

# **TAMWORTH REGIONAL COUNCIL**

## **ANNEXURES for ORDINARY COUNCIL AGENDA**

**26 JULY 2022**

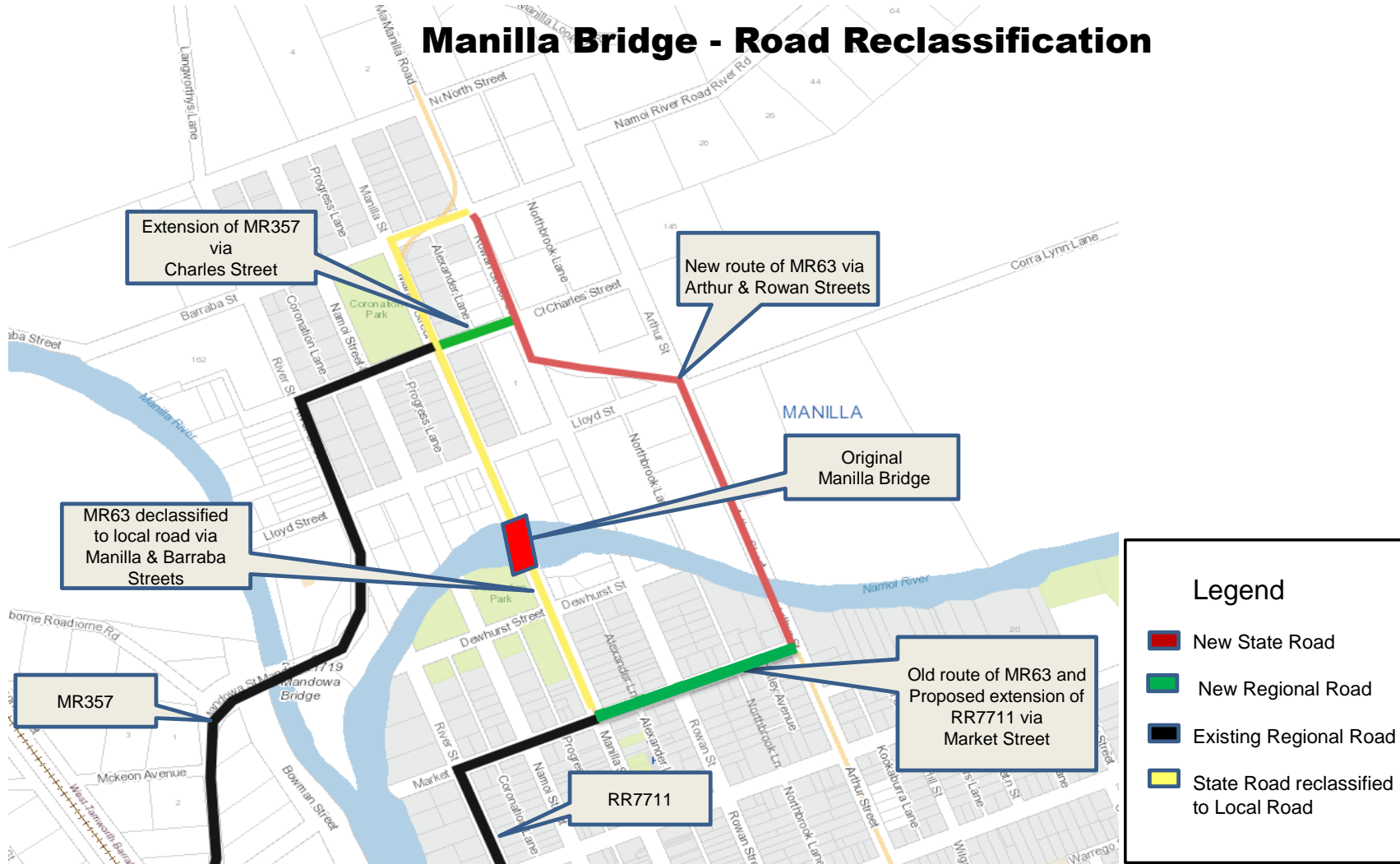
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## TABLE OF CONTENTS

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ITEM	SUBJECT	PAGE NO
8.1	<b>Classification of Roads following Completion of the Namoi River Crossing Project in Infrastructure and Services</b>	
	Annexure 1     Manilla Bridge - Road Reclassifications .....	2
9.1	<b>Annual Operational Plan 2021/2022 Budget Variation Report - June 2022 in Governance, Strategy and Finance</b>	
	Annexure 1     June 2022 Budget Adjustments .....	3
9.2	<b>Council Investments June 2022 in Governance, Strategy and Finance</b>	
	Annexure 1     Investment Register June 2022.....	5
9.3	<b>Local Government NSW 2022 Conference in Governance, Strategy and Finance</b>	
	Annexure 1     2022 LGNSW Conference Motions Submission Guide.....	7
9.4	<b>Proposed Sale of Land for Unpaid Rates and Charges in Governance, Strategy and Finance</b>	
	Annexure 1     Sale of Land for Unpaid Rates and Charges information sheet.....	19

