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**NARROMINE SHIRE COUNCIL  
ORDINARY MEETING BUSINESS PAPER – 9 OCTOBER 2024  
REPORTS TO COUNCIL – GENERAL MANAGER**

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**1. COUNCILLOR OATH OR AFFIRMATION OF OFFICE**

<b>Author</b>	Director Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – 4.3.1 Operate and manage Council in a financially sustainable manner that meets all statutory and regulatory compliance and Council policies

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**Executive Summary**

This report is provided to Council with the information necessary for the newly elected Councillors to undertake their statutory oath or affirmation of office.

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**Report**

Under the Local Government Act 1993, Councillors are required to take an oath or make an affirmation of office, and this must be the first item of business for the first meeting of the newly elected Council.

Oaths or affirmations of office must be taken or made by each Councillor at or before the first meeting of the Council after being elected. The oath or affirmation may be taken or made before the General Manager of the Council, an Australian legal practitioner or a Justice of the Peace.

A Councillor who fails, without a reasonable excuse, to take the oath or make an affirmation of office will not be entitled to attend Council Meetings until they do so and will be taken to be absent without leave. If a Councillor is absent without leave for three consecutive Ordinary Meetings their office is automatically declared vacant and a by-election or countback must be held.

The prescribed words of the oath and affirmation are provided below: -

**Oath**

"I (name of councillor) swear that I will undertake the duties of the office of councillor in the best interests of the people of Narromine Shire and Narromine Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgement".

**Affirmation**

"I (name of councillor) solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Narromine Shire and Narromine Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgement".

**1. COUNCILLOR OATH OR AFFIRMATION OF OFFICE (Cont'd)**

***Financial Implications***

Applicable if Council is required to hold a by-election, or countback

***Legal and Regulatory Compliance***

Local Government Act 1993, Section 233A

***Risk Management Issues***

The General Manager must ensure that a record is kept of the taking of the oath or making of the affirmation. This can be done by way of a signed statement containing the oath or affirmation or by recording the taking of the oath or making of the affirmation of each Councillor in the minutes of the meeting.

The taking of the oath or making an affirmation of office outside a council meeting must be publicly recorded by the Council. A council staff members must be present to ensure that an accurate record can be kept by the Council.

***Internal/External Consultation***

Office of Local Government Circular

Attachments

- Nil

**RECOMMENDATION**

That each Councillor stand and take their statutory oath or make an affirmation of office with each statutory oath made or affirmation taken recorded in the minutes of the meeting.

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## **2. ELECTION OF MAYOR AND DEPUTY MAYOR**

<b>Author</b>	Director Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – 4.3.1 Operate and manage Council in a financially sustainable manner that meets all statutory and regulatory compliance and Council policies

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### **Executive Summary**

This report is provided to Council in order for Council to conduct mayoral and deputy mayoral elections.

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### **Report**

Under the Local Government Act, the civic offices of mayors elected by Councillors expire on the day of the Council's ordinary election.

Councils that elect councillors must hold a mayoral election at a Council Meeting within three weeks of the declaration of the election. Councillors may also elect a deputy mayor. The deputy mayor may be elected for the mayoral term or a shorter term. Mayors elected by councillors hold their office for two years (unless a casual vacancy occurs).

The election of the mayor and deputy mayor must be conducted in accordance with Schedule 7 of the Local Government (General) Regulation 2021.

### **Election of Mayor Procedure**

#### **Returning Officer**

The returning officer is to be the General Manager, or a person appointed by the General Manager.

As no mayor or deputy mayor will be present at the start of the first meeting of the newly elected Council, the returning officer will assume the Chair for the purpose of conducting the election.

#### **Nominations**

A Councillor may be nominated without notice for election as Mayor or Deputy Mayor. The nomination is to be made in writing by two 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. The nomination is delivered to the Returning Officer. The Returning Officer is to announce the names of the nominees at the Council Meeting at which the election is to be held.

