



SNOWY MONARO
REGIONAL COUNCIL

BUSINESS PAPER

PUBLIC EXHIBITION COPY

Ordinary Council Meeting
10 October 2024

STATEMENT OF ETHICAL OBLIGATIONS

Councillors are reminded of their oath or affirmation of office made under section 233A of the Local Government Act 1993 and their obligations under the Council's code of conduct to disclose and appropriately manage conflicts of interest.

CONFLICTS OF INTEREST

A conflict of interest arises when the Mayor or Council staff are influenced, or are seen to be influenced, in carrying out their duties by personal interests. Conflicts of interest can be pecuniary or non-pecuniary in nature.

A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of a financial gain or loss.

A non-pecuniary interest can arise as a result of a private or personal interest, which does not relate to money. Examples include friendship, membership of an association or involvement or interest in an activity.

The Mayor or staff member who considers they may have a conflict of interest should read Council Policy.

The responsibility of determining whether or not the Mayor or Council employee has a pecuniary or non-pecuniary interest in a matter, is the responsibility of that individual. It is not the role of the Mayor or Chief Executive Officer, or another Council employee to determine whether or not a person may have a conflict of interest.

COUNCIL CODE OF CONDUCT

The Council Code of Conduct is a requirement of Section 440 of the Local Government Act 1993, which requires all councils to have a code of conduct to be observed by the Mayor and Council employees attending a Council meeting or a meeting of a committee of Council.

The code of conduct sets out the responsibilities of the Mayor and Council employees attending a Council meeting or a meeting of a committee of Council. The code also sets out how complaints against a Council employee, the Mayor or Chief Executive Officer are to be made.

COUNCIL CODE OF MEETING PRACTICE

The Council Code of Meeting Practice is a requirement of Part 2, Division 1 of the Local Government Act 1993, which requires all councils to have a code of meeting practice. The code of meeting practice is to be observed by the Mayor, members of staff, delegates of the Council and members of the public attending a Council or a meeting of a committee of Council.

Acknowledgement of Country

Council wishes to show our respect to the First Custodians of this land the Ngarigo, Walgalu, Ngunnawal and Bidhawal people and their Ancestors past and present.

Webcasting

Council meetings are recorded and live streamed to the internet for public viewing. By entering the Chambers during an open session of Council, you consent to your attendance and participation being recorded and streamed on Council's website www.snowymonaro.nsw.gov.au

**ORDINARY COUNCIL MEETING
TO BE HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW
2630**

**ON THURSDAY 10 OCTOBER 2024
COMMENCING AT 1:00 PM**

BUSINESS PAPER

1. OPENING MEETING

ELECTION OF CHAIR

As no mayor has been elected there is a requirement to elect a councillor to chair the meeting until such time as the mayor is elected in accordance with section 369(2) of the Local Government Act.

2. ACKNOWLEDGEMENT OF COUNTRY

3. COUNCILLOR REQUEST FOR ATTENDANCE VIA AUDIO-VISUAL

4. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

5. DISCLOSURE OF INTEREST

(Declarations also to be made prior to discussions on each item)

6. MATTERS DEALT WITH BY EXCEPTION

7. CONFIRMATION OF MINUTES

8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

Nil

9. OTHER REPORTS TO COUNCIL

9.1 OPERATIONS

Nil

9.2 FINANCE

Nil

9.3 STRATEGY

9.3.1 Election of Mayor and Deputy Mayor	3
9.3.2 Meeting Dates and Times of Council Meetings	11
9.3.3 Casual Vacancies in Civic Office - Countback Option	13
9.3.4 Appointment of Delegates to Committees	15

9.4 COMMUNICATIONS

Nil

9.5 EXECUTIVE OFFICE

Nil

9.6 WORKFORCE

Nil

10. REPORTS OF COMMITTEES

Nil

11. NOTICE OF MOTION

12. MAYORAL MINUTES

13. QUESTIONS WITH NOTICE

14. CONFIDENTIAL MATTERS

Nil

9.3.1 ELECTION OF MAYOR AND DEPUTY MAYOR

Record No: I24/485

OFFICER'S RECOMMENDATION

That Council;

- A. Elect a Mayor
- B. Elect a deputy mayor for the same term as the mayor;
- C. In the event of there being more than one candidate nominated for either the position of mayor or deputy mayor, an election be held with the method of voting being by show of hands.

