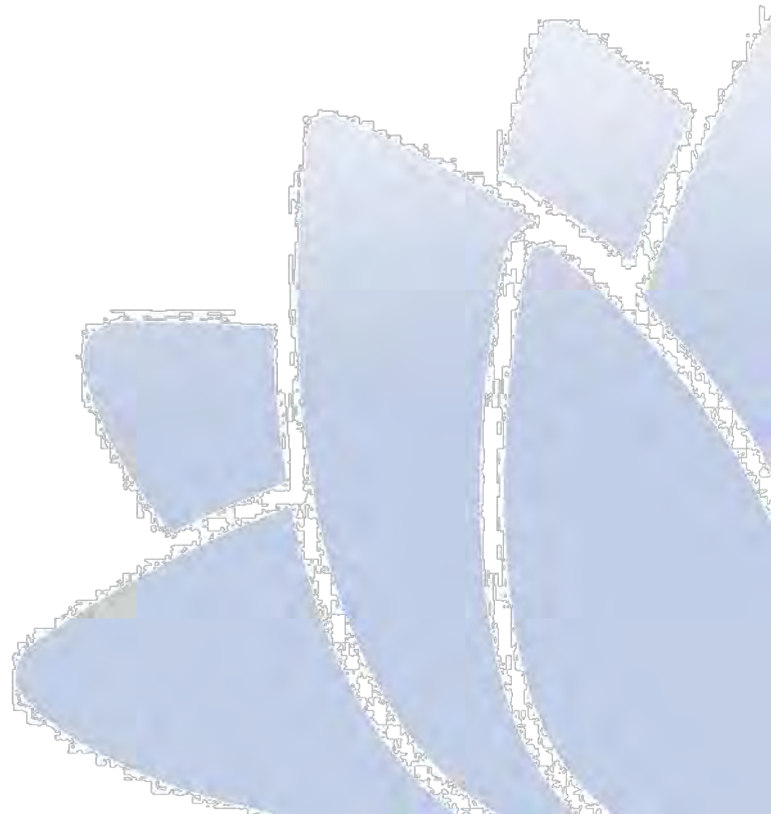
Performance data and measurement

Review and advise the [council/joint organisation]:

- if [council/joint organisation] has a robust system to determine appropriate performance indicators to measure the achievement of its strategic objectives
- if the performance indicators [council/joint organisation] uses are effective, and
- of the adequacy of performance data collection and reporting.

Appendix 4:

Council categories



Tier 1

General purpose councils

Definition:

- ❖ **Local government area is in a remote location with a population of <20,000 persons**
- ❖ **Local government area is predominantly rural or agricultural in nature with low population growth.**

- Balranald Shire Council
- Bellingen Shire Council
- Berrigan Shire Council
- Bland Shire Council
- Blayney Shire Council
- Bogan Shire Council
- Bourke Shire Council
- Brewarrina Shire Council
- Cabonne Council
- Carrathool Shire Council
- Central Darling Shire Council
- Cobar Shire Council
- Coolamon Shire Council
- Coonamble Shire Council
- Cootamundra-Gundagai Regional Council
- Cowra Shire Council
- Dungog Shire Council
- Edward River Council
- Federation Council
- Forbes Shire Council
- Gilgandra Shire Council
- Glen Innes Severn Council
- Greater Hume Shire Council
- Gunnedah Shire Council
- Gwydir Shire Council
- Hay Shire Council
- Hilltops Council
- Inverell Shire Council
- Junee Shire Council
- Kyogle Council
- Lachlan Shire Council
- Leeton Shire Council
- Liverpool Plains Shire Council
- Lockhart Shire Council
- Moree Plains Shire Council
- Murray River Council
- Murrumbidgee Council
- Muswellbrook Shire Council
- Nambucca Valley Council
- Narrabri Shire Council

- Narrandera Shire Council
- Narromine Shire Council
- Oberon Council
- Parkes Shire Council
- Snowy Valleys Council
- Temora Shire Council
- Tenterfield Shire Council
- Upper Hunter Shire Council
- Upper Lachlan Shire Council
- Uralla Shire Council
- Walcha Council
- Walgett Shire Council
- Warren Shire Council
- Warrumbungle Shire Council
- Weddin Shire Council
- Wentworth Shire Council
- Yass Valley Council

County councils

Definition:

- ❖ **County council is small in size and has lower operating revenue and expenses compared to other county councils**

- Castlereagh-Macquarie County Council
- Central Tablelands Water County Council
- Hawkesbury River County Council
- New England Tablelands (Noxious Plants) County Council
- Upper Hunter Council Council
- Upper Macquarie County Council

Joint organisations

Definition:

- ❖ **All joint organisations**
- Canberra Region Joint Organisation
- Central NSW Councils Joint Organisation
- Far North Coast Joint Organisation
- Far South West Joint Organisation
- Hunter Joint Organisation of Councils
- Illawarra Shoalhaven Joint Organisation
- Mid North Coast Joint Organisation
- Namoi Joint Organisation
- New England Joint Organisation
- Northern Rivers Joint Organisation
- Riverina and Murray Joint Organisation
- Riverina Joint Organisation

Tier 2

General purpose councils

Definition:

- ❖ Local government area is part of a regional urban centre that has a population <1,000,000 persons
- ❖ Local government area has a population of <20,000 persons or a population density of >30 persons/km² and is predominantly urban in nature

- Albury City Council
- Armidale Regional Council
- Ballina Shire Council
- Bathurst Regional Council
- Bega Valley Shire Council
- Broken Hill City Council
- Byron Shire Council
- Cessnock City Council
- Clarence Valley Council
- Coffs Harbour City Council
- Dubbo Regional Council
- Eurobodalla Shire Council
- Goulburn Mulwaree Council
- Griffith City Council
- Kempsey Shire Council
- The Council of the Municipality of Kijana
- Lismore City Council
- City of Lithgow Council
- Maitland City Council
- Mid-Coast Council
- Mid-Western Regional Council
- Orange City Council
- Port Macquarie-Hastings Council
- Port Stephens Council
- Queanbeyan-Palerang Regional Council
- Richmond Valley Council
- Shellharbour City Council
- Shoalhaven City Council
- Singleton Council
- Snowy Monaro Regional Council
- Tamworth Regional Council
- Tweed Shire Council
- Wagga Wagga City Council
- Wingecarribee Shire Council

County councils

Definition:

- ❖ County Council provides essential utility services to the regional area and has higher revenue and operating expenses compared to other county councils
- Goldenfields Water County Council
 - Riverina Water County Council
 - Rous County Council

Tier 3

General purpose councils

Definition:

- ❖ Local government area is part of, or on the fringe of, an urban centre that has a population >1,000,000 persons and population density of 600 persons/km²
- ❖ Local government area has a population of > 20,000 persons or population density of >30 persons/km² or 90% of LGA population is urban

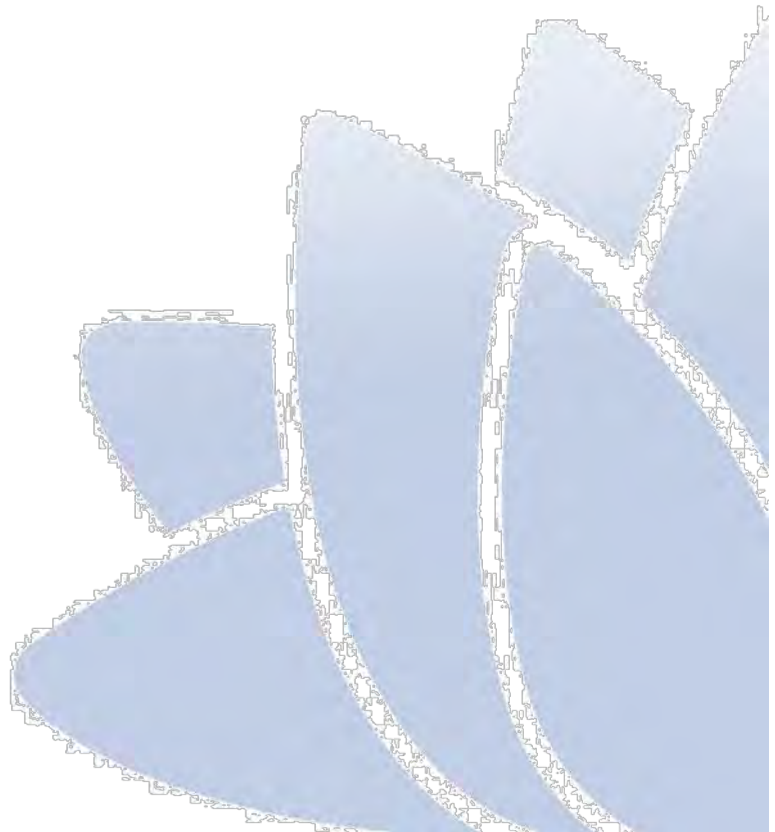
- Bayside Council
- Blacktown City Council
- Blue Mountains City Council
- Burwood Council
- City of Canada Bay Council
- Camden Council
- Campbelltown City Council
- Canterbury-Bankstown Council
- Central Coast Council
- Cumberland Council
- Fairfield City Council
- Georges River Council
- Hawkesbury City Council
- The Hills Shire Council
- The Council of the Shire of Hornsby
- The Council of the Municipality of Hunters Hill
- Inner West Council
- Ku-ring-gai Council
- Lake Macquarie City Council
- Lane Cove Municipal Council
- Liverpool City Council
- Mosman Municipal Council
- Newcastle City Council

- Northern Beaches Council
- North Sydney Council
- Council of the City of Parramatta
- Penrith City Council
- Randwick City Council
- Council of the City of Ryde
- Strathfield Municipal Council
- Sutherland Shire Council
- Council of the City of Sydney
- Waverley Council
- Willoughby City Council
- Wollondilly Shire Council
- Wollongong City Council
- Woollahra Municipal Council

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Appendix 5:

Example risk management policy



Example risk management policy

Purpose

The purpose of this policy is to express [council's/joint organisation's] commitment to implementing organisation-wide risk management principles, systems and processes that ensure the consistent, efficient and effective assessment of risk in all [council's/joint organisation's] planning, decision-making and operational processes.

Risk management framework

[Council/joint organisation] provides critical services and infrastructure to the residents, ratepayers and visitors to [area]. [Council/joint organisation] also has service agreements and contractual obligations with government and non-government agencies and organisations and has its own strategic goals and objectives that it seeks to achieve on behalf of the [area] community.

It is therefore incumbent on [council/joint organisation] to understand the internal and external risks that may impact the delivery of these services, contracts and strategic objectives and have processes in place to identify, mitigate, manage and monitor those risks to ensure the best outcome for [council/joint organisation], staff and the community. It is also our responsibility to ensure the efficient, effective and ethical use of resources and services by ratepayers, residents, staff and visitors.

[Council/joint organisation] has developed a risk management framework consistent with [Australian standard] to assist it to identify, treat, monitor and review all risks to its operations and strategic objectives and apply appropriate internal controls.

[Council/joint organisation] is committed to the principles, framework and process of managing risk as outlined in [Australian standard] and commits to fully integrating risk management within the [council/joint organisation] and applying it to all decision-making, functions, services and activities of the [council/joint organisation] in accordance with our statutory requirements.

Responsibilities

[Council/joint organisation] aims to create a positive risk management culture where risk management is integrated into all everyday activities and managing risks is an integral part of governance, good management practice and decision-making at [council/joint organisation]. It is the responsibility of every staff member and business area to observe and implement this policy and [council's/joint organisation's] risk management framework.

All staff are responsible for identifying and managing risk within their work areas. Key responsibilities include:

- being familiar with, and understanding, the principles of risk management
- complying with all policies, procedures and practices relating to risk management
- alerting management to risks that exist within their area, and
- performing any risk management activities assigned to them as part of their daily role.

Risk management is a core responsibility for all senior staff/management at [council/organisation]. In addition to their responsibilities as staff members, senior staff/management are responsible for:

- ensuring all staff manage their risks within their own work areas. Risks should be anticipated, and reasonable protective measures taken
- encouraging openness and honesty in the reporting and escalation of risks
- ensuring all staff have the appropriate capability to perform their risk management roles
- reporting to the [general manager/executive officer] on the status of risks and controls, and
- identifying and communicating improvements in [council's/joint organisation's] risk management practices to [council's/joint organisation's] risk management function.

[Council's/joint organisation's] risk management function is available to support staff in undertaking their risk management activities.

To ensure [council/joint organisation] is effectively managing its risk and complying with its statutory obligations, [council's/joint organisation's] audit, risk and improvement committee and internal audit function is responsible for reviewing the [council's/joint organisation's]:

- risk management processes and procedures
- risk management strategies for major projects or undertakings
- control environment and insurance arrangements
- business continuity planning arrangements, and
- fraud control plan.

Monitoring and Review

[Council/joint organisation] is committed to continually improving its ability to manage risk. [Council/joint organisation] will review this policy and its risk management framework at least annually to ensure it continues to meet the requirements of the *Local Government Act 1993*, *Local Government (General) Regulation 2005*, and the [council's/joint organisation's] requirements.

Further information

For further information on [council's/joint organisation's] risk management policy, framework and process, contact [name] on [email address] or by phone [phone number].

[signed – General Manager/Executive officer]
 [name]
 [date]
 [review date]

Appendix 6:

Model Internal Audit Charter

Model Internal Audit Charter for local councils in NSW

[Council/joint organisation] has established the [name of internal audit function] as a key component of the [council's/joint organisation's] governance and assurance framework and in compliance with the *Guidelines for risk management and internal audit in local councils in NSW*. This Charter provides the framework for the conduct of the [name of internal audit function] in [council/joint organisation] and has been approved by the [governing body/board] taking into account the advice of the [council's/joint organisation's] audit, risk and improvement committee.

Purpose of internal audit

Internal audit is an independent, objective assurance and consulting activity designed to add value and improve a [council's/joint organisation's] operations. It helps a [council/joint organisation] accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes².

Internal audit provides an independent and objective review and advisory service to provide advice to the [governing body/board], [general manager/executive officer] and audit, risk and improvement committee about the [council's/joint organisation's] governance processes, risk management and control frameworks and its external accountability obligations. It also assists the [council/joint organisation] to improve its business performance.