## **2. ELECTION OF MAYOR AND DEPUTY MAYOR**

### **Election**

If only one Councillor is nominated, that Councillor is elected. If more than one Councillor is nominated, the Council is to resolve whether the election is to proceed to preferential ballot (place 1, 2, 3 against each candidate), by ordinary ballot (secret ballot – place an “X” against the candidate of their choice) or by open voting (show of hands). A similar procedure applies for the election of the Deputy Mayor.

The election is to be held at the Council Meeting at which the Council resolves on the method of voting.

Open ballots can be undertaken remotely where a Council is conducting its meeting via audio visual link.

Ordinary and preferential ballots are secret ballots and Councillors will need to attend the meeting in person if the election is to be by way of an ordinary or preferential ballot.

Previous elections have been by ordinary ballot.

### **Ordinary Ballot or Open Voting**

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. The formality of a ballot-paper must be determined in terms of clauses 345(1) and (2) of the Regulation. An informal ballot-paper must be rejected at the count.

### **Count – 2 Candidates**

If there are only two candidates, the candidate with the higher number of votes is elected. If there are only two candidates and they are tied, the one elected is chosen by lot.

### **Count – 3 or more Candidates**

- (1) If there are three or more candidates, the one with the lowest number of votes is to be excluded.
- (2) If three 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.

## **2. ELECTION OF MAYOR AND DEPUTY MAYOR (Cont'd)**

- (3) If, after that, 3 or more candidates still remain, the procedure set out in sub-clause (2) is to be repeated until only 2 candidates remain.
- (4) A further vote is taken of the 2 remaining candidates.
- (5) The procedure for the count for two candidates then applies as if the two remaining candidates had been the only candidates.
- (6) If at any stage during a count under sub-clause (1) or (2), two or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

### **Preferential Ballot**

If the election proceeds by preferential ballot the ballot papers are to contain the names of all the candidates. Councillors are to mark their votes by placing the numbers "1", "2" and so on against the various names to indicate the order of their preference for all the candidates.

### **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) Absolute majority means the number that is more than one half of the number of unexhausted formal ballot papers.

### **Tied candidates**

- (1) If, on any count of votes, there are 2 candidates in, or remaining in, the election and the number 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 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.

## **2. ELECTION OF MAYOR AND DEPUTY MAYOR (Cont'd)**

### **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.

### **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) be delivered or sent to the Secretary and the Chief Executive Officer of Local Government NSW.

### **Financial Implications**

Operational Plan and Budget 2024/2025

### **Legal and Regulatory Compliance**

Sections 227, 228, 230, 231, 290 of the *Local Government Act 1993*  
Schedule 7 of the *Local Government (General) Regulation 2021*

### **Risk Management Issues**

Compliance with legal and regulatory obligations.

### **Internal/External Consultation**

Nil

### Attachments

- Nil

## **RECOMMENDATION**

1. That in the event of more than one candidate for the positions of Mayor and Deputy Mayor the election(s) be conducted by ordinary ballot.
2. That the term of the Deputy Mayor be the same term as the Mayor.

### **3. COUNTBACKS TO FILL CASUAL VACANCIES**

<b>Author</b>	Director Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – 4.3.1 Operate and manage Council in a financially sustainable manner that meets all statutory and regulatory compliance and Council policies

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#### **Executive Summary**

This report is provided to Council to determine the method of filling casual vacancies occurring in the offices of councillors in the first 18 months after the election.

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#### **Report**

Councils have the option of using a countback of votes cast at the last ordinary election to fill casual vacancies occurring in the offices of councillors in the first 18 months after the election.

This allows councils to use a countback to fill vacancies at a lower cost than the cost of holding a by-election.

To exercise the option of using a countback to fill casual vacancies occurring in the first 18 months following the election, councils must resolve, at their first meeting after the election, to use a countback to fill casual vacancies.

If councils do not resolve this at the first meeting after the election, they will be required to fill casual vacancies through a by-election.

Where councils resolve to fill casual vacancies using a countback method, the General Manager is required to notify the election manager of the council's ordinary election of the council's resolution within 7 days of the resolution.