## Manilla Bridge - Road Reclassification




## June 2022 Budget Variations

Description	Reason	Budget Type	Revenue	Reserves	Grants/Contributions	Loans
<b>Pilot Training Facility</b>						
Residential Complex - Expenses	Expenditure Reduction	Op Exp R	0	(24,012)	0	0
Hangar Facility - Expenses	Expenditure Reduction	Op Exp R	0	(3,000)	0	0
Fridge & TV Contribution	Income Increase	Cap Inc NR	0	(24,545)	0	0
	Sub Total		0	(51,557)	0	0
<b>Cultural Services</b>						
Winter Holiday Break 2022 - Inc	Grant Funding	Op Inc NR	0	0	(7,000)	0
Winter Holiday Break 2022 - Exp	Grant Funding	Op Exp NR	0	0	7,000	0
HOME 2022 Workshop - Inc	Grant Funding	Op Inc NR	0	0	(8,019)	0
HOME 2022 Workshop - Exp	Grant Funding	Op Exp NR	0	0	8,019	0
	Sub Total		0	0	0	0
<b>Development</b>						
NSW Planning Portal API - Inc	Grant Funding	Op Inc NR	0	0	(80,000)	0
NSW Planning Portal API - Exp	Grant Funding	Op Exp NR	0	0	80,000	0
	Sub Total		0	0	0	0
<b>Integrated Planning</b>						
Somerton Tennis Court Upgrade - Exp	Funding correction	Cap Exp	(290)	0	0	0
Kootingal Field Light Upgrade	Allocate unspent Grant	Cap Inc NR	0	0	(1,018)	0
Kootingal Field Light Upgrade	Allocate unspent Grant	Cap Exp	0	0	3,639	0
Piallamore Tennis Court Upgrade	Allocate unspent Grant	Cap Inc NR	0	0	1,018	0
Piallamore Tennis Court Upgrade	Allocate unspent Grant	Cap Exp	0	0	(1,018)	0
Moonbi War Memorial Hall Flooring	Committee Contribution	Cap Exp	0	0	5,739	0
Moonbi War Memorial Hall Flooring	Committee Contribution	Cap Inc NR	0	0	(5,739)	0
Moonbi Museum - EHive Enabling Workshop	New Grant	Op Inc NR	0	0	(3,922)	0
Moonbi Museum - EHive Enabling Workshop	New Grant	Op Exp NR	0	0	3,922	0
	Sub Total		(290)	0	2,621	0
<b>Plant, Fleet &amp; Buildings</b>						
Weabonga Hall upgrade	Allocate unspent Grant	Cap Exp	0	0	2,500	0
	Sub Total		0	0	2,500	0

## June 2022 Budget Variations

Description	Reason	Budget Type	Revenue	Reserves	Grants/Contributions	Loans
<b>Sports &amp; Recreation Services</b>						
Sports Dome - Court Surface Major Maint	Expense Increase	Op Exp NR	0	10,409	0	0
Sports Dome - Foyer Lights Replacement	Expense Increase	Cap Exp	0	11,590	0	0
Kootingal Recreation Reserve – Oval Seating	Capital Contribution	Cap Inc NR	0	0	(16,280)	0
Kootingal Recreation Reserve – Oval Seating	New Project	Cap Exp	0	0	16,280	0
Kamillaroi Walking Track Upgrade	Allocate Unspent Grant	Cap Exp	0	0	(95,000)	0
Manilla – Chaffey Park Bollards	Allocate Unspent Grant	Cap Exp	0	0	(778)	0
Public Toilet Renewal - Barraba	Allocate Unspent Grant	Cap Exp	0	0	(5,403)	0
Public Toilet Renewal - Woolomin	Allocate Unspent Grant	Cap Exp	0	0	(2,948)	0
Public Toilet Renewal - Split Rock Dam	Allocate Unspent Grant	Cap Exp	0	0	(11,855)	0
Bicentennial Park - light upgrade	Allocate Unspent Grant	Cap Exp	0	0	(5,457)	0
Viaduct Park - Half court basketball	Allocate Unspent Grant	Cap Exp	0	0	6,600	0
Bicentennial Park River Walk	Allocate Unspent Grant	Cap Exp	0	0	85,000	0
Viaduct Park Climbing Wall	Allocate Unspent Grant	Cap Exp	0	0	23,606	0
Sub Total			0	21,999	(6,235)	0
<b>Infrastructure &amp; Projects</b>						
Survey and Design segment 4230	Expense Increase	Op Exp NR	0	4,008	0	0
Survey and Design segment 3185	Expense Increase	Op Exp NR	0	4,015	0	0
TGGP - Goddard Lane Construction - Exp	New Work	Cap Exp	0	123,525	0	0
Precinct Mgt and Consultants - Exp	Expense Increase	Cap Exp	0	10,000	0	70,000
Precinct Ext Auth Services and Street Lighting	Expense Decrease	Cap Exp	0	(10,000)	0	0
Sealing Grid Approaches - LRCI	Allocate Unspent Grant	Cap Exp	0	0	532	0
Shared Path - Darling St to Skate Park	Allocate Unspent Grant	Cap Exp	0	0	(26,053)	0
Footpath - LRCI Gymnastics Club Hillvue	Allocate Unspent Grant	Cap Exp	0	0	343	0
Footpath - LRCI Denison St Tamworth	Allocate Unspent Grant	Cap Exp	0	0	348	0
Footpath - LRCI Oakenville St Nundle	Allocate Unspent Grant	Cap Exp	0	0	1,296	0
Footpath - LRCI Chelmsford St Kootingal	Allocate Unspent Grant	Cap Exp	0	0	(1,987)	0
LRCIP2 Budget Control	Allocate Unspent Grant	Cap Exp	0	0	29,256	0
Sub Total			0	131,548	3,735	70,000
<b>Grand Total</b>			<b>(290)</b>	<b>101,990</b>	<b>2,621</b>	<b>70,000</b>