Independence

[Council's/joint organisation's] [name of internal audit function] is to be independent of the [council/joint organisation] so it can provide an unbiased assessment of the [council's/joint organisation's] operations and risk and control activities.

[Name of internal audit function] reports functionally to the [council's/joint organisation's] audit, risk and improvement committee on the results of completed audits, and for strategic direction and accountability purposes, and reports administratively to the [general manager/executive officer] to facilitate day-to-day operations. Internal audit activities are not subject to direction by the [council/joint organisation] and the [council's/joint organisation's] management has no role in the exercise of the [council's/joint organisation's] internal audit activities.

The audit, risk and improvement committee is responsible for communicating any internal audit issues or information to the [governing body/board]. Should the [governing body/board] require additional information, a request for the information may be made to the Chair by resolution. The Chair may only provide the information requested by the [governing body/board] where the Chair is satisfied that it is reasonably necessary for the [governing body/board] to receive the information for the purposes of performing its functions under the Local Government Act. Individual [councillors/board members] are not entitled to request or receive information from the committee.

² As defined by the International Standards for the Professional Practice of Internal Auditing (2017)

[Detail any delegations made by the general manager/executive officer regarding their internal audit responsibilities].

The [general manager/executive officer] must consult with the Chair of the [council's/joint organisation's] audit, risk and improvement committee before appointing or changing the employment conditions of the [head of internal audit function]. Where dismissal occurs, the [general manager/executive officer] must report to the [governing body/board] advising of the reasons why the [head of internal audit function] was dismissed.

Where the chair of the [council's/joint organisation's] audit, risk and improvement committee has any concerns about the treatment of the [head of internal audit function], or any action taken that may compromise the [head of internal audit function's] ability to undertake their functions independently, they can report their concerns to the [governing body/board].

The [head of internal audit function] is to confirm at least annually to the audit, risk and improvement committee the independence of internal audit activities from the [council/joint organisation].

Authority

[Council/joint organisation] authorises the [name of internal audit function] to have full, free and unrestricted access to all functions, premises, assets, personnel, records and other documentation and information that the [head of the internal audit function] considers necessary to enable the [name of the internal audit function] to fulfil its responsibilities.

All records, documentation and information accessed while undertaking internal audit activities are to be used solely for the conduct of these activities. The [head of internal audit function] and individual internal audit staff are responsible and accountable for maintaining the confidentiality of the information they receive during their work.

All internal audit documentation is to remain the property of [council/joint organisation], including where internal audit services are performed by an external third-party provider.

Information and documents pertaining to the [name of the internal audit function] are not to be made publicly available. The [name of the internal audit function] may only release [council/joint organisation] information to external parties that are assisting the [name of the internal audit function] to fulfil its responsibilities with the approval of the [general manager/executive officer], except where it is being provided to an external investigative or oversight agency for the purpose of informing that agency of a matter that may warrant its attention.

Role

The [name of internal audit function] is to support the [council's/joint organisation's] audit, risk and improvement committee to review and provide independent advice to the [council/joint organisation] in accordance with section 428A of the *Local Government Act 1993*. This includes conducting internal audits of [council/joint organisation] and monitoring the implementation of corrective actions.

The [name of internal audit function] is to also play an active role in:

- developing and maintaining a culture of accountability and integrity
- facilitating the integration or risk management into day-to-day business activities and processes, and
- promoting a culture of high ethical standards.

[Name of internal audit function] has no direct authority or responsibility for the activities it reviews. [Name of internal audit function] has no responsibility for developing or implementing procedures or systems and does not prepare records or engage in [council/joint organisation] functions or activities (except in carrying out its own functions).

[Head of internal audit function]

Option 1: In-house internal audit function

[Council's/joint organisation's] [name of internal audit function] is to be led by a member of [council's/joint organisation's] staff with sufficient skills, knowledge and experience to ensure it fulfils its roles and responsibilities to the [council/joint organisation] and its audit, risk and improvement committee. The [head of internal audit function] must be independent, impartial, unbiased and objective when performing their work and free from any conflicts of interest.

Responsibilities of the [head on internal audit function] include:

- managing the day-to-day activities of the [name of internal audit function]
- managing the [council's/joint organisation's] internal audit budget
- supporting the operation of the [council's/joint organisation's] audit, risk and improvement committee
- approving internal audit project plans, conducting or supervising audits and assessments and providing independent advice to the audit, risk and improvement committee
- monitoring the [council's/joint organisation's] implementation of corrective actions that arise from the findings of audits
- fulfilling the Committee's annual work plan and four-yearly strategic plan
- ensuring the [council's/joint organisation's] internal audit activities comply with the *Guidelines on risk management and internal audit in local councils in NSW*, and
- contract management and oversight of supplementary external providers (where appropriate).

[Details of any dual responsibilities and independence safeguards]

[Details of any shared arrangements]

Option 2: Outsourced internal audit function

[Council's/joint organisation's] [name of internal audit function] is to be led by a member of [council's/joint organisation's] staff with sufficient skills, knowledge and experience to ensure it fulfils its roles and responsibilities to the [council/joint organisation] and its audit, risk and improvement committee. The [head of internal audit function] must be independent, impartial, unbiased and objective when performing their work and free from any conflicts of interest.

Responsibilities of the [head on internal audit function] include:

- contract management
- managing the internal audit budget
- ensuring the external provider completes internal audits in line with the audit, risk and improvement committee's annual plan and four-yearly strategic plan
- forwarding audit reports by the external provider to the audit, risk and improvement committee
- acting as a liaison between the external provider and the audit, risk and improvement committee
- monitoring the [council's/joint organisation's] implementation of corrective actions that arise from the findings of audits and reporting progress to the audit, risk and improvement committee, and
- assisting the audit, risk and improvement committee to ensure the [council's/joint organisation's] internal audit activities comply with the *Guidelines on risk management and internal audit in local councils in NSW*.

[Details of any dual responsibilities and independence safeguards]

[Details of any shared arrangements]

[Name of internal audit team]

Option 1: In-house internal audit team

Members of the [name of internal audit function] are responsible to the [head of internal audit function].

Individuals that perform internal audit activities for [council/joint organisation] must have:

- an appropriate level of understanding of the [council's/joint organisation's] culture, systems and processes
- the skills, knowledge and experience necessary to conduct internal audit activities in the [council/joint organisation]
- effective interpersonal and communication skills to ensure they can partner with [council/joint organisation] staff effectively and collaboratively, and
- honesty, integrity and diligence.

[Details of any dual responsibilities and independence safeguards]

[Details of any shared arrangements]

Option 2: Out-sourced internal audit team

[Council/joint organisation] is to contract an external third-party provider to undertake its internal audit activities. To ensure the independence of the external provider, the [head of internal audit function] is to ensure the external provider:

- does not conduct any audits on specific [council/joint organisation] operations or areas that they have worked on within the last two years
- is not the same provider conducting the [council's/joint organisation's] external audit
- is not the auditor of any contractors of the [council/joint organisation] that may be possibly subject to the internal audit, and
- is able to meet the [council's/joint organisation's] obligations under the *Guidelines on risk management and internal audit for local councils in NSW*.

The [head of internal audit function] must consult with the audit, risk and improvement committee and [general manager/executive officer] regarding the appropriateness of the skills, knowledge and experience of any external provider before they are engaged by the [council/joint organisation].

[Details of any shared arrangements]

Performing internal audit activities

The work of the [name of internal audit function] is to be thoroughly planned and executed. The [council's/joint organisation's] audit, risk and improvement committee must develop a strategic plan every four years to ensure that all matters listed in Schedule 1 are reviewed by the Committee and the internal audit function over each council term. The strategic plan must be reviewed at least annually to ensure it remains appropriate.

The Committee is to also develop an annual workplan to guide the work of the internal audit function over the forward year.

All internal audit activities are to be performed in a manner that is consistent with relevant professional standards including the International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors and [current Australian risk management standard].

The [head of the internal audit function] is to provide the findings and recommendations of internal audits to the audit, risk and improvement committee at the end of each audit. Each report is to include a response from the relevant senior manager.

The [head of internal audit function] is to establish an ongoing monitoring system to follow up [council's/joint organisation's] progress in implementing corrective actions.

The [general manager/executive officer], in consultation with the audit, risk and improvement committee, is to develop and maintain policies and procedures to guide the operation of the [council's/joint organisation's] [name of internal audit function].

The [head of internal audit function] is to ensure that the audit, risk and improvement committee is advised at each of the committee's meetings of the internal audit activities completed during that quarter, progress in implementing the annual work plan and progress made implementing corrective actions.

Conduct

Internal audit personnel are required to comply with the [council's/joint organisation's] code of conduct. Complaints about breaches of [council's/joint organisation's] code of conduct by internal audit personnel are to be dealt with in accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*. The [general manager/executive officer] must consult with the [council's/joint organisation's] audit, risk and improvement committee before any disciplinary action taken against the [head of the internal audit function] in response to a breach of the [council's/joint organisation's] Code of Conduct.

Internal auditors are also required to comply with the Code of Ethics for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors.

Administrative arrangements

Audit, risk and improvement committee meetings

The [head of the internal audit function] will attend audit, risk and improvement committee meetings as an independent non-voting observer. The [head of the internal audit function] can be excluded from meetings by the committee at any time.

The [head of the internal audit function] must meet separately with the audit, risk and improvement committee at least once per year.

The [head of the internal audit function] can meet with the chair of the audit, risk and improvement committee at any time, as necessary, in between committee meetings.

External audit

Internal and external audit activities will be coordinated to help ensure the adequacy of overall audit coverage and to minimise duplication of effort.

Periodic meetings and contact between internal and external audit shall be held to discuss matters of mutual interest and to facilitate coordination.

External audit will have full and free access to all internal audit plans, working papers and reports.

Dispute resolution

[Name of internal audit function] should maintain an effective working relationship with the [council/joint organisation] and the audit, risk and improvement committee and seek to resolve any differences they may have in an amicable and professional way via discussion and negotiation.

In the event of a disagreement between the [name of internal audit function] and the [council/joint organisation], the dispute is to be resolved by the [general manager/executive officer] and/or the audit, risk and improvement committee. Disputes between the [name of internal audit function] and audit, risk and improvement committee are to be resolved by the [governing body of the council/board of the joint organisation].

Unresolved disputes regarding compliance with statutory or other requirements are to be referred to the Secretary of the Department of Planning, Industry and Environment in writing.

Review arrangements

[Council's/joint organisation's] audit, risk and improvement committee must review the performance of the internal audit function each year and report its findings to the [governing body/board]. A strategic review of the [name of internal audit function] must be conducted each council term that considers the views of an external party with a strong knowledge of internal audit on the performance of the [internal audit function] and reported to the [governing body/board].

This charter is to be reviewed annually by the Committee and once each council term by the [governing body/board]. Any substantive changes are to be approved by the governing body/board.

Further information

For further information on [council's/joint organisation's] internal audit activities contact [name] on [email address] or by phone [phone number].

Reviewed by [head of internal audit function]
[sign and date]

Reviewed by Chair of the [council's/joint organisation's] audit, risk and improvement committee
[sign and date]

Reviewed by [council/joint organisation] or in accordance with a resolution of the [governing body/board]
[sign and date]
[resolution reference]

Schedule 1 – internal audit function responsibilities

[Note: each council/joint organisation is to determine the responsibilities of its internal audit function Committee related to each matter listed in section 428A of the Local Government Act 1993 and list them in Schedule 1 to the council's/joint organisation's Internal Audit Charter. Suggested responsibilities are provided below and further detailed in core requirement 3 and Appendix 2 of these Guidelines.]

Audit

Internal audit

- Conduct internal audits as directed by the [council's/joint organisation's] audit, risk and improvement committee
- Implement the [council's/joint organisation's] annual and strategic internal audit work plans
- Monitor the implementation by [council/joint organisation] of corrective actions
- Assist the [council/joint organisation] to develop and maintain a culture of accountability and integrity
- Facilitate the integration of risk management into day-to-day business activities and processes, and
- Promote a culture of high ethical standards.

External audit

- Provide input and feedback on the financial statement and performance audit coverage proposed by external audit and provide feedback on the audit services provided
- Review all external plans and reports in respect of planned or completed audits and monitor [council's/joint organisation's] implementation of audit recommendations
- Provide advice on action taken on significant issues raised in relevant external audit reports and better practice guides

Risk

Risk management

Review and advise:

- if the [council's/joint organisation's] has in place a current and appropriate risk management framework that is consistent with the Australian risk management standard
- whether the [council's/joint organisation's] risk management framework is adequate and effective for identifying and managing the risks the [council/joint organisation] faces, including those associated with individual projects, programs and other activities
- if risk management is integrated across all levels of the [council/joint organisation] and across all processes, operations, services, decision-making, functions and reporting
- of the adequacy of risk reports and documentation, for example, the [council's/joint organisation's] risk register and risk profile
- whether a sound approach has been followed in developing risk management plans for major projects or undertakings
- whether appropriate policies and procedures are in place for the management and exercise of delegations
- if [council/joint organisation] has taken steps to embed a culture which is committed to ethical and lawful behaviour
- if there is a positive risk culture within the [council/joint organisation] and strong leadership that supports effective risk management

- of the adequacy of staff training and induction in risk management
- how the [council's/joint organisation's] risk management approach impacts on the [council's/joint organisation's] insurance arrangements
- of the effectiveness of [council's/joint organisation's] management of its assets, and
- of the effectiveness of business continuity arrangements, including business continuity plans, disaster recovery plans and the periodic testing of these plans.

Internal controls

Review and advise:

- whether [council's/joint organisation's] approach to maintaining an effective internal audit framework, including over external parties such as contractors and advisors, is sound and effective
- whether [council/joint organisation] has in place relevant policies and procedures and that these are periodically reviewed and updated
- whether appropriate policies and procedures are in place for the management and exercise of delegations
- whether staff are informed of their responsibilities and processes and procedures to implement controls are complied with
- if the [council's/joint organisation's] monitoring and review of controls is sufficient, and
- if internal and external audit recommendations to correct internal control weaknesses are implemented appropriately

Compliance

Review and advise of the adequacy and effectiveness of the council's compliance framework, including:

- if the [council/joint organisation] has appropriately considered legal and compliance risks as part of the [council's/joint organisation's] risk management framework
- how the [council/joint organisation] manages its compliance with applicable laws, regulations, policies, procedures, codes, and contractual arrangements, and
- whether appropriate processes are in place to assess compliance.

