



NEW ENGLAND COUNTY COUNCIL
ABN 35 514 070 354

6th February 2025

NOTICE OF MEETING

An Ordinary Meeting of the New England County Council, is to be held in the offices of the New England Weeds Authority, 1/129 Rusden Street, Armidale NSW 2350 on:

Monday 10th February 2025 at 10am

The meeting Agenda and Business Paper are attached.

Please notify the General Manager of any apology.

Yours sincerely

Renee Irvine
ACTING GENERAL MANAGER

**ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN
COUNCIL'S RUSDEN STREET OFFICE ON 15th AUGUST 2024**

ORDINARY MEETING AGENDA

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The Chair to advise that while the meeting is not being live-streamed, a video recording of the meeting will be available on the County Council's website.

ORDINARY MEETING OF COUNCIL

- 1. PRESENT:**
- 2. APOLOGIES:**
- 3. DECLARATION OF INTEREST:**
- 4. MATTERS OF URGENCY:**
- 5. MINUTES OF THE ORDINARY MEETING OF THE NEW ENGLAND COUNTY COUNCIL HELD ON FRIDAY 15 AUGUST 2024**

Recommendation:

That the Minutes of the Ordinary Meeting of the New England County Council held on 15 August 2024, which have been distributed to all members, are taken as read and confirmed as a true record.

**PRESENT: Interim Administrator – John Rayner
Renee Irvine – Acting General Manager**

APOLOGIES: None

DECLARATION OF INTEREST: None

MATTERS OF URGENCY: None

MINUTES OF THE EXTRAORDINARY MEETING OF THE NEW ENGLAND COUNTY COUNCIL HELD ON FRIDAY 31 MAY 2024

RESOLVED 31/24

The minutes of the Extraordinary Meeting of the New England County Council held on the 31st May 2024 are taken as a true and accurate report.

Moved – Administrator John Rayner

Carried

**ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN
COUNCIL'S RUSDEN STREET OFFICE ON 15th AUGUST 2024**

**MATTERS ARISING FROM THE MINUTES OF THE EXTRAORDINARY MEETING OF THE
NEW ENGLAND COUNTY COUNCIL HELD ON 31 MAY 2024**

None

**MINUTES OF THE ORDINARY MEETING OF THE NEW ENGLAND COUNTY COUNCIL
HELD ON TUESDAY 21 JUNE 2024**

RESOLVED 32/24

The minutes of the Ordinary Meeting of the New England County Council held on the 21 June 2024 are taken as a true and accurate report.

Moved – Administrator John Rayner

Carried

**MATTERS ARISING FROM THE MINUTES OF THE ORDINARY MEETING OF THE NEW
ENGLAND COUNTY COUNCIL HELD ON 21 JUNE 2024**

None

**MINUTES OF THE EXTRAORDINARY MEETING OF THE NEW ENGLAND
COUNTY COUNCIL HELD ON TUESDAY, 25 JULY 2024**

RESOLVED 33/24

The minutes of the Ordinary Meeting of the New England County Council held on the 25 July 2024 are taken as a true and accurate report.

Moved – Administrator John Rayner

Carried

**MATTERS ARISING FROM THE MINUTES OF THE EXTRAORDINARY MEETING OF THE
NEW ENGLAND COUNTY COUNCIL HELD ON 25 JULY 2024**

None

INTERIM ADMINISTRATORS MINUTE – AUGUST

This is the final Minute of the three-month term following the suspension of the Councillors of the New England County Council.

ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN COUNCIL'S RUSDEN STREET OFFICE ON 10th FEBRUARY 2025

Report to Minister for Local Government

A requirement of the Interim Administrator is to report to the Minister for Local Government so that the Minister can take a decision on the immediate future of the New England County Council.

The Executive Summary of that report follows.

“The Minister for Local Government suspended the Board of the New England County Council (NECC) for a period of three months from 17th May 2024 and appointed John Rayner as Interim Administrator.

Discussions with various parties and viewing the Council Meetings held in February, April and May confirmed the Minister's concerns outlined in the Notice of Intention to Suspend.

Overall, the Council was dysfunctional and lacked the required governance and financial management standards.

On top of the many other serious failures in governance and financial management, it was the pursuit of the \$2million Office/Depot project that led to the financial collapse of NECC.

Constituent Councils have been extremely supportive and have committed further funds in their 2024/25 Budgets to meet NECC's financial obligations.

The four Councils, Glen Innes Severn, Armidale Regional, Uralla and Walcha Councils have each unanimously resolved that NECC be dissolved and a new service delivery model be developed. The Councils support the extension of the Interim Administrator's term for a further three months from 17th August 2024. The Council's target date to dissolve NECC and commence a new service delivery model is November 2023.