TAMWORTH REGIONAL COUNCIL INVESTMENT REGISTER 30/06/2022											
Financial Institution	S&P Credit Rating	IFRS Classification	Investment Type	Date Invested	Due Date	No of Days	Interest Rate	Market Value at 31/05/2022	Market Value at 30/06/2022	% of Amount Invested	
CBA	A-1+	Held to Maturity	TD	01/06/2021	07/06/2022	371	0.44%	5,000,000.00		0.00%	
CBA	A-1+	Held to Maturity	TD	02/06/2021	14/06/2022	377	0.46%	3,500,000.00		0.00%	
CBA	A-1+	Held to Maturity	TD	16/06/2021	21/06/2022	370	0.45%	4,000,000.00		0.00%	
CBA	A-1+	Held to Maturity	TD	18/06/2021	28/06/2022	375	0.46%	4,000,000.00		0.00%	
CBA	A-1+	Held to Maturity	TD	29/06/2021	05/07/2022	371	0.49%	4,000,000.00	4,000,000.00	1.96%	
CBA	A-1+	Held to Maturity	TD	06/07/2021	12/07/2022	371	0.46%	2,500,000.00	2,500,000.00	1.23%	
CBA	A-1+	Held to Maturity	TD	13/07/2021	19/07/2022	371	0.46%	12,000,000.00	12,000,000.00	5.89%	
CBA	A-1+	Held to Maturity	TD	26/10/2021	26/07/2022	273	0.40%	4,000,000.00	4,000,000.00	1.96%	
BOQ	BBB+	Held to Maturity	TD	11/01/2022	02/08/2022	203	0.60%	4,000,000.00	4,000,000.00	1.96%	
NAB	A-1+	Held to Maturity	TD	25/01/2022	09/08/2022	196	0.53%	3,000,000.00	3,000,000.00	1.47%	
NAB	A-1+	Held to Maturity	TD	01/02/2022	16/08/2022	196	0.53%	4,000,000.00	4,000,000.00	1.96%	
BOQ	BBB+	Held to Maturity	TD	08/02/2022	23/08/2022	196	0.60%	5,000,000.00	5,000,000.00	2.46%	
NAB	A-1+	Held to Maturity	TD	15/02/2022	30/08/2022	196	0.53%	4,000,000.00	4,000,000.00	1.96%	
NAB	A-1+	Held to Maturity	TD	04/03/2022	06/09/2022	186	0.60%	4,000,000.00	4,000,000.00	1.96%	
NAB	A-1+	Held to Maturity	TD	04/03/2022	13/09/2022	193	0.60%	4,000,000.00	4,000,000.00	1.96%	
NAB	A-1+	Held to Maturity	TD	08/03/2022	20/09/2022	196	0.65%	4,000,000.00	4,000,000.00	1.96%	
NAB	A-1+	Held to Maturity	TD	15/03/2022	27/09/2022	196	0.65%	3,000,000.00	3,000,000.00	1.47%	
St George	A-1+	Held to Maturity	TD	29/09/2020	04/10/2022	735	0.85%	4,000,000.00	4,000,000.00	1.96%	
BOQ	BBB+	Held to Maturity	TD	06/10/2020	11/10/2022	735	0.90%	3,000,000.00	3,000,000.00	1.47%	
BOQ	BBB+	Held to Maturity	TD	18/01/2022	18/10/2022	273	0.70%	2,000,000.00	2,000,000.00	0.98%	
Westpac	A-1+	Held to Maturity	TD	19/10/2021	25/10/2022	371	0.49%	2,000,000.00	2,000,000.00	0.98%	
CBA	A-1+	Held to Maturity	TD	03/11/2021	08/11/2022	370	0.61%	4,000,000.00	4,000,000.00	1.96%	
Westpac	A-1+	Held to Maturity	TD	09/11/2021	15/11/2022	371	0.54%	3,000,000.00	3,000,000.00	1.47%	
NAB	A-1+	Held to Maturity	TD	26/04/2022	22/11/2022	210	1.65%	3,000,000.00	3,000,000.00	1.47%	
NAB	A-1+	Held to Maturity	TD	26/04/2022	06/12/2022	224	1.70%	3,000,000.00	3,000,000.00	1.47%	
Suncorp	A-1+	Held to Maturity	TD	22/03/2022	20/12/2022	273	1.14%	5,000,000.00	5,000,000.00	2.46%	
CBA	A-1+	Held to Maturity	TD	03/05/2022	31/01/2023	273	2.36%	5,000,000.00	5,000,000.00	2.46%	
Westpac	A-1+	Held to Maturity	TD	22/02/2022	28/02/2023	371	0.88%	4,000,000.00	4,000,000.00	1.96%	
NAB	A-1+	Held to Maturity	TD	01/03/2022	07/03/2023	371	0.89%	6,000,000.00	6,000,000.00	2.95%	
NAB	A-1+	Held to Maturity	TD	29/03/2022	04/04/2023	371	1.57%	3,000,000.00	3,000,000.00	1.47%	
CBA	A-1+	Held to Maturity	TD	12/04/2022	18/04/2023	371	1.88%	3,000,000.00	3,000,000.00	1.47%	
CBA	A-1+	Held to Maturity	TD	19/04/2022	02/05/2023	378	2.13%	3,000,000.00	3,000,000.00	1.47%	
CBA	A-1+	Held to Maturity	TD	10/05/2022	16/05/2023	371	3.01%	3,000,000.00	3,000,000.00	1.47%	
CBA	A-1+	Held to Maturity	TD	14/06/2022	27/06/2023	378	4.11%		5,000,000.00	2.46%	
BOQ	BBB+	Held to Maturity	TD	17/05/2022	12/09/2023	483	3.70%	5,000,000.00	5,000,000.00	2.46%	
CBA	A-1+	Held to Maturity	TD	31/05/2022	26/09/2023	483	3.19%	5,000,000.00	5,000,000.00	2.46%	
Westpac	A-1+	Held to Maturity	TD	28/06/2022	10/10/2023	469	4.06%		5,000,000.00	2.46%	
CBA	A-1+	Held to Maturity	TD	08/06/2022	06/02/2024	608	4.00%		5,000,000.00	2.46%	
NAB	AA-	Held to Maturity	TD	07/05/2019	07/05/2024	1,827	1.78%	5,000,000.00	5,000,000.00	2.46%	
CBA	A-1+	Held to Maturity	TD	08/06/2022	16/07/2024	769	4.16%		5,000,000.00	2.46%	
Westpac	A-1+	Held to Maturity	TD	23/11/2021	22/11/2024	1,095	1.73%	3,000,000.00	3,000,000.00	1.47%	
Westpac	A-1+	Held to Maturity	On Call			90	0.35%	40,445,735.53	40,469,005.67	19.88%	
TCorp	A-1+	Fair Value	On Call				Refer to note 1.	-	-	0.00%	
NAB-Profesi	A-1+	Held to Maturity	On Call				0.20%	22,704,246.43	11,633,250.69	5.71%	
TOTAL								\$ 211,149,981.96	\$ 203,602,256.36	100.00%	
Note 1. The rate of return on TCorpIM Cash Funds fluctuates regularly, currently the TCorpIM Cash Fund Financial Year to Date Return is 0.08%											
Comparative Rates											
Cheque Account		equal to the current RBA Cash Rate					1.35%				
BBSW							0.914%				
3 Month Bond Rate							1.599%				
I, Sherrill Young, Tamworth Regional Council Manager of Financial Services (Responsible Accounting Officer) certify as required under Section 16(1)(b) of the Local Government (Financial Management) Regulations 1999, that Council's investments have been made in accordance with made in accordance with the Local Government Act 1993, Regulations and Tamworth Regional Council Investment Policy.											
Signed: 											