Fraud and corruption

Review and advise of the adequacy and effectiveness of the [council's/joint organisation's] fraud and corruption prevention framework and activities, including whether the [council/joint organisation] has appropriate processes and systems in place to capture and effectively investigate fraud-related information.

Financial management

Review and advise:

- if [council/joint organisation] is complying with accounting standards and external accountability requirements
- of the appropriateness of [council's/joint organisation's] accounting policies and disclosures
- of the implications for [council/joint organisation] of the findings of external audits and performance audits and [council's/joint organisation's] responses and implementation of recommendations
- whether the [council's/joint organisation's] financial statement preparation procedures and timelines are sound
- the accuracy of the [council's/joint organisation's] annual financial statements prior to external audit, including:
 - management compliance/representations
 - significant accounting and reporting issues

- the methods used by the [council/joint organisation] to account for significant or unusual transactions and areas of significant estimates or judgements
- appropriate management signoff on the statements
- if effective processes are in place to ensure financial information included in the [council's/joint organisation's] report is consistent with signed financial statements
- if the [council's/joint organisation's] financial management processes are adequate
- the adequacy of cash management policies and procedures
- if there are adequate controls over financial processes, for example:
 - appropriate authorisation and approval of payments and transactions
 - adequate segregation of duties
 - timely reconciliation of accounts and balances
 - review of unusual and high value purchases
- if policies and procedures for management review and consideration of the financial position and performance of the [council/joint organisation] are adequate
- if [council's/joint organisation's] grants and tied funding policies and procedures are sound.

Governance

Review and advise of the adequacy of the [council/joint organisation] governance framework, including the [council's/joint organisation's]:

- decision-making processes
- implementation of governance policies and procedures
- reporting lines and accountability
- assignment of key roles and responsibilities
- committee structure
- management oversight responsibilities
- human resources and performance management activities
- reporting and communication activities
- information and communications technology (ICT) governance, and
- management and governance of the use of data, information and knowledge

Improvement

Strategic planning

Review and advise:

- of the adequacy and effectiveness of the [council's/joint organisation's] IP&R processes
- if appropriate reporting and monitoring mechanisms are in place to measure progress against objectives, and
- whether the [council/joint organisation] is successfully implementing and achieving its IP&R objectives and strategies.

Service reviews and business improvement

Review and advise:

- if [council/joint organisation] has robust systems to set objectives and goals to determine and deliver appropriate levels of service to the community and business performance
- if appropriate reporting and monitoring mechanisms are in place to measure service delivery to the community and overall performance, and
- how the [council/joint organisation] can improve its service delivery and the [council's/joint organisation's] performance of its business and functions generally

Performance data and measurement

Review and advise:

- if [council/joint organisation] has a robust system to determine appropriate performance indicators to measure the achievement of its strategic objectives
- if the performance indicators [council/joint organisation] uses are effective, and
- of the adequacy of performance data collection and reporting.

DRAFT



16 ECONOMIC DEVELOPMENT DEPARTMENT

Nil

17 COMMUNITY ENGAGEMENT DEPARTMENT

Nil

18 TOURISM & EVENTS

Nil

19 DELEGATES AND COUNCILLORS REPORTS

Nil

20 POLICIES

Nil

21 PRÉCIS OF CORRESPONDENCE

Nil

22 ACTIVITY REPORTS

22.1 ENGINEERING SERVICES ROAD WORKS & WORKSHOP - WORKS COMPLETED

File Number: E7.1
Author: Mark Gordon, Manager Roads
Authoriser: Mark Riley, General Manager
Attachments: Nil

Background

The following information outlines works completed from the 10 November 2021 to 6 December 2021 inclusive.

Road Works - Phillip Cross – Roads Supervisor	
1. NORTH SECTOR – Denis Tiffen, Team Leader	
Location	Work Carried Out
RLR 16 River Road	Bitumen construction completed
RLR 47 Polygonum Road	Bitumen construction completed
RLR 21 Bullamunta Road	Maintenance grade completed
RLR 25 Lower Lila Road	Maintenance grade commenced
Firebreak- Bourke/North Bourke- Byrock	Grade completed
MR 405 Wanaaring Road	Maintenance grade commenced
2. SOUTH SECTOR - John Reed, Team Leader	
Location	Work Carried Out
MR 405 Wanaaring Road	Maintenance grade commenced
Town Streets	Heavy patching completed
Bike Track North Bourke	Bitumen construction commenced
State Highway 7 South	Shoulder widening commenced
RLR 10 Toorale Road	Maintenance grade commenced
MR 68 Bourke-Louth	Maintenance grade commenced
RLR 13 Landsdown Road	Maintenance grade commenced
RLR 48 Carney Road	Maintenance grade completed
RLR 28 Janbeth Road	Maintenance grade commenced
3. TRANSPORT SECTOR - Simon Wielinga, Team Leader	
State Highway 7 South	Shoulder widening commenced
RLR 47 Polygonum Road	Bitumen construction completed
4 BITUMEN SECTOR - John Bartley, Team Leader	
Bourke Township	Patching undertaken/Heavy patching
Regional Roads	Patching undertaken
State Highway	Patching undertaken

WORKSHOP – Colin Kiley, Team Leader, Tradesman Plant Mechanic			
Plant no	Rego	Description	Work Carried Out
12	BM99KO	Toyota Hilux	Check over, replace tyres
21	CQ29KZ	Mazda CX 5	Service carried out, remove and replace all tyres and wipers blades
50	CL16AC	Kenworth	Spring and cable for steering column, remove and replace hood mounts and pivots, remove and replace blinker in bulbar
62		2010 Delta	Remove wire from cutting blades, replace worn pin in lift cylinders, replace unis in drive shaft
64		2011 Gason	Remove and replace and repair gear boxes
65	BG97LI	2010 John Deere	Diagnose air conditioner problem, found hole in condenser repair, evacuate and gas, repair pto shaft
68	X50802	2011 Moore	Repair tool boxes, replace hinges and locks
72	BC YB	2009 John Deere	Clean and repair air conditioner, diagnose pto problem, found faulty speed sensor, check over and clean radiator
76	P95814	2004 Moore Road train	Repair tarp and replace wire rope
108	63723D	Toro Mower	Remove and replace blades
109	07615C	2011 Toro Mower	Repair latches on tray
110	43961D	2015 Toro Quad Steer	Diagnose hydraulic leak, found steering hose rubbed pipe, removed pipe and braised hole and reassemble
111	TB60BR	Dolly	Repair lights
123	DB78LA	2021 Mitsubishi Pajero	Service carried out, fit phone kit
139	BR53WH	Caterpillar 950H	Replace broken step
144	AH13CI	Franna	Annual hydraulic crane check and repair calibrate scales, rewire air conditioner fan replace power inverter
147			Service carried out, Check over hoist and weight hoist can lift
150	BV55RE	2013 Caterpillar 12M	Replace 2way radio aerial and blinker
170	CS74ZN	Holden Colorado	Service carried out
172	CL38AZ	Isuzu 1500	Repair and straighten rock shoot remove, manufacture and replace blown hose remove and replace
178	CO73PY	Isuzu NPS	Repair and organise tray and service compressor
181	CV24HL	Mitsubishi Triton	Service carried out
218	BR67WH	2012 Hino	Hydraulic distributor leaking, weld cracks in cylinder, repair and replace grease lines and nipples as needed
226	YN17BI	Water Cart	Remove and replace hydraulic heat exchanger
227	YN18BI	Water	Remove and replace hydraulic heat exchanger
265	XN36KU	Isuzu NQR	Service carried out, replace front tyre
298		Caterpillar compactor	Diagnose overheating problem, found damage fan pulley and belt repair pulley and replace,

			diagnose noise in engine, found problem with no 1 cylinder
299		Komatsu	Diagnose engine problem, found engine worn out
506	XN65HG	Kenworth	Service carried out, adjust clutch and replace missing rivets in door panels
520	YN03BI	Moore's Trailers	Repair lights and replace mudflaps
521	YN04BI	Moore's Trailers	Repair lights and replace mud flaps
522	YN05BI	Moore's Trailers	Repair lights and replace mud flaps, remove and replace wire rope for tarp
		Yard Work	Tidy up yard and assemble equipment into rows for auction, back gate and fence knocked down in storm repair hinges and weld up back fence, clean store room and start to reorganise parts
		Small Plant	Carry out a number of service repairs and replace blades and wiper, snipper heads and repaired starter cored
Staff Training		Nil	

Recommendation

That Council note the information in the Engineering Services Department Road Works and Workshop Activity Reports as presented to Council on Monday, 20 December 2021.

**22.2 PARKS & GARDENS / TOWN SERVICES / WATER & WASTEWATER
ENGINEERING SERVICES ACTIVITY REPORT**

File Number: E7.1
Author: Peter Brown, Manager Works
Authoriser: Mark Riley, General Manager
Attachments: Nil

Background

The following information outlines works completed for the period 4th November 2021 to 6th December 2021 inclusive.