#### ***Financial Implications***

If Council does not resolve to use the countback method at the first ordinary meeting following the election, any vacancies in office within the first 18 months following the election will be required to be filled through a by-election. A by-election comes at a cost of more than \$50,000 compared with a countback of between \$6,000 - \$10,000.

### **3. COUNTBACKS TO FILL CASUAL VACANCIES (Cont'd)**

#### ***Legal and Regulatory Compliance***

Section 291A(1)(b) of the Local Government Act 1993

#### ***Risk Management Issues***

Council will need to consider the financial implications of holding a by-election to fill casual vacancies in office. A casual vacancy is filled within 49 days or less via a countback, whereas a by-election can take up to 3 months. The electorate is not required to vote again, and there are no penalties for electors not voting. The disadvantages of a countback are no new candidates can be considered, and unelected candidates from the previous ordinary election cannot campaign to improve their vote.

#### ***Internal/External Consultation***

Nil

#### **Attachments**

- Nil

### **RECOMMENDATION**

That pursuant to section 291A(1)(b) of the Local Government Act 1993 (the Act), Narromine Shire 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 General Manager to notify the NSW Electoral Commissioner of the Council's decision within 7 days of the decision.



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#### **4. ORDER OF BUSINESS**

<b>Author</b>	Director Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – Operate and manage Council in a financially sustainable manner that meets all statutory and regulatory compliance and Council policies

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#### **Executive Summary**

This report is presented to Council to consider the current Order of Business for Ordinary Meetings.

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#### **Report**

Council's Code of Meeting Practice provides that the order of business for Ordinary Council Meetings is fixed by a resolution of the Council.

The 2021 Office of Local Government Model Code of Meeting Practice recommends that the general order of business below, however councils may adapt this to suit their needs: -

1. Opening Meeting
2. Acknowledgement of Country
3. Apologies and Applications for Leave of Absence or attendance by audio visual link by Councillors
4. Confirmation of Minutes
5. Disclosures of Interests
6. Mayoral Minute
7. Reports of Committees
8. Reports to Council
9. Notices of Motions/Questions with Notice
10. Confidential Matters
11. Conclusion of the Meeting

Section 8 of the Model Code of Meeting Practice provides for the order of business to be altered for a particular meeting of the Council if a motion to that effect is passed at the meeting. Such a motion can be moved without notice.

#### **Financial Implications**

Operational Plan and Budget 2024/2025

#### **4. ORDER OF BUSINESS (Cont'd)**

##### ***Legal and Regulatory Compliance***

Local Government Act 1993 – Section 360

Clause 232 of the *Local Government (General) Regulation 2021*

Council's Code of Meeting Practice

Office of Local Government – Model Code of Meeting Practice 2021

##### ***Risk Management Issues***

Within the first 12 months following the election Council must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Code of Meeting Practice for Local Councils in NSW following public exhibition and the submission of considerations.

A report will be presented to Council in due course to consider Council's Model Code of Meeting Practice as is required under the Act.

Business Without Notice can only be considered at a meeting of Council if a motion is passed to have the business considered at the meeting, and the business to be considered is ruled by the Chair to be of great urgency on the grounds it requires a decision by the council before the next scheduled ordinary meeting of the council.

##### ***Internal/External Consultation***

Nil

##### **Attachments**

- Nil

#### **RECOMMENDATION**

That the Order of Business for Ordinary Meetings of Council be fixed as follows: -

1. Opening Meeting
2. Prayer
3. Acknowledgement of Country
4. Statement of Ethical Obligations
5. Apologies and Applications for Leave of Absence or attendance by audio visual link by Councillors
6. Confirmation of Minutes
7. Disclosures of Interests
8. Mayoral Minute
9. Reports of Committees
10. Reports to Council
11. Notices of Motions/Questions with Notice
12. Business Without Notice – Urgent Matters
13. Confidential Matters
14. Conclusion of Meeting

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## **5. TIMING OF ORDINARY COUNCIL MEETINGS**

<b>Author</b>	Director Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – Operate and manage Council in a financially sustainable manner that meets all statutory and regulatory compliance and Council policies

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### **Executive Summary**

This report is presented to Council to consider the frequency, time, date and place of Ordinary Council Meetings.