ISSUES

The election of a mayor is a required role under the *Local Government Act 1993*. The election of a deputy mayor is an optional position that will undertake the role of mayor should the mayor be unavailable.

The mayor of Snowy Monaro Regional Council is to be elected by the councillors and is required to be conducted pursuant to section 225 of the *Local Government Act 1993* (the Act) which states:

'An area must have a Mayor who is elected in accordance with this Division.'

The election of mayor and deputy mayor is undertaken in accordance with schedule 7 of the Local Government (General) Regulation 2021.

The deputy mayor, if one is elected, may hold their office for the same term as the mayor or a shorter term as specified in the Council's resolution, S231 (2).

RISK ASSESSMENT

Risk Type	Current Risk	Expected Risk	Within Accepted
External Political Environment	Low	Low	Yes
Financial Sustainability	Low	Low	Yes
Legislative Governance and Compliance	Low	Low	Yes
Reputation and Image	Low	Low	Yes
Service Delivery	Low	Low	Yes

The election of mayor and deputy mayor is a low-risk activity. It is considered unlikely that no one will stand for the role of mayor.

FINANCIAL IMPACTS

	Amount	Details
Current Annualised Net Cost	\$49,200	
Estimated Annualised Net Cost	\$49,200	
Capital Investment	Nil	
Capital Funding Source	Nil	

The resources required to facilitate the recommendations in the report are contained within adopted budgets.

Council can set a fee to be paid to the deputy mayor. Any fee set comes from the fee payable to the mayor.

RESPONSIBLE OFFICER: Chief Strategy Officer

OPTIONS CONSIDERED

The position of deputy mayor is optional, and Council can resolve not to have the position. There is no additional fee for the position of deputy mayor, so costs are limited to costs of additional events the deputy mayor attends above what a normal councillor would attend. These costs are likely to be relatively small but are not actively tracked. The benefits of having a person identified in advance to step into the role are considered to outweigh the costs.

The option of a fee for the deputy mayor was considered. As the role has the same responsibilities as other councillors for the bulk of the year it was not seen that this was warranted

IMPLEMENTATION PLANS

The procedure for the election of mayor and deputy mayor is covered by the provisions of [Local Government \(General\) Regulation 2021](#). Should there be more than one nomination for the roles an election will be held to determine the person who will fill the role. Following the election the Office of Local Government will be advised of the outcome and the community will be advised.

Procedure for nominating

In accordance with Schedule 7 of the *Local Government (General) Regulation 2021*, two or more councillors may nominate a councillor (one of whom may be the nominee), for the position of mayor/deputy mayor. Nominations must be in writing and the nominee must consent to their nomination in writing.

Councillors are recommended to complete the nomination papers (attached) prior to the meeting to enable them to be delivered or sent to the returning officer.

- A nomination is to be made in writing by two or more councillors, one of whom may be the nominee.
 - The nominee must indicate consent to the nomination in writing.
-

9.3.1 ELECTION OF MAYOR AND DEPUTY MAYOR

- If more than one nomination is received, the Council must resolve the preferred procedure of election either by preferential ballot, ordinary ballot or open voting.
- Preferential ballot and ordinary ballot methods will be secret ballots.