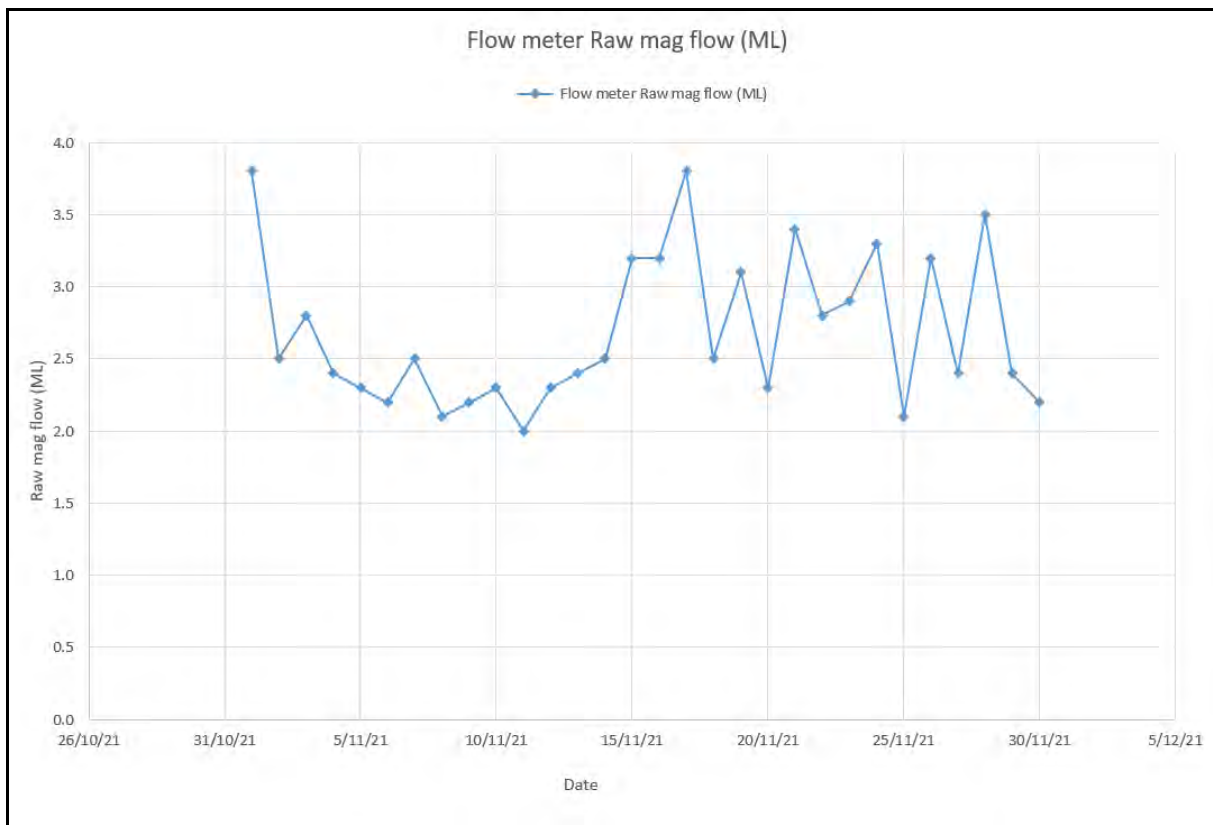
Current Situation

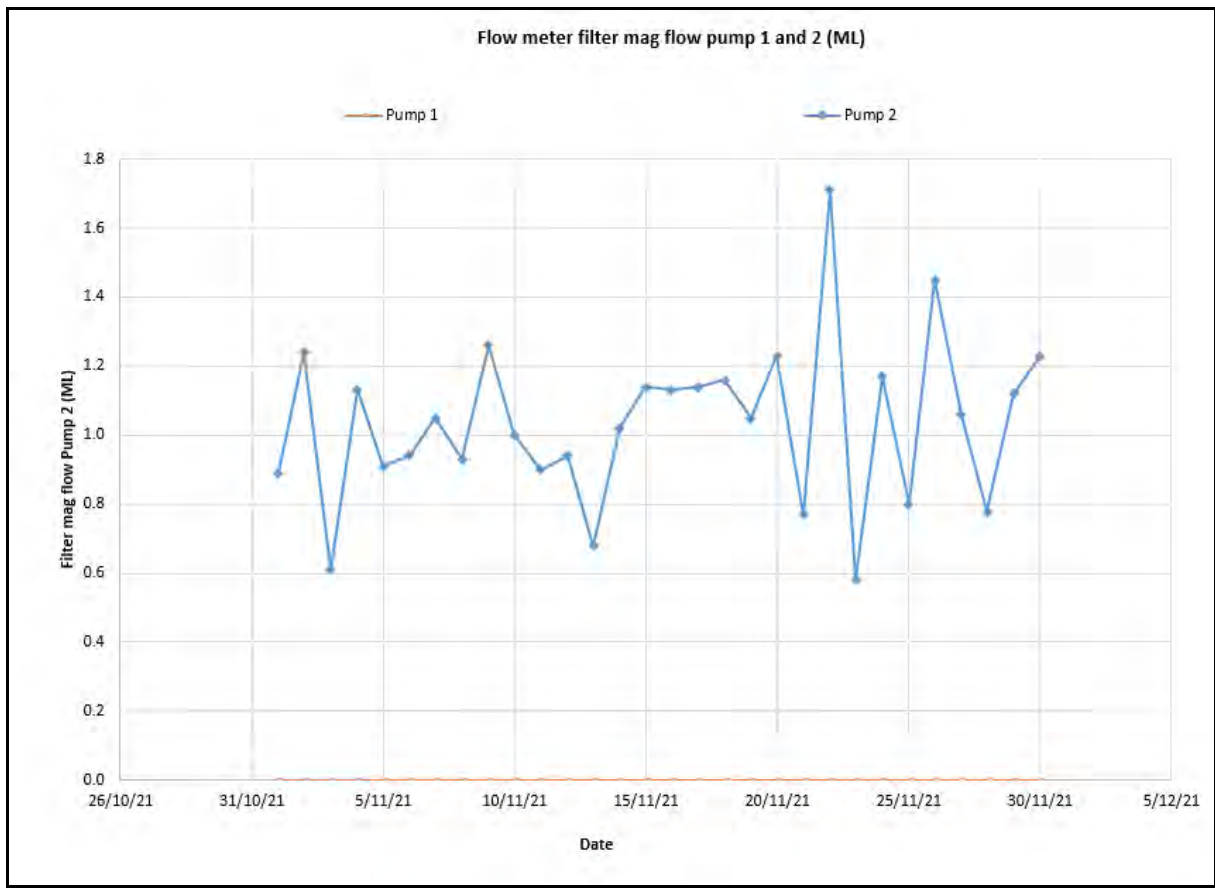
PARKS & GARDENS – Terry Rankmore, Team Leader	
Location	Work Carried Out
General	All parks & sporting grounds gardens, regular mowing & maintenance carried out. Sporting grounds facilities cleaned & maintained. Public toilets cleaned & maintained. Clean facilities. General graffiti removal carried out on Council facilities.
Small Plant	Maintenance & service carried out on all ground plant.
Works Requests	Actioned & ongoing.
1 Tudor St	General maintenance carried out.
Wharf	General maintenance carried out.
Council Office	General maintenance carried out.
Renshaw Complex	Grounds, facilities cleaned & maintained.
Coolican Oval	General maintenance carried out.
Davidson Oval	General maintenance carried out. Prepare grounds for Junior and Senior Cricket.
Central Park	Skate Park - regular mowing & maintenance carried out, graffiti removal.
Villages	Mow grounds, facilities cleaned & maintained.
Airport	Mowed airstrip.
Darling Park	General maintenance carried out.
Staff Training	Nil

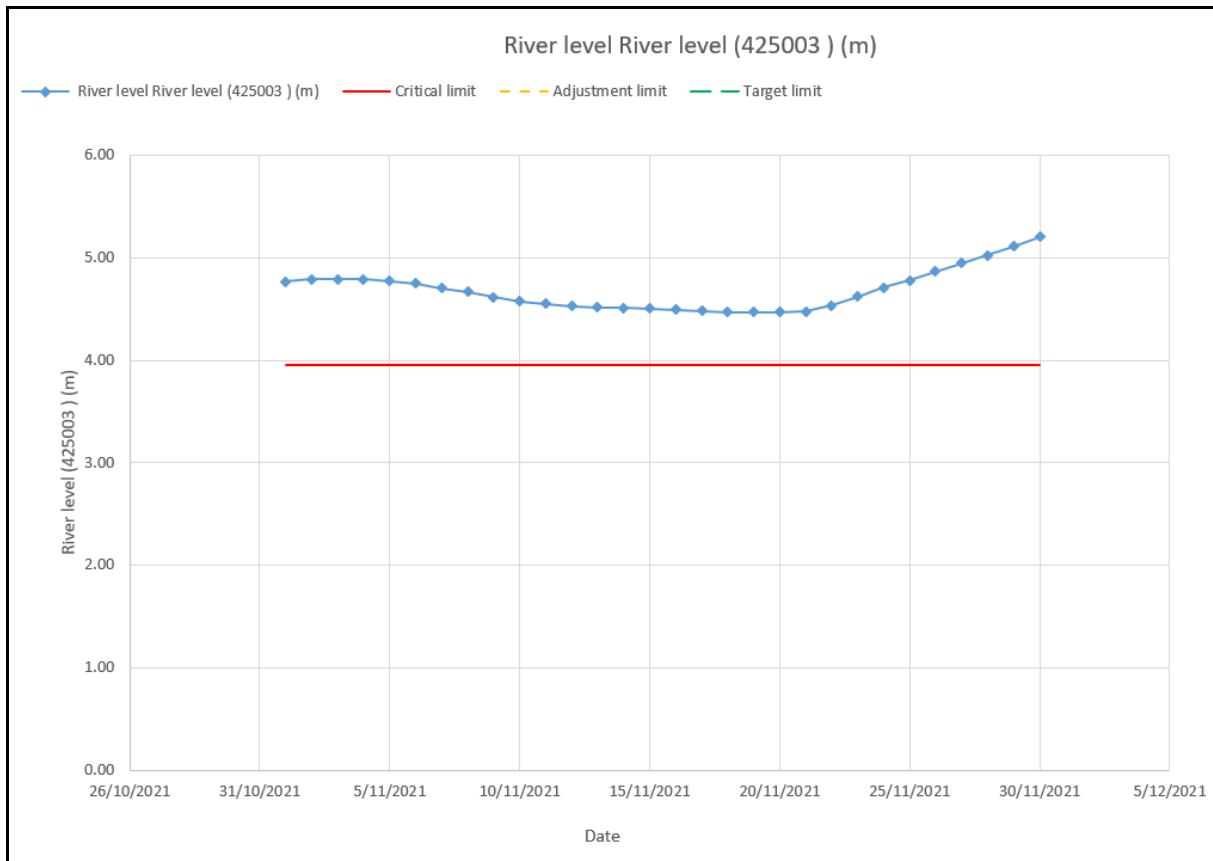
TOWN SERVICES – Troy Hayman, Team Leader	
Location	Work Carried Out
Work Requests	Actioned & ongoing
	Weekly sand footpaths
	Weekly Town mowing
	Relieving Staff in garbage truck
	Daily-Main Street Program
	Daily airport Inspections
	Town Slashing
	Town Poisoning
	Monthly airport inspections Louth & Wanaaring
Cemetery	Prepared graves:- Graves 2 on 10/11/2021 & 24/11/2021
Rest Areas	Weekly rubbish removal & cleaning along road side and pressure clean 65km Cobar road new toilets
	Mow rest areas
Staff Training	Nil
	Mowing North Bourke sub division
	Mowing at Bourke Airport
	Erect signs at North Bourke Oval
	Deliver crusher dust, mulch & gravel to wharf
	Town drainage after rain
	Remove trees from old Preschool block
	Clean up gravel from Darling & Richard Street corners
	Crusher dust delivered to Renshaw for concrete work
	Open levee gates for grading work
	Erect shades at Cenotaph
	Load bitumen truck
	Erect stand frame to wharf with crane
	Remove tree branch from Parkdale Rd
	Close levee bank gates
	Mow vision way
	Poison Depot & Airport Lights
	Mow Tancred Drive
	Patch holes in Anson & Sturt Street laneway's
	Remove abandon car from Denman Street
	Gravel River Rd, North Bourke
	Remove fallen trees from Motel
	Deliver crusher dust to Back O Bourke Exhibition Centre
Crane to Mertin Street sewer well	
Load aggregate for wharf	

1 Water & Wastewater – Shane Hopley, Team Leader	
2 Water Supply Planned Maintenance for	
3 2 Hume Place	4 Sewer Choke
5 139 Meadows Road	6 Sewer Choke
7 2 Sturt Street	8 Sewer Choke
9 97 Mertin Street	10 Sewer Choke
11 42 Tudor Street	12 Sewer Choke
13 74 Darling Street	14 Sewer Choke
15 6 Harris Street	16 Sewer Choke
17 7 Oxley Street	18 Sewer Choke
19 3 Mitchell Street	20 Sewer Choke
21 17 Mitchell Street	22 Sewer Choke, dug sewer replaced boundary
23 Macquarie Street	24 Installed new filtered and raw water services
25 Castlereagh Street	26 Installed new filtered and raw water services
27 Enngonia	28 Repair leaking 20mm water service
29 Wanaaring	30 Repair leaking 20mm water service
31 19 Mitchell Street	32 Repaired leaking 20mm filtered water service
33 20 Hope Street	34 Repaired leaking 20mm filtered water service
35 22 Meek Street	36 Dug 50mm filtered water main and repaired service
37 14 Darling Street	38 Dug 50mm filtered water main and repaired main
39 49 Oxley Street	40 Dug 150mm filtered water main and repaired service
41 1 Oxley Street	42 Dug 150mm filtered water main and repaired main
43 29 Richard Street	44 Dug 150mm filtered water main and repaired main
45 9 Adelaide Street	46 Dug 150mm filtered water main and repaired main
47 101 Macquarie Street	48 Repair leaking 25mm raw water service
49 30 Mitchell Street	50 Repair leaking 25mm raw water service
51 Sale Yards	52 Dug 50mm raw water main and repaired main
53 9 Oxley Street	54 Dug 100mm raw water main and repaired main
55 1A Richard Street	56 Dug 100mm raw water main and repaired main
57 Gorrell Ave	58 Dug 100mm raw water main and repaired main
59 7 Richard Street	60 Dug 100mm raw water main and repaired service
61 22 Meek Street	62 Low raw water pressure, blow out and clear
63 68 Darling Street	64 Repaired filtered water service
65 52 Mertin Street	66 Repair raw water service
67 Depot	68 Repair leaking toilets
69 Art Gallery	70 Repair filtered water leak
71 58 Oxley Street	72 Replace raw water line in back yard
73 70 Mertin Street	74 Disconnect and reconnect water to new kitchen
75 Central Park	76 Repair and upgrade sprinkler system 77 New concrete slab for park benches
78 Jandra	79 Replace pressure pump
80 Waste Depot	81 Connect hot wash
82 Rainbar	83 Take toilet block out and set up ready for connection
84 Town Drainage	85 Connect rising main and build road into storm water pump station at Water Treatment Plant 86 Pull out storm water pump at the wharf

87	Roads Works	88	Remove hydrants and manholes covers for heavy patching
89	Bourke Township	90	Fertilize trees
91	Water	92	Monitoring water sampling/testing and maintenance
93	Sewer	94	Weekly COVID-19 sewer sample
		95	Monthly sewer samples
		96	Retic water samples
		97	Patch hole in Charles Street water tower
		98	Repair rails and pull out pump, clean out rags at Mertin Street SPS
		99	Pull out pump and clean out rags at Becker Street SPS
		100	Pull out pump and clean out rags at Warraweena Street SPS
101	Alice Edwards Village	102	Routine maintenance & monitoring as per ACP Management Plan
103	Clara Hart Village	104	Routine maintenance & monitoring as per ACP Management Plan
105	Training	106	Nil







Month	Raw water ML	Filter magflow pump 2 ML	Raw Water North Bourke KL	Filter Water North Bourke KL
January 2021	134	43	31,255	2,013
February 2021	94	39	30,110	2,145
March 2021	96	38	29,332	2,130
April 2021	99	36	11,607	1,717
May 2021	102	38	12,676	1,808
June 2021	74	34	8,484	1,735
July 2021	75	33	9,856	1,788
August 2021	98	27	16,310	1,542
September 2021	107	29	19,235	1,325
October 2021	122	30	20,314	1,255
November 2021	81	31	16,326	1,356

Process	Parameter	Minimum	Average	Maximum	Lower critical lim	Upper critical lim	No. of samples
River level	River level (425003)	4.47	4.68	5.20	3.9		30
Raw Water	pH	7.20	7.34	7.55			30
Raw Water	turbidity	120.00	228.30	442.00			30
Filtered water	pH	7.00	7.26	7.70	6.5	8.7	30
Clarifier	Turbidity	0.35	0.54	0.95	0.0	4.0	30
Tower	Free Cl2	3.20	3.52	4.17	0.2	5.0	30
Filtered water	Turbidity	0.16	0.20	0.23	0.0	1.2	30
Bourke High School	Free chlorine	1.00	1.40	2.10	0.2	4.0	3
Bourke High School	pH	7.10	7.20	7.30	6.5	8.5	3
Bourke High School	Turbidity	0.15	0.18	0.20	0.0	0.5	3
WTP	Free chlorine	2.30	2.30	2.30	0.2	4.0	1
WTP	pH	7.30	7.30	7.30	6.5	8.5	1
WTP	Turbidity	0.15	0.15	0.15	0.0	0.5	1
Bourke Primary School	Free chlorine	1.00	1.00	1.00	0.2	4.0	1
Bourke Primary School	pH	7.40	7.40	7.40	6.5	8.5	1
Bourke Primary School	Turbidity	0.19	0.19	0.19	0.0	0.5	1
Meadows Rd	Free chlorine	1.30	1.30	1.30	0.2	4.0	1
Meadows Rd	pH	7.30	7.30	7.30	6.5	8.5	1
Meadows Rd	Turbidity	0.15	0.15	0.15	0.0	0.5	1
Mitchell St	Free chlorine	1.20	1.20	1.20	0.2	4.0	1
Mitchell St	pH	8.50	8.50	8.50	6.5	8.5	1
Mitchell St	Turbidity	0.20	0.20	0.20	0.0	0.5	1
Alice Edwards Villa	Free chlorine	1.90	1.90	1.90	0.2	4.0	1
Alice Edwards Villa	pH	7.30	7.30	7.30	6.5	8.5	1
Alice Edwards Villa	Turbidity	0.17	0.17	0.17	0.0	0.5	1
Kidman Camp	Free chlorine	0.90	0.90	0.90	0.2	4.0	1
Kidman Camp	pH	7.40	7.40	7.40	6.5	8.5	1
Kidman Camp	Turbidity	0.25	0.25	0.25	0.0	0.5	1

No	CCP	Monitoring Parameter	Location	Frequency	Target	Adjustment Level	Critical limit
CCP 1	Clarification	Turbidity	After clarifier	Daily grab sample	<1 NTU	4 NTU	>4 NTU
CCP 2 *	Filtration	Turbidity	After Filters	Daily grab sample	0.4 NTU	1 NTU	>1.2 NTU
CCP 3	Disinfection	Chlorine residual	Filtered Water	Daily grab sample	1.5-2 mg/L	<1.5 mg/L for more than 3 days	<0.5 mg/L or > 5 mg/L
CCP 4	Fluoridation	Fluoride concentration	After filters	Daily grab sample	1.0 mg/L	<0.95 mg/L or >1.0 mg/L	<0.9 mg/L for > 72 hours Or >1.5 mg/L
CCP 5	Reservoirs	Reservoir Integrity	Reservoirs	Weekly	Integrity maintained	Signs of integrity breach	Unable to rectify breaches

Treatment Plant EPA Licence Compliance

Record of Effluent Analysis

Pollutant	Unit Of Measure	Licence 100 Percentile Concentration Limit	Aug 2021 TEST	Sept 2021 TEST	Oct 2021 TEST	Nov 2021 TEST	Dec 2021 TEST
Oil & Grease	mg/L	10	2	<2	<2	<2	
pH		6.5-8.5	8.47	9.63	9.06	9.15	
Nitrogen (total)	mg/L	15	16.8	71	4.6	6.6	
Phosphorus (total)	mg/L	10	3.68	2.85	3.11	2.76	
Total suspended solids	mg/L	20	112	60	40	70	
Biochemical oxygen demand	mg/L	15	29	21	41	19	

Council notes the provisions of clause L2.5 (a) and (b) of its licence conditions of a chlorophyll exemption due algal growth, which also exempts the above exceedances.