Investment	Rating	Amount invested as at 30/06/2022 (\$)	% of Total Investments	Maximum percentage per institution or credit rating classification	% Excess investment per institution	Value of investments with less than 12 months to maturity (\$)	Value of investments maturing in one to five years (\$)
ANZ	A-1+ Short	0.00	0	100.00	0.00%	0.00	
CBA	A-1+ Short	9,000,000.00	4.42%	100.00	0.00%	9,000,000.00	
NAB	A-1+ Short	43,633,250.69	21.43%	100.00	0.00%	43,633,250.69	
St George	A-1+ Short	0.00	0.00%	100.00	0.00%	0.00	
TCorp	A-1+ Short	0.00	0.00%	100.00	0.00%	0.00	
Westpac	A-1+ Short	40,469,005.67	19.88%	100.00	0.00%	40,469,005.67	
Suncorp	A-1+ Short	5,000,000.00	2.46%	100.00	0.00%	5,000,000.00	
<b>Sub Total A-1+ Short</b>		<b>\$ 98,102,256.36</b>	<b>48.19%</b>			<b>\$ 98,102,256.36</b>	<b>\$ -</b>
BOQ	A-2 Short	11,000,000.00	5.40%	20.00	0.00%	11,000,000.00	
<b>Sub Total A-2 Short</b>		<b>\$ 11,000,000.00</b>	<b>5.40%</b>			<b>\$ 11,000,000.00</b>	<b>\$ -</b>
CBA	AA- Long	51,500,000.00	25.29%	100.00	0.00%	36,500,000.00	15,000,000.00
NAB	AA- Long	14,000,000.00	6.88%	100.00	0.00%	9,000,000.00	5,000,000.00
Westpac	AA- Long	17,000,000.00	8.35%	100.00	0.00%	9,000,000.00	8,000,000.00
St George	AA- Long	4,000,000.00	1.96%	100.00	0.00%	4,000,000.00	0.00
<b>Sub Total AA- Long</b>		<b>\$ 86,500,000.00</b>	<b>42.48%</b>			<b>\$58,500,000.00</b>	<b>\$ 28,000,000.00</b>
BOQ	BBB+ Long	8,000,000.00	3.93%	10.00	0.00%	8,000,000.00	0.00
<b>Sub Total BBB+ Long</b>		<b>\$ 8,000,000.00</b>	<b>3.93%</b>			<b>\$ 8,000,000.00</b>	<b>\$ -</b>
<b>Total of all Investments</b>		<b>\$ 203,602,256.36</b>	<b>100%</b>			<b>\$ 175,602,256.36</b>	<b>\$ 28,000,000.00</b>
						<b>86.00%</b>	<b>14.00%</b>

The General Manager or his delegated representative is authorised to approve variations to Council's investment policy if the investment is to Council's advantage or due to revised legislation.