The election procedure:

1. Councillors will be called upon by the returning officer (Chief Executive Officer) to submit their written nomination papers.
2. The nominations received will be announced to the meeting by the returning officer.
3. If only one councillor is nominated and accepts the nomination, that councillor is elected.
4. If there is more than one candidate contesting a position, the provisions of clause 3(2), Schedule 7 of the *Local Government (General) Regulation 2021* will take effect.
5. The Council must resolve which method of election will be used, i.e. by preferential ballot, by ordinary ballot (secret ballot) or by open voting (show of hands). The election must be held at the Council meeting at which the Council resolves on the method of voting.
6. If an election by ballot is necessary, the Council will be asked to adjourn for a short time to allow the preparation of ballot papers. The ballot will be undertaken using an online system which allows for secret ballots to be undertaken.
 - (i) When the ballot papers have been prepared, the meeting will be resumed, and the ballot papers will be distributed to councillors for marking.
 - (ii) Upon completion of marking of the ballot papers by councillors, the counting of votes will occur.
7. When all voting and counting has been completed, the Returning Officer will declare the result to the meeting.
8. The Mayor elect will assume the chair and the meeting will continue.

Once the election process is complete, it will be recorded in Council's minutes, published on Council's website and appropriate notice sent to relevant stakeholders.

ATTACHMENTS

1. Local Government (General) Regulation 2021 - Schedule 7
 2. Mayor Nomination Form
 3. Deputy Mayor Nomination Form
-

Local Government (General) Regulation 2021 [NSW]
Schedule 7 Election of mayor by councillors

Schedule 7 Election of mayor by councillors

(Section 394)

Part 1 Preliminary

1 Returning officer

The general manager (or a person appointed by the general manager) is the returning officer.

2 Nomination

- (1) A councillor may be nominated without notice for election as mayor or deputy mayor.
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the returning officer.
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.

3 Election

- (1) If only one councillor is nominated, that councillor is elected.
- (2) If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
- (3) The election is to be held at the council meeting at which the council resolves on the method of voting.
- (4) In this section—
ballot has its normal meaning of secret ballot.
open voting means voting by a show of hands or similar means.

Part 2 Ordinary ballot or open voting

4 Application of Part

This Part applies if the election proceeds by ordinary ballot or by open voting.

5 Marking of ballot-papers

- (1) If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.
- (2) The formality of a ballot-paper under this Part must be determined in accordance with section 345 of this Regulation as if it were a ballot-paper referred to in that section.
- (3) An informal ballot-paper must be rejected at the count.

6 Count—2 candidates

- (1) If there are only 2 candidates, the candidate with the higher number of votes is elected.
- (2) If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.

Local Government (General) Regulation 2021 [NSW]
Schedule 7 Election of mayor by councillors

7 Count—3 or more candidates

- (1) If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.
- (2) If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
- (3) If, after that, 3 or more candidates still remain, the procedure set out in subsection (2) is to be repeated until only 2 candidates remain.
- (4) A further vote is to be taken of the 2 remaining candidates.
- (5) Section 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.
- (6) If at any stage during a count under subsection (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

Part 3 Preferential ballot

8 Application of Part

This Part applies if the election proceeds by preferential ballot.

9 Ballot-papers and voting

- (1) The ballot-papers are to contain the names of all the candidates. The councillors are to mark their votes by placing the numbers “1”, “2” and so on against the various names so as to indicate the order of their preference for all the candidates.
- (2) The formality of a ballot-paper under this Part is to be determined in accordance with section 345 of this Regulation as if it were a ballot-paper referred to in that section.
- (3) An informal ballot-paper must be rejected at the count.

10 Count

- (1) If a candidate has an absolute majority of first preference votes, that candidate is elected.
- (2) If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.
- (3) A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter’s preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.
- (4) In this section, *absolute majority*, in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.

11 Tied candidates

- (1) If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal—the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.
- (2) If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those

Local Government (General) Regulation 2021 [NSW]
Schedule 7 Election of mayor by councillors

candidates are the ones with the lowest number of votes on the count of the votes—the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

Part 4 General

12 Choosing by lot

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.