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### **Report**

Council is required to meet at least 10 times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year (section 365 of the *Local Government Act 1993*).

Council's Code of Meeting Practice provides that the Council shall by resolution set the frequency, time, date and place of its Ordinary Meetings.

Currently Council meetings are held in Council Chambers on the second Wednesday of each calendar month with the exception of the month of January. No Ordinary Meeting is held in January due to holidays and staff absences. If urgent business arises, an Extraordinary Meeting may be called.

### ***Financial Implications***

Operational Plan and Budget 2024/2025

### ***Legal and Regulatory Compliance***

Local Government Act 1993 – section 365  
Council's Code of Meeting Practice

### ***Risk Management Issues***

Pre-meeting briefing sessions may be held prior to the Ordinary Council Meeting, as well as Public Forum. This is in accordance with the *OLG Model Code of Meeting Practice for Local councils in NSW 2021*.

As this is a new Council term with a new Council, it is important that Council selects a suitable day and time for its Ordinary Meetings to ensure all Councillors can attend.

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**5. TIMING OF ORDINARY COUNCIL MEETINGS (Cont'd)**

***Internal/External Consultation***

Council will need to publish the day and time of meetings of Council, once resolved.

Attachments

- Nil

**RECOMMENDATION**

1. That Council determine a day and time for Ordinary Council Meetings;
2. That Council does not hold an Ordinary Meeting in January.
3. That Ordinary and Extraordinary Council meetings continue to be held in Council Chambers and
4. That the public be notified of the place, day and time of Ordinary Council Meetings.

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**6. TOMINGLEY GOLD OPERATIONS (TGO) – COMMUNITY FUND PANEL**

<b>Author</b>	Director Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – 4.4.3 Develop and build partnerships with State and Federal Governments, industry and community organisations to foster development and delivery of community services and emerging business sectors

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**Executive Summary**

This report is presented to Council to approve the recommendations from the Tomingley Gold Operations (TGO) Community Fund Panel for distribution of the Voluntary Planning Agreement funds.

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**Report**

The Voluntary Planning Agreement (VPA) with Alkane Resources Ltd is to provide Council with the following “community funds” as outlined in clause 4.1 of the Agreement –

\$75,000 (plus CPI adjustments) per year until 31 December 2030 with 50% payable on 1<sup>st</sup> July and 50% payable on 1<sup>st</sup> January each year.

The VPA also states in clause 4.3 “The Development Contributions paid pursuant to subclause 4.1 may be pooled with other monies held by Council which have similar and relevant objectives”.

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**6. TOMINGLEY GOLD OPERATIONS (TGO) – COMMUNITY FUND PANEL (Cont'd)**

The objective of the Community Fund is to satisfy the four elements of:

- Economic Development – directly contribute to the resilience and/or long-term economic growth of the community.
- Community Connectivity – promote community togetherness in a positive family focused way.
- Education and Training – foster the education and up-skilling of members of the community.
- Community Infrastructure.

The TGO Community Fund awards funds twice per year. The Panel usually confers in April and September to review applications. The Panel recommends to Council that the following projects receive funding from the Community Fund (Round 2 2024):