- Rainfall in Bourke for November 2021 was 131 mm
- Hottest day for November 2021 was 37 degrees
- Coldest day for November 2021 was 19 degrees

Recommendation

That Council note the information in the Parks & Gardens, Town Services and Water and Waste Water Engineering Services Department Activity Reports as presented to Council on Monday, 20 December 2021.

22.3 ENVIRONMENTAL SERVICES DEPARTMENT ACTIVITY REPORT

File Number:

Author: Dwayne Willoughby, Manager Environmental Services

Authoriser: Mark Riley, General Manager

Attachments: Nil

Current Situation

Development Approvals

Delegated Authority or Council	Consent Type & Consent No.	Subject Land	Nature of Development
Delegated	DA 2022/0005	Lot 10, DP35078 7 Sturt Street Bourke	Installation of manufactured home and associated structure
Delegated	DA 2022/0004	Lot A, DP368429 87 Mitchell Street Bourke	Replacement of existing advertising signage to reflect rebranding of Caltex to Ampol
Delegated	DA 2022/0003	Lot 3759, DP766172 Naree Stn Bourke	Installation of transportable building and upgrade to existing transportable buildings

Total value of Approved works for November 2021	= \$505,000
No. of Development Application Approvals for November 2021	= 3
No. of Complying Development Application Approvals for November 2021	= 0

Building Services Report

Location	Work Carried Out
Work Requests	Actioned and ongoing
Risk Assessments	Completed with every job
Training	Nil
Contractors	Maintenance works completed as required Upgrade works completed as per Operational Plan
Buildings	Maintenance works completed as required
Airport	Maintenance works completed as required

Animal Control

Bourke Shire Council Holding Facility	Dogs	Cats
Animals in Pound beginning of Month	0	0
Seized	7	6
Surrendered	4	1
Handed in by members of the public	0	1
Seized by Police	1	0

Total	12	8
Euthanised	0	3
Returned to Owner	0	0
Released from Pound	0	0
Re-housed	8	2
Died in Pound	0	0
Escaped from Pound	0	3
Animals Remaining at End of Month	4	0
Total	12	8
Stock Rested in Stock Yards	480	

- Attended complaints in regards to dogs causing trouble to the general public
- Ongoing patrols of the township enforcing the Companion Animal Act
- Water sampling for the township, villages and Darling river
- Patrols of Councils Reserves

Swimming Pool Attendance for November 2021	
Adults	463
Children (2+)	1442
Children (<2)	78
Pensioners	0
School Groups	55
Total for Month	2038

Recommendation

That the information in the Environmental Services Activity Report as presented to Council on Monday, 20th December 2021 be received and noted.

22.4 GENERAL MANAGER'S ACTIVITY REPORT

File Number: G2.1
Author: Mark Riley, General Manager
Authoriser: Mark Riley, General Manager
Attachments: Nil

Current Situation**18 November 2021****Bourke Small Stock Abattoir**

Mayor Barry and I met on site at the new abattoir last week with the owners of Thomas Foods International (TFI), the purchasers of the Enngonia Road facility. In attendance was the Executive Chairman of TFI, Mr Chris Thomas and Group Managing Director, Mr Darren Thomas, along with various other members of the TFI Leadership Team. It was good to hear of the company's enthusiastic vision for the Bourke abattoir, which includes further investment and jobs for the community. Having now met with these Gents and their team, the potential opportunities for Bourke are most exciting. With the situation in respect of COVID improving, generally off the back of improved vaccination rates, and when coupled with the prospect of increased tourism, the economic activity that will result in the community when the abattoir starts up, which is expected mid 2022, and the current positive state of the agricultural sector, it is considered that all augers well for Bourke for the future. These are exciting times.

Council Meetings

One of the stable requirements of Council meetings in NSW since, I would imagine, when Councils commenced, is that Councillors have had to attend Council meetings in person. If as a Councillor you didn't attend, you couldn't contribute to the meeting and you didn't get a vote. Interim changes were made to this requirement during COVID which permitted Councillors to attend meetings via an audio-visual or online link. The changes were introduced to ensure that the decision-making processes of councils continued to operate during the period of the COVID lockdowns.

The Office of Local Government has now updated the Code of Meeting Practice such that where Councils so adopt, councillors will be able to attend meetings virtually. This is an important step forward. The updated Code provides that Councils will have the option to allow councillors to be present for official meetings by audio-visual link if they can't attend in person because of illness, disability, caring and work responsibilities or other reasons agreed to by council. In addition, the changes introduced will allow councils to meet entirely remotely during natural disasters and public health emergencies.

I will be reporting on this issue at the Council meeting to be held on 22 November 2021.

November

Don't forget that Movember is the annual, month-long celebration of the moustache, to highlight men's health issues, specifically prostate cancer and depression in men. Mo Bros, supported by their Mo Sista's, started Movember (November 1st) clean shaven and then have the remainder of the month to grow and groom their moustache. During Movember, each Mo Bro effectively

becomes a walking billboard for men's health and, via their Mo, raises essential funds and awareness for Movember's men's health partners.

I take the opportunity to highlight some interesting statistics regarding men's health:

- Men's health is in crisis. Men are dying on average 5 years earlier than women, and for largely preventable reasons.
- A growing number of men – around 10.8M globally – are facing life with a prostate cancer diagnosis. Globally, testicular cancer is the most common cancer among young men.
- Across the world, one man dies by suicide every minute of every day, with males accounting for 75% of all suicides.

Gents take control of your health and make regular appointments with your Doctor for a regular check-up and then take their advice. If you're interested to find out more about Movember, go to <https://au.movember.com>

Burrendong Dam

Burrendong Dam near Wellington supplies environmental water to the extensive floodplains of the Macquarie Marshes out past Warren. When the marshes flood, water ultimately flows into the Barwon and Darling River systems above Bourke. Whilst it has taken time to fill up, I noticed that as of last Sunday, Burrendong Dam was at 124% capacity with good flows still occurring along the Macquarie River, both upstream and downstream of the dam, as a result of rain activity in the Bathurst catchment and the Bell River catchment near Wellington, respectively.

Burrendong Dam is a large inland dam that is three times the size of Sydney Harbour. It has a surface area equal to nearly 10,000 football fields and its wall is taller than a 25-storey building. Its capacity includes 1,188,000 ML of water storage and a potential 489,000 ML of additional air space for flood mitigation. This is an interesting point and relates to my earlier comment that the dam is at 124% capacity. As readers know, if you have a bathtub, you can only get the bath to 100% capacity before the water spills. It is full. The additional 24% at Burrendong relates to this additional air space for flood mitigation. In addition to heavy rainfall over much of the Northern Tablelands in the northern catchment of the state, there is plenty of talk around in respect of the potential for further flows in the Darling River come late December. In addition to all this, La Nina has yet to be confirmed.

Last Meeting of this Council

Next Monday will be the last meeting of the Bourke Council as elected in September 2016. The term of this Council was to be for a period of four (4) years ending in September 2020. COVID put paid to those arrangements when the NSW Minister for Local Government, quite rightly, postponed the elections until 4 September 2021, and then with the COVID outbreak this year, the elections were again postponed till 4 December 2021. In total what started as a 48-month term for the current Council, their term was ultimately extended to a 63-month period. To their credit, all Bourke Councillors stayed the course and saw their term out. This wasn't necessarily the case for quite a few other Councillors throughout the state. As I said in last week's column, there were 10 persons who nominated for the 10 Councillor positions, thus Bourke has an uncontested election, which means voters won't need to vote. Some residents may say that's good. Others may have liked to have had their say!

Cricket World Cup

Good to see that Australia won the 2021 ICC Men's T20 World Cup final against New Zealand with Mitch Marsh and David Warner the big hitters in the run chase. On the matter of cricket, a couple

of Sundays ago, the Father of a close friend of our family, Greg, had a major heart attack. Unfortunately, he never regained consciousness before passing away two (2) weeks ago today. In his younger days, Greg was quite a cricketer and in 1981 he was picked to play for a Western NSW Country side to play against the West Indies, which at the time included players the likes of Clive Lloyd, Viv Richards, Joel Garner and Michael Holding. Unfortunately for Greg he never played in the game because the week before the game he was playing for Southern NSW, and he went to hook a rising ball and misjudged it before losing his two (2) front teeth. My last conversation with Greg was at the Macquarie Club in Dubbo on the Friday evening before the Sunday. I knew that Greg wasn't a great fan of Australian Opener David Warner from past comments. At the time Warner had just got some runs the night before after a couple of ordinary digs in the World Cup. I cheekily said to Greg, "Good to see Warners back in form!" Greg was straight back at me telling me his view of Warner from his very clear perspective. I did have a chuckle to myself at the time. I think however that Greg has had the last laugh. Every time Warner is mentioned, all I can hear is Greg's view on the player!

Quote: "Two doses (of either COVID vaccines) offers greater protection than just one dose, so please arrange to get your second dose". NSW Deputy Chief Health Officer Marianne Gale asking people who had not had their second dose to "please not delay" after it was revealed that some 57,000 people in NSW had not come back for a second COVID-19 vaccine.

25 November 2021

Road Works

For the time being, Councils Road Construction Crews have ceased reconstruction and sealing works on the Wanaaring Road. Further works to complete the final 36 kilometres of this important project are pending the receipt of additional grant funding from Government. Applications have been submitted for the additional funding with Council in regular contact with the relevant funding body to lobby for the required funding to complete the works. In the past year an additional 23.7 kilometres of reconstruction and sealing works has been completed. This was the Romani to Wongamana section of the roadway.

During a visit to Bourke in August 2020, the Minister for Agriculture and Western New South Wales, the Hon Adam Marshall, MP, confirmed funding of an additional five (5) rounds of the Fixing Local Roads Program. This followed Councils success in receiving funding of \$4.6m for the reconstruction and sealing of a large section of Caronga Peak Road under Round 1 of the Program, as jointly funded by the State and Federal Governments. I am happy to advise that the sealing of the Coronga Peak Road at Byrock is progressing very well with 15 kilometres of works having been completed to date with another 5 kilometres expected to be laid prior to Christmas..

Following Minister Marshalls visit and advice, Council adopted various road construction and resealing projects as its priorities in respect of the submission of further applications at the appropriate time for funding under this program for the period 2021/2022 to 2025/2026.

This strategic list of projects resulted in Council obtaining funding under Round 2 of the Program with a number of Local Roads within the Shire having also recently received upgrades with reconstruction and sealing works undertaken in recent months. These roads include River Road, Polygonum Swamp Road, Parkdale Road and Weir Road. These roads are all located relatively close to Bourke with a number of residences and tourist attractions being accessed via these roads.

Council's maintenance crew has now completed roadworks on the Tarcoon Road and are now moving to the Lower Lila Road to start maintenance grading. There is also a crew completing a maintenance grade on the Bourke to Louth Road, MR68 South.

Bridge upgrades have recently been completed on the Bourke to Wilcannia Road. The two bridge upgrades were in respect of the Compodore Creek Bridge and the Jandra Creek No. 2 Bridge. These two projects were funded under the Fixing Local Bridges Program of the NSW Government.

Council staff are also undertaking work on the State Highways. This work includes widening of Highway 7 South (Bourke to Byrock) as part of Councils RMCC contract with Transport for NSW and roadside slashing on MR 421 (Bourke to Cobar).

All in all, Councils roads crews have had a very busy year to date!

Road Closures

Whilst on roads, Council again request that residents and visitors alike take the time to ascertain the status of road closures in the Shire following rain. If roads are closed, please do not drive on them. Roads are closed to ensure the safety of the travelling public in the first instance, but secondly, to protect the road surface and minimise the community's exposure to expensive repair bills. Travelling on wet gravelled roads damages the roads surface and makes it difficult to drive along when it dries out and also then necessitates costly repairs to be undertaken which in turn impacts Councils restricted roads maintenance budget.

Quite often, it only takes a short period for the road to dry out if the conditions are right. Council's road condition report can be accessed on www.bourke.nsw.gov.au The report has been revamped and the roads are colour coded depending on their status and is generally much easier to follow.