13 Result

The result of the election (including the name of the candidate elected as mayor or deputy mayor) is—

- (a) to be declared to the councillors at the council meeting at which the election is held by the returning officer, and
- (b) to be delivered or sent to the Secretary and the Chief Executive Officer of Local Government NSW.



SNOWY MONARO REGIONAL COUNCIL

NOMINATION FORM

Election of Mayor

We, the undersigned, herewith nominate -

Councillor _____
(Print full name)

for the position of **MAYOR**

Nominators:

Name: Cr _____

Signature: _____

Date: _____

Name: Cr _____

Signature: _____

Date: _____

I herewith accept nomination for the Snowy Monaro Regional Council

Name: Cr _____

Signature: _____

Date: _____



SNOWY MONARO REGIONAL COUNCIL

NOMINATION FORM

Election of Deputy Mayor

We, the undersigned, herewith nominate -

Councillor _____
(Print full name)

for the position of **DEPUTY MAYOR**

Nominators:

Name: Cr _____

Signature: _____

Date: _____

Name: Cr _____

Signature: _____

Date: _____

I herewith accept nomination for the Snowy Monaro Regional Council

Name: Cr _____

Signature: _____

Date: _____

9.3.2 MEETING DATES AND TIMES OF COUNCIL MEETINGS

Record No: I24/517

OFFICER'S RECOMMENDATION

That following the currently set council meetings for November and December 2024:

- A. Council meet on the third Thursday of each month, commencing from 1:00pm.
- B. Meetings will be held in Cooma in the even months and on the odd months rotate between Jindabyne and Bombala.
- C. Extraordinary meetings will be held in Cooma unless the Mayor, in consultation with the CEO, determines that the matters being discussed would mean that the meeting should, and logistically can, be held in a different location.
- D. No scheduled meeting be held in January.

ISSUES

Council is required to meet on at least 10 times during the year, each time in a different month.

RISK ASSESSMENT

Risk Type	Current Risk	Expected Risk	Within Accepted
Asset Management	Low	Low	Yes
Economic Activity	Low	Low	Yes
Environmental Security	Low	Low	Yes
External Political Environment	Low	Low	Yes
Financial Sustainability	Low	Low	Yes
Health and Safety	Low	Low	Yes
Legislative Governance and Compliance	Low	Low	Yes
Reputation and Image	Low	Low	Yes
Service Delivery	Low	Low	Yes

There are no risks identified with the setting of the dates and times as proposed.

FINANCIAL IMPACTS

There are no financial impacts from the recommendation.

RESPONSIBLE OFFICER: Chief Strategy Officer

OPTIONS CONSIDERED

Evening meetings are an option. The reason normally given for night meetings is to possibly increase the participation of the community. The levels of attendance in the current day meetings are the same as when meetings were held in the evening.

9.3.2 MEETING DATES AND TIMES OF COUNCIL MEETINGS

Evening meetings would require overtime and meal allowances to be paid to staff as well as additional catering costs. It would be expected that there would be extra accommodation costs for councillors and staff.

As evening meetings did not have an increased participation the risks and costs it presented for people travelling late and at night are not seen to be offset by any benefit.

IMPLEMENTATION PLANS

Once the meeting schedule is set it will be updated onto Council's website.

ATTACHMENTS

Nil

9.3.3 CASUAL VACANCIES IN CIVIC OFFICE - COUNTBACK OPTION

Record No: I24/516

OFFICER'S RECOMMENDATION

That pursuant to section 291A(1)(b) of the Local Government Act 1993 Snowy Monaro Regional Council declares that casual vacancies occurring in the office of a councillor within 18 months after the last ordinary election of councillors for the Council on 14 September 2024, are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act and directs the CEO to notify the NSW Electoral Commissioner of Council's decision within 7 days of the decision.

ISSUES

In accordance with section [291A\(1\)\(b\) of the Local Government Act 1993](#) (the Act) Council can elect to utilise a countback option to fill a casual vacancy occurring in the offices of councillors within 18 months (14 March 2026) following the 2024 elections and dispense with the need for a by-election should a casual vacancy occur.