The amount invested at 30 June 2022 when compared to 31 May 2022 has decreased by \$7,547,725.60



# LGNSW 2022 Annual Conference

## Motion Submission Guide

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## Contents

1.	Introduction .....	3
2.	Deadlines .....	3
3.	Criteria for motion submission.....	3
4.	How to write a motion.....	3
5.	Demonstrating evidence of council support for motion.....	4
6.	How to submit a motion .....	4
7.	How LGNSW manages incoming motions .....	4
8.	What happens to motions at the LGNSW Annual Conference .....	5
9.	Post-conference: Updates to the LGNSW Policy Platform.....	5
10.	Post-conference: Determining LGNSW Advocacy Priorities .....	5
11.	Further information .....	6
	Frequently Asked Questions .....	7
	Attachment A – Step by Step guide to lodge a motion.....	8

## Motions Submission Guide

### 1. Introduction

Each year, member councils across NSW submit a range of motions to the Annual Conference conducted by Local Government NSW (LGNSW). These motions relate to strategic local government issues which affect members state-wide and introduce new or emerging policy issues and actions. They are debated and resolved by Conference delegates, with successful resolutions guiding LGNSW's advocacy priorities for the year ahead.

All LGNSW member councils are invited to submit motions to the Annual Conference, with the following Guide outlining the motion development and submission process.

### 2. Deadlines

Members are encouraged to submit motions [online](#) as early as possible to allow assessment of the motions and distribution of the Business Paper before the Conference. Under LGNSW Rules, the latest date motions can be accepted for inclusion in the Business Paper is **12 midnight (AEDT) on Monday 25 September 2022** (28 days prior to Conference).

### 3. Criteria for motion submission

The LGNSW Board has resolved that motions will be included in the Business Paper for the Conference only where they:

1. are consistent with the objects of LGNSW (see Rule 4 of the Association's [rules](#)),
2. relate to or concern local government as a sector in NSW and/or across Australia,
3. seek to establish or change policy positions of LGNSW and/or improve governance of the Association (noting that the LGNSW Board is responsible for decisions around resourcing any campaigns or operational activities, and any necessary resource allocations will be subject to the LGNSW budgetary process),
4. have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws),
5. are clearly worded and unambiguous in nature, and
6. do not express preference for one or several members over one or several other members.

Before submitting motions for this year's Annual Conference, council members are encouraged to review [Action Reports](#) (on the member only pages of the LGNSW website) from previous Conferences and the [LGNSW Policy Platform](#) to ensure the proposed motion wording reflects any recent developments and does not duplicate existing policy positions.

### 4. How to write a motion

Motions adopted at Conferences inform LGNSW's advocacy actions on behalf of the local government sector. LGNSW includes the exact wording of motions when writing to ministers, departments and agencies post-conference, so it is important that the wording of motions clearly outlines your council's policy intent or objective.

The format of motions, as much as possible, should call on a specific body (e.g. LGNSW, state government, federal government, a specific department or minister) and have a specific outcome that the motion is aiming to achieve. The wording should be unambiguous.

*Examples of clearly-worded Annual Conference motions:*

**Local government representation on National Cabinet**

That Local Government NSW lobbies the Australian Government for permanent local government representation on the National Cabinet.

**Natural Disaster Funding, Day Labour**

That LGNSW requests the Australian and NSW governments reinstate the claimable expense for the use of council staff during their normal working hours to attend to natural disaster relief and recovery funded works and reverse the present policy that effectively requires the mandatory use of contractors for recovery works.

**Companion Animal Act matters**

That LGNSW advocates that the NSW Government takes the following steps to improve the management of companion animals:

- establish an integrated on-line statewide registration process as an improved service to companion animal owners;
- resolve difficulties with the *Companion Animals Act 1998* definition of an "Authorised Officer", by using the definition contained in the *Impounding Act 1993* as the definition in both Acts, allowing councils choice in the business model for its area; and
- review the dismissal of charges under section 10 of the *Crimes (Sentencing Procedure) Act 1999* in relation to offences under the *Companion Animals Act 1998*.

For more examples see Business Papers from past Conferences on the [LGNSW website](#).

## 5. Demonstrating evidence of council support for motion

The member submitting the motion must provide accompanying evidence of support for the motion. Such evidence takes the form of an attachment note or extract from the minutes of the council meeting, at which the member council resolved to submit the motion for consideration by the Conference. In the absence of a council meeting, the evidence should be a letter signed by both the Mayor and General Manager.

## 6. How to submit a motion

LGNSW members are invited to submit motions through an [online portal](#) from **4 July 2022**.

[Attachment B](#) provides detailed instructions on how to submit motions via the online portal.