- Pam's Big Pink Breakfast – host an inaugural breakfast to raise funds for breast cancer research - \$1,500.
- Narromine Dolly Parton Festival – assist with running of the 2025 Narromine Dolly Parton Festival - \$10,000.
- The Royal Flying Doctors – establish an Indigenous Garden at Trangie Central School - \$2,500.
- Narromine Aviation Museum – purchase and install 5 interpretive signs for the museum - \$3,240.
- Narromine Car Club – assist with running costs of the Narromine Car Club 2025 Car Show and Swap meet to be held in March - \$4,000.
- Narromine Community Kitchen – toward the purchase of ingredients, cooking equipment and a replacement air conditioning unit - \$3,500
- Narromine Community Skills Project – assist with the running of the 2024 Venetian Carnival in Narromine - \$6,438.
- Narromine Golf Club – installation of Softfall flooring in the golf club playground - \$5,000.
- Narromine Hospital Auxiliary – purchase of equipment for Narromine Hospital - \$10,000.
- Narromine Shire Council – provision of after school activities and school holiday programs at Narromine Sports and Fitness Centre - \$5,000.
- Narromine Show Society – assist with operating costs for the Annual Narromine Show - \$4,000.
- Narromine Tennis Club – install a Barclay Lighting System which will allow players to manage court lighting using a PIN - \$2,500.
- Narromine Turf Club – improvements to Narromine Turf Club facilities and assist with running the Dandy Cup 2024 - \$10,000.
- THRIV3 Paddling Pathway Program – assist with the running of a 10-day kayaking trip on the Macquarie River from Dubbo to Warren for 24 young people aged 13-17 - \$5,000.
- Western NSW Health – Trangie Multi-Purpose Service – assist with the running of the Bellies and New Life Program based in Trangie - \$3,000.

**6. TOMINGLEY GOLD OPERATIONS (TGO) – COMMUNITY FUND PANEL (Cont'd)**

Recommended projects are determined in accordance with the objectives and assessment criteria for the distribution of the Community Funds agreed to by Council and TGO.

Acknowledgement of the successful applicant will be in a joint letter from Council (signed by the Mayor) and the TGO (signed by the Mining Manager).

***Financial Implications***

VPA Funds of \$75,000 per annum are available. The balance of the community VPA fund as at 30 June 2024 is \$123,000. There were 18 applications received comprising a total value of \$185,196.50.

Recommended financial contribution is \$75,678.

***Legal and Regulatory Compliance***

In accordance with section 377 of the Local Government Act 1993, Council must resolve to approve the allocation of funds for a donation.

Guidelines adopted by Council on 9 October 2013 for distribution of funds for Tomingley Gold Operations – Community Fund in accordance with the Voluntary Planning Agreement.

***Risk Management Issues***

Nil

***Internal/External Consultation***

TGO Community Fund Panel

***Attachments***

Nil

**RECOMMENDATION**

That Council approves the allocation of funds from the TGO Community Fund as follows:

- Pam's Big Pink Breakfast – host an inaugural breakfast to raise funds for breast cancer research - \$1,500.
- Narromine Dolly Parton Festival – assist with running of the 2025 Narromine Dolly Parton Festival - \$10,000.
- The Royal Flying Doctors – establish an Indigenous garden at Trangie Central School - \$2,500.
- Narromine Aviation Museum – purchase and install 5 interpretive signs for the museum - \$3,240.
- Narromine Car Club – assist with running costs of the Narromine Car Club 2025 Car Show and Swap meet to be held in March - \$4,000.
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**6. TOMINGLEY GOLD OPERATIONS (TGO) – COMMUNITY FUND PANEL (Cont'd)**

- Narromine Community Skills Project – assist with the running of the 2024 Venetian Carnival in Narromine - \$6,438.
- Narromine Golf Club – installation of Sofffall flooring in the golf club playground - \$5,000.
- Narromine Hospital Auxiliary – purchase of equipment for Narromine Hospital - \$10,000.
- Narromine Shire Council – provision of after school activities and school holiday programs at Narromine Sports and Fitness Centre - \$5,000.
- Narromine Show Society – assist with operating costs for the Annual Narromine Show - \$4,000.
- Narromine Tennis Club – install a Barclay Lighting System which will allow players to manage court lighting using a PIN - \$2,500.
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- THRIV3 Paddling Pathway Program – assist with the running of a 10-day kayaking trip on the Macquarie River from Dubbo to Warren for 24 young people aged 13-17 - \$5,000.
- Western NSW Health – Trangie Multi-Purpose Service – assist with the running of the Bellies and New Life Program based in Trangie - \$3,000.