To exercise the option of using a countback to fill vacancies Council must resolve, at their first meeting following the election, to use a countback to fill casual vacancies.

Should council choose not to utilise the countback provision, or is unable to resolve the matter at this meeting, council will be required to hold a by-election if a vacancy occurs within the first 18 months.

RISK ASSESSMENT

Risk Type	Current Risk	Expected Risk	Within Accepted
External Political Environment	Low	Low	Yes
Financial Sustainability	Medium	Low	Yes
Legislative Governance and Compliance	Low	Low	Yes
Reputation and Image	Low	Low	Yes
Service Delivery	Low	Low	Yes

The utilisation of the countback process is low risk in being regulated by the Act and within council's capability to implement. The risk in not taking the option is the possibility of by election in the event of a casual vacancy which has impact on resources.

9.3.3 CASUAL VACANCIES IN CIVIC OFFICE - COUNTBACK OPTION

FINANCIAL IMPACTS

	Amount	Details
Current Annualised Net Cost	\$0	No provision is made for a countback election to be held.
Estimated Annualised Net Cost	\$30,000	This is the expected cost of undertaking the countback election if the need should arise based on previous recent occurrences. No budget provision is being made for this to occur.
Capital Investment		
Capital Funding Source		

Given the cost of the recent council election is expected to exceed \$300,000 it is considered a by-election will cost would be a significant portion of that overall cost.

RESPONSIBLE OFFICER: Chief Strategy Officer

OPTIONS CONSIDERED

Undertaking a new election was considered. The advantages are that by holding a new election candidates who have decided since the last election was held that they want to stand for office can. Under a countback options no new people are allowed to stand.

This option has not been recommended due to the expectation of higher costs that may not yield a new field of candidates.

IMPLEMENTATION PLANS

If council resolves to fill casual vacancies by a countback the Chief Executive Officer (CEO) will notify the election manager (NSW Election Commission) of the council's resolution within seven days of the resolution.

EXISTING POLICY/DECISIONS

Local Government Act 1993 (the Act)

Local Government (General) Regulations 2021 (the Regulations)

BACKGROUND

The benefits of a countback election are both financial and logistical, as the cost associated with a countback would be significantly less than a by-election. The disadvantage is that the in using the countback new candidates would not be able to run for Council as part of the countback process and the community would not be able to voice their views on who among the candidates is best placed to join the council based on who was elected at the recent election.

ATTACHMENTS

Nil

9.3.4 APPOINTMENT OF DELEGATES TO COMMITTEES

Record No: I24/508

OFFICER'S RECOMMENDATION

That Council nominate a councillor or CEO representative/s to the existing committees.

ISSUES

There are a range of committees that need to have their membership either confirmed or a councillor appointed to the committee.

Those positions that are appointed and do not need appointment by Council are marked with an asterisk (*)

Internal Advisory Committees

Committee name/ purpose	Delegate	Frequency of meeting
Audit, Risk and Improvement Committee	X1 Councillor – Cr Summers	Quarterly
The committee provides independent oversight of the operations of the Council to provide assurance to the governing body and advice as required. The role of the councillor is to provide feedback to the committee on issues of concern by the governing body and feedback to the governing body on concerns raised by the committee.		
Reconciliation Action Plan Working Group	X1 Councillor – Cr Williamson	4 times per year
To involve the community in the development of reconciliation plans.		
Cemeteries Committee	x1 Councillor	Quarterly
To gain community feedback into the operations of the cemeteries and encourage volunteering to maintain facilities.		
Community Support Programs	X1 councillor	Quarterly
The committee is a skills based committee that provides advice to support the effective delivery of services in accordance with legislated requirements.		
Saleyards & Transit Stock Facilities	x2 Councillors – Cr Stewart & Cr Davis	Needs to be re-activated
To gain input from the users of the facility on the operations of the saleyard and transit yards owned by Council.		
Snowy Monaro Arts & Cultural	X1 Councillor	Quarterly
To provide community views on the development of arts and culture strategies and provide community views into the operations of South East Arts.		
Snowy Monaro Biosecurity (Weeds)	X2 Councillors – Cr Stewart & Cr Summers	Quarterly