## 7. How LGNSW manages incoming motions

The LGNSW Board has established a committee and delegated the function of managing incoming motions for the Conference to this committee. The Chief Executive will refer motions to the committee and the committee will assess whether the motion meets or doesn't meet the criteria, or if it is unclear whether it meets the criteria. This assessment forms the final decision on which motions are included in the Conference Business Paper.

Prior to the committee making a final decision, LGNSW may contact the council that submitted the motion to seek clarity on its intent or wording.

Incoming motions which seek to change any long-held [Fundamental Principles](#) (Part A of the Policy Platform), will be highlighted in the Business Paper for members' information at time of voting.

Motions which are consistent with existing LGNSW positions or current LGNSW actions, or that are operational and can be actioned without a Conference resolution, may still be printed in the Business Paper but will not be debated at the Conference.

## 8. What happens to motions at the LGNSW Annual Conference

Standing orders are outlined at the front of the Business Paper and adopted at the commencement of each Conference. They outline the manner in which the Conference deals with motions. The standing orders adopted at the Special Conference can be found on our [website](#).

During debate on motions at Conference, the standing orders generally permit councillor delegates to speak in support of or against each motion. Following a vote on a motion, the motion is either carried and becomes a resolution of the Conference, or it is defeated.

## 9. Post-conference: Updates to the LGNSW Policy Platform

LGNSW's [Policy Platform](#) consolidates the voices of councils across NSW, reflecting the collective positions of local government on issues of importance to the sector. Importantly, the Policy Platform guides LGNSW in its advocacy on behalf of the local government sector.

The Policy Platform consists of two parts: LGNSW's Fundamental Principles, and the more targeted Position Statements.

- **Fundamental Principles** are the enduring and overarching principles that direct LGNSW's response to broad matters of importance to the local government sector. These Fundamental Principles are endorsed (or amended) by LGNSW members at Annual Conferences.
- **Position Statements** contain LGNSW's more detailed positions on specific issues and guide LGNSW's work on, and response to, policy issues of the day. Position Statements are subordinate to LGNSW's Fundamental Principles but are more agile and are targeted at specific policy issues as they arise.

### *Changing Fundamental Principles*

Where a motion conflicts or may conflict with a Fundamental Principle, this will be clearly highlighted for delegates in the Conference Business Paper. If the motion is adopted as a resolution at Conference, then the relevant Fundamental Principle will be changed.

It is expected that changes to the Fundamental Principles will be uncommon, given their broad focus and general acceptance among the local government sector.

### *Changing Position Statements*

Following each Conference, LGNSW will review resolutions of that Conference to determine whether the intent of each resolution is adequately covered by existing Position Statements. Where the Position Statements do not adequately include the intent of a resolution, LGNSW will update an existing Position Statement or draft a new Position Statement, to be endorsed by the LGNSW Board as part of the LGNSW Policy Platform.

LGNSW members will be informed of updates to the LGNSW Policy Platform.

## 10. Post-conference: Determining LGNSW Advocacy Priorities

Following the LGNSW Annual Conference, LGNSW will review the resolutions and identify key areas of focus to guide LGNSW's advocacy for the coming year. These areas of focus are also informed by member feedback, the LGNSW strategic plan, position statements, emerging issues, and Board input.

LGNSW's Advocacy Priorities for the following year are then submitted for endorsement by the LGNSW Board, and communication to members via email.

As LGNSW undertakes advocacy actions on each of the Conference resolutions throughout the year, these actions and their outcomes will be published in LGNSW's Action Report. ([Past Action reports](#) are available on the member only pages of the LGNSW website).

#### **11. Further information**

For further information on the motion submission process, please contact Elle Brunsdon, Policy Officer at [elle.brunsdon@lgnsw.org.au](mailto:elle.brunsdon@lgnsw.org.au).

## Frequently Asked Questions

### How do I know if my proposed motion is consistent with existing LGNSW policy positions?

The subject matter expert within council is best placed to identify this (for example, if the motion relates to a planning matter, this question should be answered by the Planning Manager). Subject matter experts are encouraged to review LGNSW's [Policy Platform](#) to gain an understanding of LGNSW's position on a particular matter to help identify whether your proposed motion is consistent.

### What is the deadline for submitting motions?

Members are encouraged to submit motions [online](#) as soon as possible to allow assessment of the motions and distribution of the Business Paper before the Conference. However, in line with the LGNSW Rules, the latest date motions can be accepted for inclusion in the Conference Business Paper is **12 midnight AEST on Sunday 25 September 2022** (28 days prior to Conference).

LGNSW can receive more than 300 motions for an Annual Conference. Submitting motions as early as possible helps LGNSW to manage the large volume of motions received within a short period of time and allows LGNSW to seek clarification on any motions if required.

However, the LGNSW Rules allow councils to submit motions with less than 28 days' notice and the LGNSW Board may allow these to be considered at Conference as a **late item** (but not included in the Business Paper).

### I'm unsure which motion category or sub-category I should select in the online portal

If you are unsure, just select the category you think best fits. LGNSW can re-categorise the motion if necessary.

### Who should be the council contact for motions?

We recommend the council contact is someone who is available during the months that motions are open, and able to respond promptly to communications between your council and LGNSW. Some councils have identified the General Manager and others have identified the Governance Officer – it is a decision for each council.