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**7. DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS RETURNS**

<b>Author</b>	Director Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – 4.3.1 Operate and manage Council in a financially sustainable manner that meets all statutory and regulatory compliance and Council policies

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**Executive Summary**

This report is presented to Council in accordance with legislative requirements. All Councillors and designated persons have completed and lodged their returns by due date.

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**Report**

Councillors and designated persons are required to lodge a Pecuniary Interest and Other Matters Return with the General Manager within 3 months of becoming a Councillor or designated person, and thereafter prior to 30 September each year.

The information collected on the returns is to be kept by the General Manager in a register of returns. The General Manager is required to table all returns at a Council Meeting.

All returns for Councillors holding office as at 30 June 2024 and designated staff have been completed.

**7. DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS RETURNS (Cont'd)**

***Financial Implications***

Nil

***Legal and Regulatory Compliance***

Code of Conduct – Clause 4.21 and Schedule 2  
Government Information (Public Access) Act 2009 and Regulations

***Risk Management Issues***

Information contained in returns made and lodged is to be made publicly available in accordance with the requirements of the Government Information (Public Access) Act 2009, the Government Information (Public Access) Regulation 2018 and any guidelines issued by the Information Commissioner.

Designated persons have an obligation to keep the information contained in their returns up to date. When becoming aware of a new interest that must be disclosed in the return, or an interest previously not disclosed, the designated person must submit an updated return within three months of becoming aware of the previously undisclosed interest.

***Internal/External Consultation***

Consultation with Councillors (holding office as at 30 June 2024) and Designated Persons

**Attachments**

- Nil

**RECOMMENDATION**

That the information be noted.



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**8. ELECTION OF COUNCILLOR MEMBER TO THE AUDIT, RISK AND IMPROVEMENT COMMITTEE**

<b>Author</b>	Director Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – 4.21 Strive for business excellence through continuous improvement and creativity DP – 4.2.1.3 Effective use of Audit Risk and Improvement Committee CSP – 4.3.1 Operate and manage Council in a financially sustainable manner that meets all statutory and regulatory compliance and Council policies

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**Executive Summary**

This report is presented to Council to determine the election of a Councillor member to the Audit, Risk and Improvement Committee.

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**Report**

Council has established an Audit, Risk and Improvement Committee in accordance with Section 428A of the Local Government Act. The Committee provides independent assurance to Council by monitoring, reviewing and providing advice about Council's governance processes, compliance, risk management and control frameworks, external accountability obligations and overall performance. The Committee has an advisory and assurance role only.

In accordance with the Local Government (General) Regulation 2021, the Committee is made up of three independent voting members, one of whom is the Chair. Council has the option of electing a Councillor member, however, to preserve the independence of the Committee, the Councillor member has non-voting rights and cannot be the Mayor. The term of appointment is 4 years.

The role of the Councillor member (should Council determine to elect one) is to: -

- Relay to the committee any concerns the governing body may have regarding Council and issues being considered by the committee
- Provide insights into local issues and 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.

**8. ELECTION OF COUNCILLOR MEMBER TO THE AUDIT, RISK AND IMPROVEMENT COMMITTEE (Cont'd)**

Issues or information the Councillor member raises with or provides to the Committee must relate to matters listed in section 428A of the Local Government Act being: -

- 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
- Improving Council's performance of its functions

***Financial Implications***

Administrative costs in attending meetings etc.

***Legal and Regulatory Compliance***

Section 428A of the Local Government Act 1993

Local Government (General) Regulation 2021

Office of Local Government *Guidelines for risk management and internal audit for local government in NSW – issued under section 23A of the Local Government Act*

***Risk Management Issues***

The Councillor member of the Committee must conduct themselves in a non-partisan and professional manner. The Councillor member 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.

***Internal/External Consultation***

Nil

Attachments

- Nil

**RECOMMENDATION**

That Council consider electing a Councillor member to the Audit Risk and Improvement Committee for a 4-year term.

Jane Redden  
**General Manager**