9.3.4 APPOINTMENT OF DELEGATES TO COMMITTEES

Committee name/ purpose	Delegate	Frequency of meeting
To provide community views into the operations of the Biosecurity program's direction and focus.		
Yamaga Sister City	Mayor	When required
To assist in the planning for sister city events.		
Housing and Social Services	X1 Councillor	Not set.
To share information and coordinate a response to the acute and chronic shortage of accommodation and housing across the region and the associated impacts socially.		
Recreational Facilities	X1 Councillor – Cr Hopkins	
To allow for community views on the development of recreational strategies and the asset management of facilities.		
Cooma North Ridge Reserve	X1 Councillor – Cr Hopkins	6 times per year
To provide recommendations to Council on the management and care of the North Ridge Reserve.		

External Committees

Committee name	Delegate	Frequency of meeting
ANU Medical School - Community Advisory Committee	X 1 Councillor – Cr Davis	Once a year
Oversight of the development and maintenance of a rural network which supports the delivery of quality learning experiences and research opportunities for students and faculty staff in rural and remote locations.		
Boco Rock Community Fund Committee	Mayor (Chair)*, CEO*, X 2 Councillors – Cr Hopkins & Cr Stewart	Minimum 3 times per year
The committee is responsible for assessing funding applications and approving the allocation of enhancement funds.		
Bundian Way Advisory Committee	X 1 Councillor or CEO	1st Thursday every second month
To provide recommendations to the Eden Local Aboriginal Land Council on strategic planning documents and monitor progress against the Bundian Way Master Plan.		
Cooma Correctional Centre Community Consultative Committee	X1 Councillor	TBC

9.3.4 APPOINTMENT OF DELEGATES TO COMMITTEES

Committee name	Delegate	Frequency of meeting
Encourage community partnership to maintain and improve civic areas, though collaboration with the Cooma Correctional Centre.		
Community Safety Precinct	X1 Councillor – Cr Hanna	TBC
Works in partnership with the local police to address issues of public safety and crime in the local community.		
District Bushfire Management Committee	X1 Councillor – Cr Higgins	TBC
The BFMC is an advisory body set up to assist in the development of the Bush Fire Risk Mitigation Plan.		
District Liaison Committee	X2 Councillor – Cr Hanna & Cr Davis CEO*	TBC
Monitor the performance of the Rural Fire District Service Agreement.		
Jindabyne Liquor Accord	X1 Councillor	When required
Discuss emerging issues and trends within the local community with an aim to reduce alcohol-related issues, anti-social behaviour and violence.		
Local Traffic Committee (LTC)	X1 Councillor – Cr Hanna	last Thursday of every second month
The LTC's is an advisory body, it is primarily a technical review committee that is required to advise council on traffic related matters referred to it, by council.		
Monaro Regional Interagency Committee	X1 Councillor – Cr Higgins	2nd Thursday every 2nd month
To provide a collaborative, co-ordinated approach to the delivery of a full range of community services, by both government and non-government organisations.		
NSW Government's Asbestos Coordination Committee	X1 Councillor	Quarterly
Contribute to the development and implementation of the whole-of-government strategy on asbestos management in NSW.		
South East Arts Board	X1 Councillor	3 times per year
South East Arts is the regional arts and cultural development organisation covering the Bega Valley, Eurobodalla and Snowy Monaro council areas. The SEA actively support the ongoing development of, and participation in, arts and culture throughout the NSW South East region.		
Southern Regional Planning Panel	Mayor & CEO 1 x Alternative	TBC

9.3.4 APPOINTMENT OF DELEGATES TO COMMITTEES

Committee name	Delegate	Frequency of meeting
The panel determine regionally significant Development Applications (DAs) or provide advice about planning proposals.		