### How can I amend my council's motion that I've already submitted?

Once a motion has been submitted it cannot be edited without contacting LGNSW so please review the content carefully before submission. If you need to edit a submitted motion, please contact Elle Brunsdon, Policy Officer at [elle.brunsdon@lgnsw.org.au](mailto:elle.brunsdon@lgnsw.org.au). You may need to provide evidence of support for the change (see section 5).

## Attachment A – Step by Step guide to lodge a motion

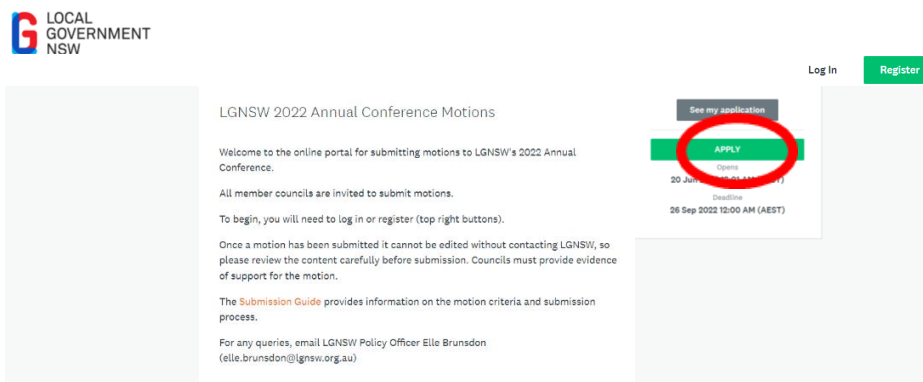
This section provides step-by-step instructions to assist council staff in lodging a motion via Survey Monkey Apply.

- Member councils are invited to submit motions for the LGNSW Annual Conference via [Survey Monkey Apply](#).
- Under LGNSW Rules, the latest date motions can be accepted for inclusion in the Business Paper is **12 midnight (AEDT) on Monday 25 September 2022** (28 days prior to Conference).
- Once a motion has been submitted it cannot be edited without contacting LGNSW, so please review the content carefully before submission.

For further assistance contact Elle Brunsdon, Policy Officer at [elle.brunsdon@lgnsw.org.au](mailto:elle.brunsdon@lgnsw.org.au).

**Step 1:** Log into [LGNSW's online portal](#) and click **APPLY**.

*Note: you will need to register for Survey Monkey Apply if you are logging in for the first time.*



**Step 2:** Add your motion title (a few words). You will then be taken to the landing page which will show three tasks to complete.

Step 3: Click on 'Applicant Contact Information' to add the contact information. This could be the relevant officer within council or someone who can respond to questions promptly. Click **MARK AS COMPLETE** once finished.

Step 4: Click 'Motion Form' to add the motion details.

**Motion category and sub-category** assists with assigning motions to the relevant policy staff and grouping related motions in the Conference Business Paper.

**Motion wording** should include a sentence or two which includes the call to action.

**Background note** should provide a paragraph or two to explain the context and importance of the issue to the local government sector.

Click **MARK AS COMPLETE** once finished.



Step 5: Click 'Evidence of Council's Support for the Motion' and attach the relevant file. This could be an extract of council meeting minutes. Click **MARK AS COMPLETE** once finished.

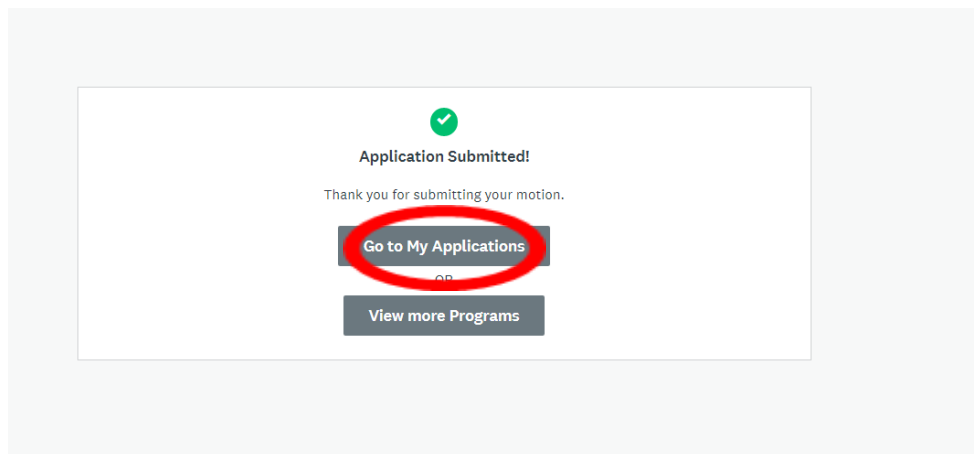
Step 6: Once you have completed all tasks (a green tick is displayed next to each task), click **SUBMIT**.

The screenshot shows the 'Evidence of Council's Support for the Motion' task completed. The left sidebar lists three tasks, all with green checkmarks: 'Applicant Contact Information', 'Motion Form', and 'Evidence of Council's Support for the Motion'. Below the tasks, it says '3 of 3 tasks complete' and 'Last edited: 20 Jun 2022 09:10 AM (AEST)'. At the bottom, there are 'REVIEW' and 'SUBMIT' buttons. The 'SUBMIT' button is circled in red.