Mosquito risk around the home

With the wet and impending hotter weather, the conditions are pretty good for mosquitos to breed. You can stop adult mosquitoes entering your home by using flyscreens on windows and doors, and by screening chimneys, vents and other entrances. Repair any damaged screens. Consider also using a surface insecticide spray in areas where mosquitoes like to rest. During the day, mosquitoes rest and hide in cool shady areas such as in and around the home before emerging at dusk to feed. Make sure you avoid aquaria and fishponds as fish are acutely sensitive to these insecticides.

Mosquitoes need water to breed and some mosquitoes can breed in very small amounts of water, such as in the water that collects in a discarded soft drink can. Measures to reduce the risk of mosquitoes breeding in around the home include:

- Cleaning up your backyard and removing all water-holding rubbish, including tires and containers
- Keeping your lawns mowed
- Flushing and wiping out bird baths and water features once a week.
- Filling pot plant bases with sand to avoid standing water
- Storing anything that can hold water undercover or in a dry place, and keeping bins covered
- Flushing out the leaves of water-holding plants such as bromeliads once a week
- Keeping drains and roof guttering clear to avoid standing water
- Covering or securely screening the openings of septic tanks and rainwater tanks.

Properly cleaned and chlorinated swimming pools are rarely a source of mosquito breeding but neglected pools can be a haven for mosquitoes.

Swimming Pools

A reminder that all Swimming Pools in NSW must be registered, Swimming Pools are to be registered at www.swimmingpoolregister.nsw.gov.au. Bourke Shire Council can assist and complete the registration process for a fee of \$10. The process is relatively simple where you will be required to enter your name, address, contact details, the type of pool, and the approximate age of the pool. You will need to complete a self-assessment checklist about your pool. The self-assessment entails the use of a simple checklist to self-assess if your pool meets the appropriate Australian Standards. Councils authorised officers *may* fine pool owners if their pool is not registered on the NSW Swimming Pool Register.

Asbestos

November is National Asbestos Awareness Month which aims to alert Australians to the dangers of working with asbestos during home renovations and maintenance and educate them about where asbestos might be lurking in and around homes and on properties. Many wrongly believe only fibro homes contain asbestos. Asbestos products can be found in ANY home built or renovated before 1990 including fibro, brick, weatherboard, clad homes and apartments. Asbestos can be lurking in kitchens, bathrooms, laundries, under floor coverings, behind wall and floor tiles, in cement floors, internal and external walls, garages, ceilings and ceiling space (insulation), eaves, fences, extensions and backyard sheds. Asbestos could be anywhere! Anyone thinking of renovating should download the Residential Property Checklist from www.asbestosawareness.com to protect themselves and their families from asbestos. Don't play renovation roulette! Visit www.asbestosawareness.com learn what you need to know to manage asbestos safely because it's not worth the risk!

Driver Testing

With the easing of COVID-19 restrictions, Service NSW has recently announced the resumption of driver testing for all customers. Test bookings are open to everyone with appointments being made up to five weeks in advance. Due to high demand for driver testing there may be delays.

Those taking a driver test need to:

- show evidence they are fully vaccinated, or
- have received a negative COVID-19 (PCR) test result no more than three days before their driving test. Rapid Antigen Test (RAT) results are not accepted.

Face masks, disposable seat covers, hand sanitiser and other personal protective equipment will remain in place during driver tests. For more information about booking a driver or rider licence test: <https://www.service.nsw.gov.au/transaction/book-driver-or-rider-licence-test>

Dine & Discover NSW

The NSW Government has created Dine & Discover NSW to encourage the community to get out and about and support dining, arts and tourism business's. Residents aged 18 years and over can apply for 4 x \$25 vouchers, worth \$100 in total, with use of the vouchers extended until 30 June 2022. 2 x \$25 vouchers can be used for dining in at restaurants, cafes, pubs or clubs. 2 x \$25 Discover NSW Vouchers can be used for entertainment and recreation, including cultural institutions which in Bourke include the Jandra Cruise or Back O' Bourke Exhibition Centre Tours.

Lighting at Davidson Oval

Council is currently upgrading the power supply at Davidson Oval for this year's cricket season to ensure that the new lights are working to full capacity. Work on the lights is expected to be completed by the end of the month. The oval is currently looking in great condition with Council staff completing an extensive fertilizing program.

Quote: "William's family, and so much of NSW, and I dare say Australia, would like closure on this." Forensic expert Tony Lowe commenting on the search for William Tyrrell last week at Kendall on the NSW Mid North Coast.

2 December 2021

Bourke Local Emergency Management Committee (LEMC)

Since 12 August 2021, I have had the privilege of chairing meetings of the Bourke Local Emergency Management Committee (LEMC), as part of the Bourke community's response to the "Stay at Home" orders made by the NSW Government in response to the COVID pandemic.

From daily meetings to thrice weekly and more recently, weekly meetings, the LEMC has played an important role in Bourke responding to the pandemic. After 156 positive COVID cases having been identified and attended to in Bourke from 14 August 2021 up until the last identified case on 23 October 2021, members of the LEMC were advised this week that there would be no further COVID related meetings of the Committee, unless of course Bourke has further cases in the future. Hopefully that isn't the case.

All members of the Committee have been very professional and forthcoming in their dealings with the Committee and I certainly thank each member for their contribution. It's always dangerous to thank individuals in case you miss someone! I will take a broader approach and recognise the various organisations, in no particular order, who have been party to the LEMC meetings. The organisations who have been involved are: NSW Police, NSW Health, Western NSW Local Health District, Public Health Network, NSW Aboriginal Affairs, Essential Energy, Local Land Services, NSW Fire and Rescue, Bourke Aboriginal Community Health Service, Rural Fire Service, Transport for NSW, Family and Community Services, Murdi Paaki Regional Assembly, SES, Red Cross, Regional NSW, Bourke Shire Council, Maranguka Community Hub, Environment, Energy and Science (EES), NSW Ambulance, National Indigenous Australians Agency, Outback Division of General Practice, Ochre Health, Bourke High School, St Ignatius Parish School, Bourke and District Children's Services and Koinonia Christian Academy. Thank you to all organisations for their assistance.

COVID Booster Vaccinations

With the Australian Government having announced that COVID booster vaccinations are available a minimum of 6 months after the 2nd COVID dose, some Bourke residents may already be eligible to receive the booster shot, depending obviously on the date they received their second dose. I note that Pfizer is the preferred vaccine regardless of the primary vaccine used for dose 1 & 2 (Moderna is not yet approved for Boosters). If an individual had an adverse reaction with Pfizer or Moderna vaccine when they received their primary doses, I have been advised that they can have AZ as the booster. People who are immunocompromised are eligible sooner, however these people must speak with their GP before booking for vaccine, with their GP being required to approve the earlier boost.

Ochre Health in Bourke have advised that Booster Clinics will commence in January 2022 for patients previously vaccinated in Bourke earlier this year, as January would generally be the 6-month mark. However, if anyone was vaccinated earlier, it is suggested you contact Ochre to discuss your individual circumstances. Dates for Ochre vaccine clinics in January are every Tuesday 9.00am – 12.00pm commencing 4th Jan 2022. Bookings are essential for 3rd dose (booster), and you must provide proof of 2nd vaccination to the GP.

Street Trees.

Council is taking advantage of the current wet and mild seasonal conditions by purchasing a further 38 trees to begin Stage 2 of the street tree replanting program adopted by Council earlier this year. Stage 2 of the project will take in Richard and Darling streets in Bourke.

Stage 1 of the Tree planting project has been a success with trees planted in Sturt Street, Mitchell Street, Warraweenaa Street and Moculta Street. These trees are growing well, and no doubt the improved weather conditions have assisted this growth. Council encourages residents to look after a new tree if it is placed on the footpath outside your property.

Shop Local this Christmas and support our local business.

Bourke Shire residents are being encouraged to spread some holiday cheer this year by shopping locally for Christmas and supporting small businesses in the Bourke community. The past few months have been tough, even with click and collect and delivery services available. Residents can help make a small business owner's life a little brighter this year by choosing to shop local. This can include gift vouchers, spa treatments, work boots, dog biscuits or even Bourke's famous Mock Chicken Legs or Meat Pies packed ready for your trip to the family Christmas celebrations.

Call into our local businesses and ask what they can offer you. We encourage you to give a shout out to your favourite local business on social media. Bourke Shire Council will also be spreading the message on its social media pages with a focus on different industry each week. We thank the Western Herald and 2WEB for supporting our "Shop Local" campaign this festive season.

Purchasing from locally owned Bourke businesses allows more money to be kept in our community as locally owned businesses often purchase from other local businesses, trades, and service providers. On average, for every \$100 spent at a locally owned business, 65% of your money stays in the community.

Local businesses hire people with more specific product expertise which leads to better customer service. Local businesses are owned by people who live in our community and so are less likely to leave and are more committed to our community's welfare and future. Spending your money at local businesses supports other local business which in turn stimulates our local economy. This is more important than ever as local business is impacted by COVID-19.

Some upcoming local events.

Christmas Markets, Friday 10 December 2021, 6-9pm Central Park – Bourke's Annual "Christmas in the Park Market's" are shaping up to be another fantastic community event. Plans are well underway with local agencies, businesses and crafty people having registered to host stalls on the evening. This free community event will transform Central Park into a wonderland for all kids with activities abound including, light displays and a Christmas tree, Santa Claus, a giant slippery slide and food and beverage outlets.

Back O' Bourke "Light up the Night" Christmas Competition – Council will celebrate the Christmas spirit once again by running this exciting event. Stock up on your Christmas decorations and lights from our local businesses and be the best Christmas Light display in Bourke for 2021. Residents are encouraged to decorate their home and get into the festive season. Judging will commence from the start of December and the winners will be announced over 2WEB on Monday 20th December with lots of prizes to be won. Contact the Back O' Bourke Information and Tourism Centre to find out more details on 6872 1321.

Australia Day 2022, Wednesday 26 January 2022, 8am Bourke War Memorial Swimming Complex - The 2022 Australia Day Celebrations at the Bourke Olympic Pool will celebrate the things that make our country great: the people, the land, the culture, our diversity, our sense of a fair go, our lifestyle and our freedoms. Breakfast, the official ceremony and plenty of activities to keep the kids (and Big kids) cool and entertained will be on hand as the community celebrates this special day.

Christmas Closedown

Christmas is now but four (4) weeks away. This year, Council's Shire Office, Service NSW Agency and Library will close at 4.30pm on Thursday, 23 December and re-open for business on Tuesday 4 January 2022. If residents encounter a problem such as water supply, a water main break or a sewer choke, or for that matter any urgent issue over the Christmas/New Year period, please contact Council's Duty Officer on 0419 722 055.

Rate and Water billing payments

A reminder to Ratepayers that the latest rates instalment was due on Tuesday, 30 November 2021 with water charges also due on that day. If you are finding it difficult to make your Rates or Water payment on time you are encouraged to make contact with Council's Revenue Officer at Councils office or by phoning 68308000 to discuss payment options that may be available to you.

Council Elections.

Don't forget that as a result of Bourke Shire Council receiving 10 nominations for 10 Councillor positions, the Bourke Shire Councillor elections are uncontested. Bourke residents therefore do not have to head to the polls on 4 December 2021 unlike most other residents across New South Wales.

Quote: "It could be something which is going to cause us a degree of concern going forward. We don't know if ... any of the vaccines will work with the Omicron variant." NSW Health Minister, Brad Hazzard making comment regarding a new strain of COVID emanating from South Africa.

9 November 2021

Mayoral Election

Last Saturday some 5 million residents from 124 local government areas across New South Wales went to the polls to elect and determine their Councillors to represent them on their respective local council for the period up until 14 September 2024. Council terms are generally four (4) year terms. However, with the postponement of the elections from September 2020 till September 2021 and ultimately till last Saturday, the current term of this Council will be a tad under three (3) years.

In Bourke, as residents would be aware, there was no election with ten (10) nominations received for the ten (10) councillor positions. The election in Bourke has been declared by the Returning Officer and the new Bourke Council is now in place effective election day. Very efficient! In those

localities where an election was necessary, the Electoral Commission has advised that they will be declaring the results from between 21 – 23 December 2021. Councils then have three (3) weeks to hold their Mayoral Elections. This will ensure a very busy and in some cases a somewhat manic start to the 2022 new year for these Councils. Much politicking often proceeds Mayoral elections in many Councils.

In Bourke with the election already declared our timings for a Mayoral Election can be rather staid, and in this regard, the Mayoral Election for the Bourke Mayor will be held tomorrow, Friday 10 December 2021 at 12.00 noon in the Council Chamber. Double vaccinated members of the public are welcome to attend.

Christmas In the Park.

Tomorrow night, Friday 10 December 2021, from 6-9pm in Central Park, Bourke is the day, time and place for Bourke's Annual "Christmas in the Park" event. Presented by Maranguka and Bourke Shire Council, the annual event is shaping up to be another fantastic community event. This free event will see Central Park transformed into a wonderland for all kids with activities abound including, a visit by Santa and his elves, entertainment, a giant slide, jumping castle, sumo wrestlers, food and drink stalls and of course, market stalls.

Back O' Bourke "Light up the Night" Christmas Competition –

The "Light up the Night" Christmas Competition is being held again this year. Stock up on your Christmas decorations and lights by purchasing them from our local businesses and be in the running to win the award as the best Christmas Light display in Bourke for 2021. Residents are encouraged to decorate their home and get into the festive season.

Judging has commenced and the winners will be announced over 2WEB on Monday 20th December with lots of prizes to be won. Contact the Back O' Bourke Information and Tourism Centre to find out more details on 6872 1321.

Expected Flooding Levels

With recent major flooding along the Namoi River at Gunnedah and Narrabri in NSW; at Goondiwindi on the Macintyre River in Qld; along the Condamine River at Chinchilla and below, also in Qld; and the Macquarie River below the 137% full Burrendong Dam, to name but a few swelling tributaries that eventually flow into the Darling River above Bourke, there is considerable conjecture amongst local pundits as to what level the Darling River will rise to in weeks to come.