RISK ASSESSMENT

Risk Type	Current Risk	Expected Risk	Within Accepted
Asset Management	Low	Low	Yes
Economic Activity	Low	Low	Yes
External Political Environment	Low	Low	Yes
Financial Sustainability	Low	Low	Yes
Legislative Governance and Compliance	Low	Low	Yes
Reputation and Image	Low	Low	Yes
Service Delivery	Low	Low	Yes

The report only relates to filling current roles. As such it has no impact on the risks the organisation faces.

FINANCIAL IMPACTS

Provision has been made in the budget for the Mayor and Council to undertake civic duties as required. This budget includes representing Council on a number of external and internal advisory committees.

Executive support to the Mayor and Council is provided within the existing budget allocations.

Reimbursement of expenses for Councillors to attend committee meetings is detailed within the relevant policy.

RESPONSIBLE OFFICER: Coordinator Governance

OPTIONS CONSIDERED

Options were not considered as the report is only looking to fill the current roles as a result of the election.

When the Council has completed its strategic planning process and determined its main programs and activities in the delivery plan the need for and purpose of committees should be revisited looking at how those help achieve the strategies and programs adopted by the Council.

IMPLEMENTATION PLANS

Communication of representation and the status of a committee will be provided by the Executive Office following council's decision.

Support for the various committees will be provided on a needs basis by the Governance team and Executive Office.

EXISTING POLICY/DECISIONS

AUDIT, RISK AND IMPROVEMENT COMMITTEE 10 December 2021

COMMITTEE RECOMMENDATION

ARIC1/21

That the Audit, Risk and Improvement Committee:

B. Request the following actions:

- 1) The nominated ARIC representative Councillor has financial knowledge.

Legislative Requirements

There are a number of committees established that consider and discuss matters that fall under legislation, for example; Planning Panels were introduced in NSW on 1 July 2009 to strengthen decision making for regionally significant development and certain other planning functions under the EP&A Act.

BACKGROUND

Councils uses a range of mechanisms to guide it in making decisions. One method used are committees. These are referred to as internal advisory committees, and consist of councillors, staff or external people or bodies. There are a range of ongoing committees set up to consider different aspects of matters to provide input to the Council to assist in decision making. As they often inform the governing body on matters there is generally a councillor on these committees.

Council also maintains links with a range of community based and other organisations via representation on relevant committees. Such representation is usually by appointment of either elected members or members of staff as delegates. These are referred to as external committees, as they are established by a separate organisation where Council is invited or required to attend.

Delegates generally have voting rights as representatives of Council on such committees, although the extent of this does vary between committees. Delegates have a responsibility to Council, as its representative, to vote in accord with Council policy and to keep Council informed of the activities of the committee in question.

Delegates have no authority to bind or commit the Council to any act or funding.

ATTACHMENTS

Nil

14. CONFIDENTIAL MATTERS

In accordance with Section 10A(2) of the Local Government Act 1993, Council can exclude members of the public from the meeting and go into Closed Session to consider confidential matters, if those matters involve:

- (a) personnel matters concerning particular individuals; or
- (b) the personal hardship of any resident or ratepayer; or
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business; or
- (d) commercial information of a confidential nature that would, if disclosed;
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law; or
- (f) matters affecting the security of the council, councillors, council staff or council property; or
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege or information concerning the nature and location of a place; or
- (h) an item of Aboriginal significance on community land.

and Council considers that the closure of that part of the meeting for the receipt or discussion of the nominated items or information relating thereto is necessary to preserve the relevant confidentiality, privilege or security of such information, and discussion of the material in open session would be contrary to the public interest.

In accordance with Section 10A(4) of the Local Government Act 1993 the Chairperson will invite members of the public to make verbal representations to the Council on whether the meeting should be closed to consider confidential matters.