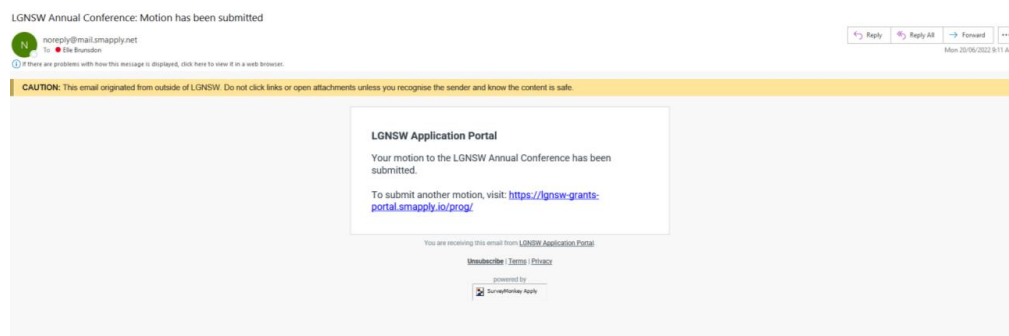
Step 7: You will be asked to confirm submission of the motion. There is an option to review the motion before submitting. When you are ready, click **SUBMIT**.

The screenshot shows a 'Submit application' dialog box overlaid on the application form. The dialog box contains the text: 'Please confirm submission of your application. If you wish to take a look at the application before submitting, please Review it.' At the bottom of the dialog box are three buttons: 'CANCEL', 'REVIEW', and 'SUBMIT'. The 'SUBMIT' button is circled in red.

**Step 8:** If you are submitting multiple motions, click 'Go to My Applications'. This will take you to a landing page to submit more motions. It will also show all the motions you have submitted.



**Step 9:** An automated confirmation email will be sent to the email address listed in the 'Applicant Contact Information' section.





## Sale of Land for Unpaid Rates and Charges

Under Sections 713 to 726 of the Local Government Act 1993 details are provided of Council's power to sell land to recover unpaid rates and charges.

The sale of any land to recover unpaid rates and charges that have been outstanding for the legislated periods of time is regarded **as a last resort** enforcement measure, to be undertaken only after other Council debt recovery processes in line with the Office of Local Government Guidelines have failed. In other words, the ratepayer has had numerous opportunities to address this situation.

The benefit of selling land for unpaid rates and charges is that Council shall, in most instances, be able to recover all monies owed. Furthermore, the land becomes a revenue producing property again. That is, the new owner is a new ratepayer.

### What Is Allowed to Be Deducted From Sale Proceeds

- The objectives of actions to sell land for unpaid rates and charges are:
  - a) To sell the land for an amount equal to, or more, than the estimated value of the land,
  - b) To recover the following amounts from the proceeds of the sale:
    - i. All expenses incurred with the sale;
    - ii. The amount due to Council including rates, charges, interest and collection costs;
    - iii. Any enforcement expenses, and
    - iv. Any other amount due to Council in respect of the land.

### When We Can Sell Land

- For the purpose of the sale of land for unpaid rates and charges a Council may sell:
  - a) Any land (including vacant land) on which any rate or charge has remained unpaid for more than five (5) years from the date on which it became payable,
  - b) Any vacant land on which any rate or charge has remained unpaid for more than one (1) year from the date on which it became payable
- In the case of adjoining parcels of land (whether in the same or different ownerships) The Council may elect for the properties to be sold:
  - a) separately or as a single parcel and under whatever conditions
  - b) do such things as it considers appropriate for the purpose of selling the land at its full value.

The above are the minimum requirements for sale of land for unpaid rates and charges.

### Process

A report to Council will be presented with a recommendation to commence the Sale of Land to Recover Unpaid Rates and Charges process, detailing each property to be subject to the process prior to public notification being given.

Once the Council has approved for the sale to proceed there are requirements in the Act with which a council must comply before selling the land. A council must:

1. fix a convenient time and place for the public auction, between three and six months from publication in a newspaper of the advertisement;

2. give notice of the proposed sale by means of an advertisement published in the government gazette and at least one newspaper;
3. take reasonable steps to ascertain the identity of any person who has an interest in the land
4. take reasonable steps to notify each such person (and the Crown, if the land concerned is owned by the Crown) of the council's intention to sell the land.

If, before the time fixed for the sale, all rates and charges payable (including those that are overdue) are paid to the council, or an arrangement satisfactory to the council for their payment is entered by the rateable person, the council **must not** proceed with the sale.

The Act requires that any sale of land must be attempted by way of public auction. If the sale by public auction is unsuccessful, the council may sell the land by private treaty.

**Note:** land may be sold to a council, a councillor, a relative of a councillor, or a member of staff of a council, or any relative of a member of staff in the case of sale by public auction, but not by a way of private treaty.

Parcels of land that have low land values or will not sell are often offered to the neighbouring property. The property and its value are then amalgamated into the neighbouring land.

Alternatively, the Department of Planning can be approached and the property offered as a gift to the Minister under section 134 of the Crown Lands Act 1989.