What is undisputed is that with all the extra rain and water coming down into our river systems, flooding will happen in the Bourke Shire late this year or early next year. The Western Local Land Services have noted that whilst a lot of landholders are already quiet flood ready, for those that are new to the area, they are advising all landholders to relocate livestock, pumps, chemicals, and any equipment to higher ground. In their advice they raised some good points, including:

- Every flood is different, so landholders should plan for all risks and possible impacts.
- It is important to think about whether livestock should be moved to higher ground and if you have enough supplies should your property become isolated.
- If possible, planning in advance and preparing your property early will allow you to recover much quicker and be able to get back to business.
- Landholders are encouraged to read the Farm Flood Readiness Kit that provides useful tips to help make your property flood ready. Go to www.lls.nsw.gov.au and search flood readiness kit.

As so often in life, information is king. Keep an eye out for weather updates and warnings from the Bureau of Meteorology (BOM), as well as flood alerts on the State Emergency Service (SES) website.

As of late last week, the SES had advised that based on historical flood data, they can get very good estimates of downstream flooding once they see a peak at Walgett. That said, the SES were already estimating the expected flows may be similar to that experienced earlier in 2021.

The SES also noted, pleasingly, that plans are well underway for their deployment of flood crews, including aviation support and in water flood rescue teams, well ahead of any flood peaks to Far West communities along the Barwon and Darling Rivers. The situation is being closely monitored by the SES, Council, Police and others. I spoke last week about the Local Emergency Management Committee (LEMC) ceasing its meetings given the time since the last COVID case in Bourke. Its back to business with the Committee again meeting, this time to prepare for the high flows in the river. Like many people, the Committee are keen to learn of expected levels in Bourke once the upstream peaks are known.

Shop Local this Christmas and support our local business.

I encouraged residents last week to shop locally for Christmas and support small businesses in the Bourke community. I consider it important that the message be continually pushed as local business is just so important to us all. Keep the money in town and support the locals. Residents can give a shout out to your favourite local business on social media. Bourke Shire Council will also be spreading the message on its social media pages with a focus on a different industry each week. We thank the Western Herald and 2WEB for supporting our "Shop Local" campaign this festive season.

Remember, local businesses are owned by people who live in our community and so are less likely to leave and are more committed to our community's welfare and future. Spending your money at local businesses supports other local business which in turn stimulates our local economy.

COVID Recovery Funding

Projects to help regional communities bounce back from the impacts of border restrictions will roll out across the State borders under a \$10 million COVID Recovery round of the Cross-Border Commissioner's Infrastructure Fund. The Infrastructure Fund works with other jurisdictions to ensure cross-border communities don't miss out on local projects like, telecommunications and digital connectivity, accessing water supply or delivering social and sporting clubhouses or halls. Regional councils, community and sporting groups, and charities can now apply for the latest round of grants from the value of \$25,000 to deliver projects within three years.

Interested applicants are invited to contact the Office of the NSW Cross-Border Commissioner with an outline of the proposed project. Funding is available to support infrastructure proposals in cross-border communities where there is a formal whole of government cross-border agreement in place. Proposals do require co-investment, proportionate to the benefit, from the neighbouring jurisdiction or private partner(s). The COVID recovery round expressions of interest close on 28 January 2022. To lodge an expression of interest and for further information about the fund, including program guidelines go to www.regional.nsw.gov.au/our-work/ocbc. Applicants can contact the Office of the NSW Cross-Border Commissioner by email at enquiries@cbc.nsw.gov.au.

The Ashes

It's official. Summer is here with the pinnacle of the test cricket calendar in Australia, the Ashes against England, having started its current series yesterday at the Gabba in Brisbane. Cricket Australia notes that the term "The Ashes" originated back in 1882 when the Australian cricket team chalked up their first win on English soil. At the time, the defeat was considered the death of English cricket. A British newspaper, which reported this demise, was burnt and the ashes of which were sealed in an urn and gifted to the English Captain. Folklore was created and the fiercest of rivalries unveiled. Last played for in 2019, Australia currently holds the urn. With a new Captain and a fair amount of controversy currently surrounding the Australian Men's Cricket Team, it will undoubtedly be another compelling series.

Quote: "There is but one thing of real value – to cultivate truth and justice, and to live without anger in the midst of lying and unjust men." - Marcus Aurelius

16 December 2021

Mayoral Election

The election of the Mayor and Deputy Mayor for Bourke Shire Council was held last Friday. In an uncontested election for Mayor, Councillor Barry Hollman continues in the role for the period from last Friday till 25 September 2023. Councillor Lachlan Ford was declared Deputy Mayor, also in an uncontested election, for the same period. Congratulations are extended to both Barry and Lachie.

In addition to the election of Mayor and Deputy Mayor, the agenda for the meeting included each Councillor, regardless of whether they were new to Council or a returning Councillor, to either take an Oath or make an Affirmation of office, as required under the Local Government Act.

Both the Oath and the Affirmation provides for Councillors to commit to faithfully and impartially carrying out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act to the best of their ability and judgment.

In effect, the Oath or Affirmation of Office is a "swearing in" of the new Council, similar to how Ministers of the Crown are sworn in before the Governor General or Governor at Federal and State level respectively. Unfortunately, it is fair to say that at all levels of government, there are many examples of where people have forgotten what they initially committed to in undertaking their roles. To remind councillors in local government in NSW of their obligations, a new provision titled a Statement of Ethical Obligations has been included in the Model Code of Meeting Practice, as released by the Office of Local Government. This means that Business Papers for all ordinary and extraordinary meetings of councils must contain a statement reminding councillors of their Oath or Affirmation of office made under the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.

Parking in Oxley St

I continue to encourage the community to shop locally and support our small businesses in the lead up to Christmas. As you know, local businesses are owned by locals who live in our community who are less likely to leave and are committed to our community's welfare and future. Spending your money at local businesses supports other local business which in turn stimulates our local economy. One of the detractors to people shopping locally in the main street of Bourke is the inability to park in Oxley St when the spaces are taken up by non-shoppers. I would respectfully request people who work in the main street of Bourke to have regard to the importance of shoppers in the lead up to Christmas and during this period, find alternative parking away from the main street. Every car space helps.

Christmas In the Park.

A successful “Christmas in the Park” event was held last Friday in Central Park, Bourke. Presented by Maranguka and Bourke Shire Council, the annual event proved to be another fantastic community event with Central Park transformed into a wonderland for all kids with activities abounding including the visit, of course, by Santa, entertainment, a giant slide, sumo wrestlers, food and drink stalls and of course, market stalls. A big thank you to all who contributed to the staging of the event. Successful events just don’t happen by themselves with invariably a significant amount of work behind the scenes to ensure the events success. Plans are well underway for the Australia Day activities on 26 January 2022 with the initial planning meeting for the 2022 Bourke Easter Festival held last week.

Grant Funding

Two more projects will be delivered in Bourke Shire under the latest round of funding under the NSW Government’s Stronger Country Communities Fund. The announcement last week will see Council receive \$769,000 to undertake two projects with \$269,000 being for upgrades to the Female Jockey Change Rooms at Renshaw Oval and \$500,409 for the development of two Ladies change rooms at Davidson Oval.

This funding by the NSW Government, brings to over \$2 million the amount of funding that Council has received through the first four rounds of the Stronger Country Community program.

The focus of funding in this latest round is the delivery of female sporting projects, including the construction or upgrading of female changerooms, additional amenity blocks and bathrooms, and playing surfaces like netball and tennis courts with the aim being to make it easier for women and girls to be a part of their local sports team.

EV Vehicles

The NSW Government recently announced that it is seeking potential Electric Vehicle (EV) Charging Site Hosts across NSW, especially for locations and businesses in regional NSW, to begin building a \$131 million EV Fast Charging network across NSW. The Government is co-funding an ultra-fast electric vehicle (EV) charging network across the state. NSW Government is currently looking for landowners and lease holders that might be interested in hosting EV charging stations, so that they may provide a list of possible sites to potential developers (Charge Point Operators).

Under the NSW Electric Vehicle Strategy, this investment will expand existing public fast charging across the state. This involves co-funding private industry to build and operate charging stations every 100km along major NSW highways, and every 5km along commuter corridors in metropolitan NSW. The strategy is intended to increase EV sales to 52% of all new car sales by 2030/2031 and help NSW achieve net-zero emissions by 2050. Council has previously entered into an agreement with the NRMA in respect of the installation of an EV charging hub in Bourke for the convenience of EV owners and installation is now awaited.

The Ashes

With the 1st test of the Ashes Cricket Series having been “run and won,” the big highlight was the first ball dismissal by Australian fast bowler, Mitchell Starc of English opener, Rory Burns. Starc’s success was the first time in 85 years, since 1936, that a wicket fell on the first ball of the Ashes series in Australia with Starc becoming just the fourth bowler in the 140-year history of the Ashes to achieve a first ball wicket. The significance of the occasion was evident in commentator’s voices both at the time and when I heard a compilation of their responses to the wicket on radio the following morning. “Bowled. Got him. Gone” You can hear it now! Whilst their commentary sent a shiver through me, I certainly do however miss the combined talents of the much-lauded Channel 9 Commentary Team comprising the Late Richie Benuad, Tony Greig and Max Walker, and Bill

Lawry, Ian Chapell and Mark Taylor. They were very good and laid the platform for the upbeat commentators of today.

End of Year Celebrations

As I walked into the Bourke Bowling Club last Wednesday evening, Ben Smith, the principal of Bourke Public School, along with parents and students, were walking out after the schools end of year presentation function. It got me thinking of the various events that my wife and I were fortunate enough to attend over the years involving our three (3) children. What a fantastic time and a time that has passed so quickly. One event that I couldn't get to involving one of my children was last Friday when my daughter was admitted as a lawyer at an admission ceremony at the NSW Supreme Court in Sydney. She too had to take an Oath or make an affirmation and had to sign the Supreme Court roll. It doesn't seem that long ago that she started school and to her considerable credit she has achieved much since. Best of all she is a nice person and as parents, that's a pretty good outcome.

Christmas Wishes

This is the last GM's Column for 2021 with the Western Herald taking a break until the New Year. I take this opportunity to wish all residents and readers a very happy Christmas with best wishes for the New Year. 2021 has been an "interesting" year that has gone very quickly. It was a year that promised so much for Bourke from a tourist perspective but COVID rules from August onwards put paid to that. The Bourke rural sector has had a solid year with both excellent commodity prices and seasonal conditions. The big downside for Bourke in 2021 was the fire that destroyed Diggers on the Darling. Time will tell what rises from the ashes. I must particularly thank the Councillors for their diligence during the year and to the staff at Council for their considerable efforts which often go unrecognised as the organisation goes about its business. I will be back with further columns in the New Year until such time that the recently declared new Council completes its recruitment of a long-term General Manager. This is a very important task for the elected Council.

Quote: "In one month from today (10/12), around 2.27 million Aussie kids aged five (5) to eleven (11) years will have the opportunity to roll up their sleeve and get vaccinated against COVID-19."Prime Minister Scott Morrison in announcing an extension to Australia's COVID-19 vaccination program.

Recommendation

That the information in the General Manager's Activity Report as presented to Council on Monday, 20 December 2021 be noted.

22.5 LIBRARY MANAGER'S ACTIVITY REPORT

File Number: L4.1
Author: Jodi Hatch, Library Manager
Authoriser: Melanie Milgate, Economic Development Manager
Attachments: Nil

Current Situation

The following items for the November 2020 - November 2021 period are presented for your information:

Item	November 2020	November 2021
Loans	510	462
New Members	3	9

Other statistical information:

	November 2020		November 2021
Internet/Word Processing	46	Internet/Word Processing	16
Wireless Tickets	15	Wireless Tickets	2
Number of Visitors	273	Number of Visitors	268
Scans	22	Scans	9
Information Requests	69	Information Requests	53
Technical Assistance	60	Technical Assistance/Printing	33
Faxes	3	Faxes/Laminating	1



- An online trivia session was held during November, with 21 people attending.
- We have begun holding craft sessions in the library again. Sessions are limited to 6 children until Covid restrictions ease. In November, we have 1 session with 6 children, who enjoyed Christmas crafts.



Recommendation

That the information in the Library Manager's Report as presented to Council on Monday, 20 December 2021 be noted.

22.6 TOURISM & EVENTS MANAGER'S ACTIVITY REPORT

File Number: T4.1
Author: Fran Carter, Manager Tourism & Events
Authoriser: Melanie Milgate, Economic Development Manager
Attachments: 1. Tourism Statistics November 2021  

Background

The Bourke Shire Councils Tourism and Events Manager’s Activity Report provides Council with an updated status report for November, relating to its tourism teams activities through visual data including graphs and statistics to allow for the measurement of the team’s progress and performance.

Current Situation

Back O’ Bourke Information and Exhibition Centre

Visitor numbers for November 866 compared to October of 409.

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169. total	170. 2 5841	171. 2 7649	172. 3 1044	173. 3 2253	174. 3 4750	175. 3 3906	176. 3 2537	177. 3 9454	178. 32 984	179. 1 9122	180.

- Turnover on sales for the centre in November was up more than 200% on October.
 - Email enquiries for November were up 57% on October.
 - Incoming calls to the centre for November were up 130% on October.
1. PV Jandra sales were up 90% in November compared to October.
 - Exhibition Centre tickets sold in November were up 170% on October.
 - Mt Oxley tickets sold were up 30% on October.
 2. Café turnover in November was up more than 8 times on the previous month. Despite all the current adversities, momentum for the Café is growing amongst the local community.
 - Three Function Centre bookings and three private PV Jandra bookings.

General maintenance around gardens is ongoing and being conducted by the groundsman.

Christmas in the Park

Preparations are continuing with organising the Christmas markets in Central Park on 10 December, in partnership with Maranguka. A mix of activities including unique gifts from local makers, food treats, live Christmas entertainment, Santa visit, slippery slide, sumo wrestling and the mayor’s official lighting up of the park. Expecting crowd numbers to again exceed expectations of over 500 people on last year.

Christmas Light Competition

Plans for the “Light up the night” Christmas lights competition are progressing that with the support of the community will bring some much needed Christmas cheer to the town. Nominations are available at the Back O’ Bourke Visitor Information & Exhibition Centre.

MARANGUKA & BOURKE SHIRE COUNCIL PRESENT: CHRISTMAS IN THE PARK

4th DEC CENTRAL PARK 6-9pm

SANTA • ELVES • ENTERTAINMENT SKATE PARK • KID'S PLAYGROUND MARKETS • FOOD & DRINK STALLS PLUS A WHOLE LOT MORE TO COME!!

For enquiries contact Maranguka Community Hub 41B Mitchell St, Bourke 0448 498 597

Or contact the Back O' Bourke Information & Exhibition Centre (02) 6872 1321

MARANGUKA COMMUNITY HUB

B BOURKE SHIRE COUNCIL

COVID RESTRICTIONS WILL APPLY

Australia Day

This year’s Australia Day festivities will again be held at the Bourke Swimming Pool with the theme being a time to Reflect. Respect. Celebrate. January 26, 2021 is a time to **reflect** on our history, **respect** the stories of others and **celebrate** our nation, its achievements and its people.

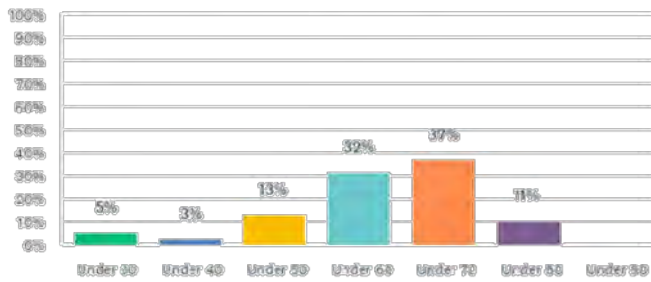
Nominations closed on Friday 12 November for this year's categories that include; Citizen of the Year, Young Citizen of the Year (18 and under), Emergency Service Volunteer of the Year, Shire Village Community Service, Young Sportsperson (18 and under) and Sportsperson of the year.

Recommendation

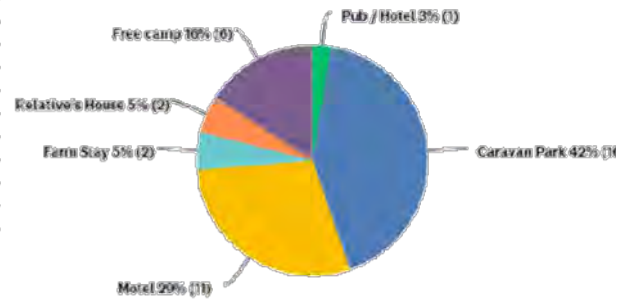
That the information in the Tourism and Events Manager's Activity Report as presented to Council on Monday, 20 December 2021 be noted.

NOVEMBER STATISTICS 2021

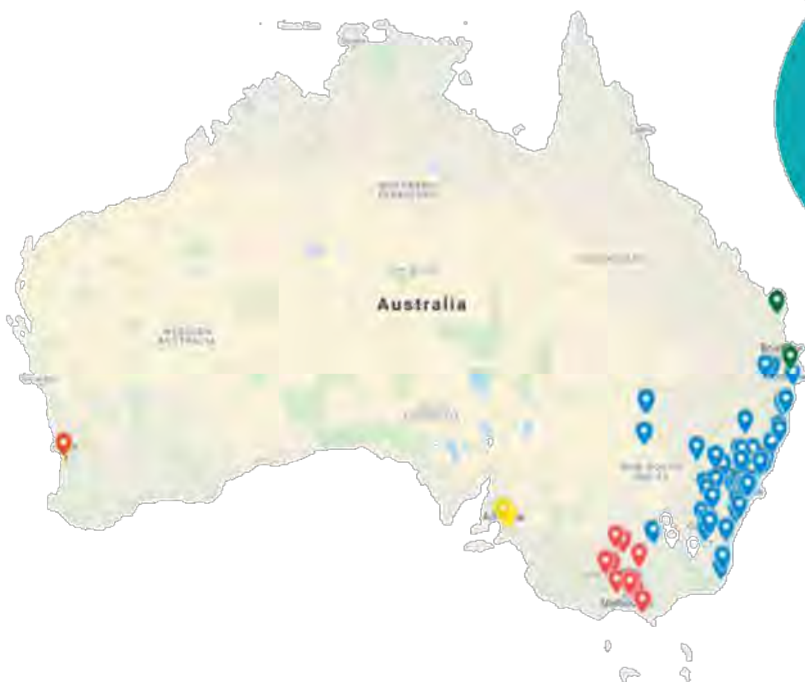
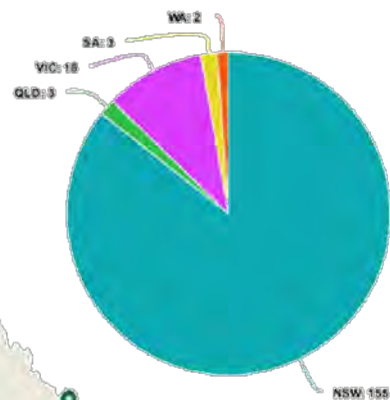
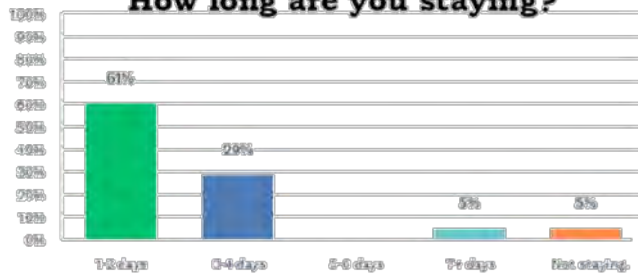
What is your age?



Style of accommodation?

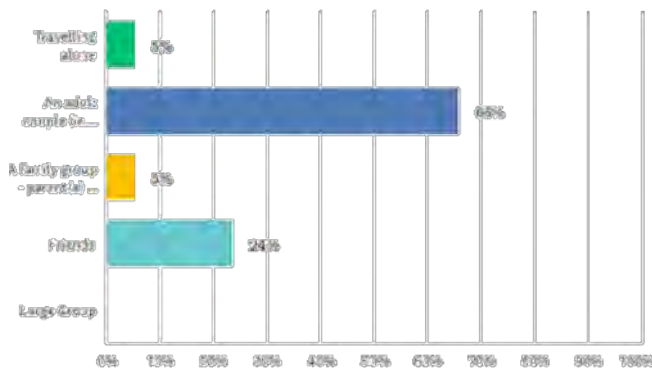


How long are you staying?

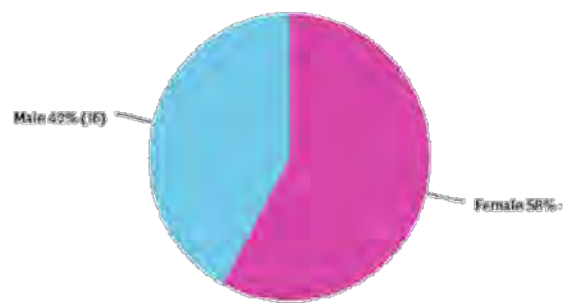


POSTCODES OF VISITORS

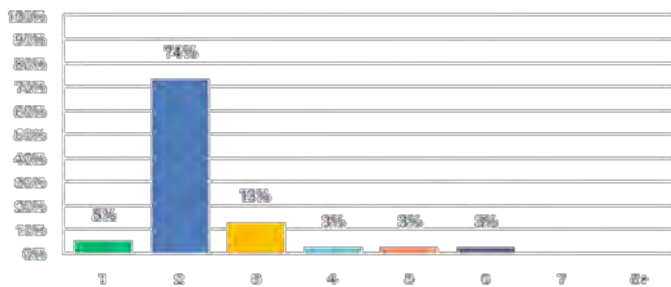
How would you describe your immediate travel party?



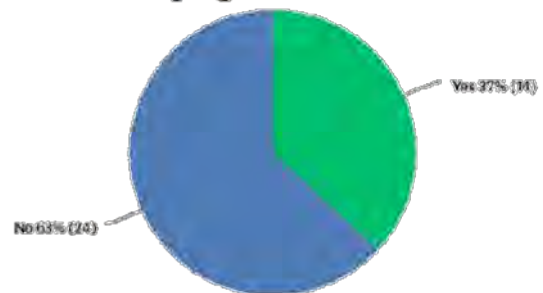
Are you female or male?



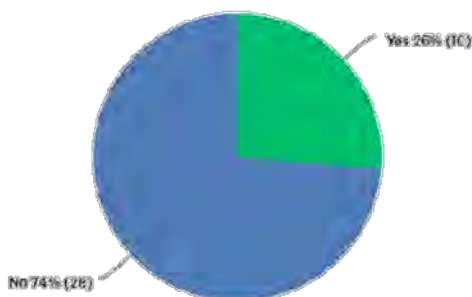
How many people are in your travel party?



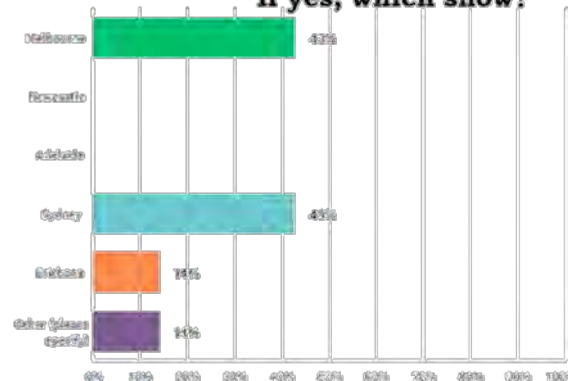
Have you been to a Caravan & Camping Show?



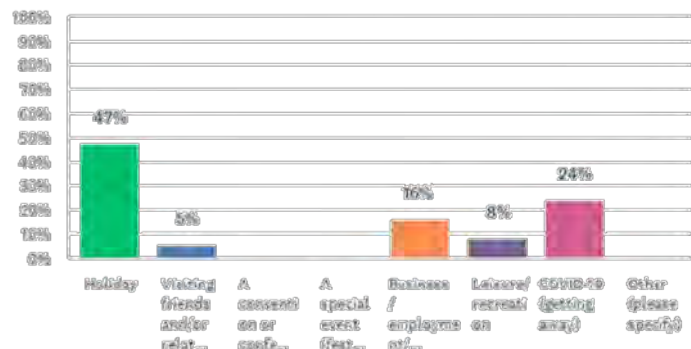
Have you been through the Back O' Bourke Centre before?



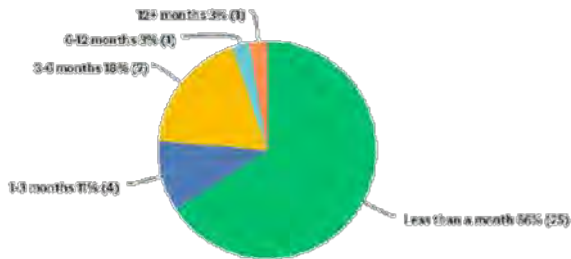
If yes, which show?



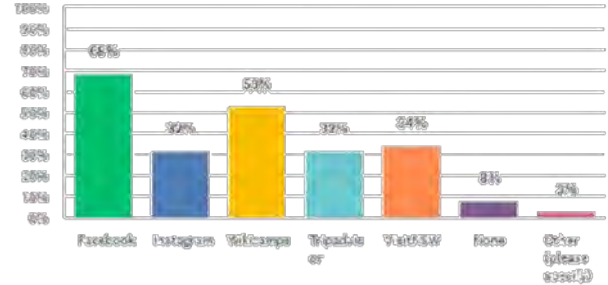
What is the main purpose of your trip?



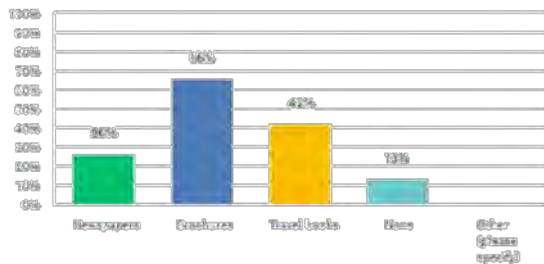
How long ago did you plan for this trip?



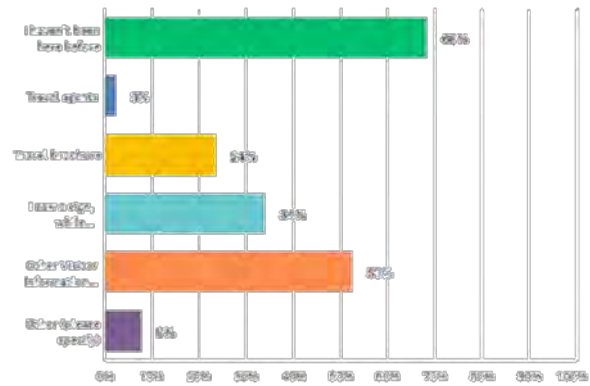
What social media do you use?



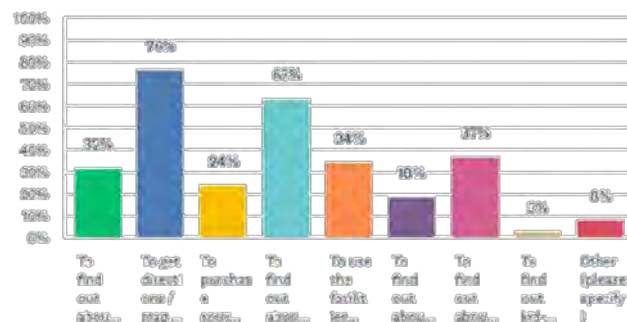
What print media do you use?



What determines your decision as to where to go?



What information are you looking for at the information centre?



23 CLOSED SESSION**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:

23.1 * Integrated Water Cycle Management Strategy**

This matter is considered to be confidential under Section 10A(2) - (d)(i) of the Local Government Act, 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.

23.2 * North Bourke Stormwater Drainage**

This matter is considered to be confidential under Section 10A(2) - (g) of the Local Government Act, 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 advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

23.3 * Mayoral Minute - General Manager Recruitment**

This matter is considered to be confidential under Section 10A(2) - (a) of the Local Government Act, 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).