The Interim Administrator agrees with the decisions of the Councils and will support the endeavours to move to a new service delivery model.

It is recognised that a number of organisations and individuals will need to consider and support the proposal put forward including

- Constituent Councils,
- Department of Primary Industries
- Office of Local Government
- Minister for Agriculture
- United Services Union

ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN COUNCIL'S RUSDEN STREET OFFICE ON 15th AUGUST 2024

· Minister for Local Government.
and the process under Local Government Act will be followed.

As the NECC operation is now substantially funded by the Constituent Councils and considering the timing of the Council elections the November deadline for dissolving NECC is supported. It is appreciated that achieving the deadline is ambitious but necessary.”

Constituent Councils

As reported earlier the four constituent Councils have each unanimously resolved that NECC be dissolved and a new service model be developed, to be in place by November 2024.

A representative from the Office of Local Government has advised that there is a three-month lead time from receipt of a proposal to dissolve until proclamation.

Councils will also need to decide on the preferred model so it is expected that NECC could be in place until February 2025.

Financial

The ongoing financial support being provided by the constituent Councils is very much appreciated.

It is anticipated that the value and potential sale of the new Depot/Office facility will repay the additional contributions made by the four Councils.

The majority of NECC outstanding debts will be settled this month.

The additional contributions will enable all NECC outstanding debts to be settled this month and enables this Council to manage its cash flows and properly account for expenditure from grants.

An updated cash flow analysis, to November 2024, will be discussed with member Councils in the coming days. That analysis shows that the financial position goes negative in mid-September and remains that way until the end of November 2024

Work is underway to finalise the 2023/24 Financial Statements. An external contractor has been engaged to prepare the Statements for Audit.

Audit, Risk and Improvement Committee

The first meeting of the Audit, Risk and Improvement Committee was held on 25th July 2024.

ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN COUNCIL'S RUSDEN STREET OFFICE ON 10th FEBRUARY 2025

The independent members of the committee addressed each issue raised in the Management letter from the Audit Office NSW enabling a response to be made to the auditor.

Review of Operations and consideration of future operating models.

The member Councils are seeking an understanding of the way NECC operates, financial arrangements and whether they are getting value for money.

The Councils are also seeking an independent opinion on the best operating model for the future.

Mr Paul Quealey, Lambourne partners has been engaged by the Councils to undertake the review with a completion date mid-September 2024.

Depot/Office Facility

The recently completed Depot/Office facility at 21 Waller Avenue Armidale is the NECC asset which provides security for the additional contributions being made by constituent Councils.

It is proposed to put the property on the market but not sold without consultation with the constituent Councils.

RESOLVED 34/24

1. That the Minute be received and noted.
2. That the property 21 Waller Avenue Armidale be listed for sale with First National Real Estate Armidale but not sold until consultation with constituent Councils occurs and this council makes a further decision.
3. The Acting General Manager be authorized to execute any documentation associated with the listing.

Note: The building is only being listed at this time and won't be sold without further consultation with the 4 Constituent Councils

Moved – John Rayner Interim Manager

Carried

GENERAL MANAGERS REPORT

**ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN
COUNCIL'S RUSDEN STREET OFFICE ON 15th AUGUST 2024**

RESOLVED 35/24

Motion: - The Acting General Manager will be delegated authority under the document that is attached to the Meeting Agenda – Delegation of Authority

Moved:- John Rayner Interim Administrator

Carried

WEEDS ACTION PROGRAM REPORT

RESOLVED 36/24

That the Weeds Action Plan (WAP) Report, summarising activities and outcomes to date, including the 2023-2024 Weeds Action Program, be received and noted.

Moved:- John Rayner Interim Administrator

Carried

INVESTMENT REPORT

At the time of this report, NEWA has no funds invested.

ANY OTHER BUSINESS

No other Business

NEXT MEETING – To be Advised

MEETING CLOSE: 3.13pm

**ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN
COUNCIL'S RUSDEN STREET OFFICE ON 10th FEBRUARY 2025**

**6. MINUTES OF THE EXTRAORDINARY MEETING OF THE NEW ENGLAND
COUNTY COUNCIL HELD ON TUESDAY 26 SEPTEMBER 2024**

Recommendation:

That the Minutes of the Extraordinary Meeting of the New England County Council held on 26 September 2024, which have been distributed to all members, are taken as read and confirmed as a true record.

- 1. PRESENT: Interim Administrator – John Rayner
Acting General Manager – Renee Irvine**
- 2. APOLOGIES: N/A**
- 3. DECLARATION OF INTEREST: N/A**
- 4. ADMINISTRATORS MINUTES:**

Administrator's Minute Extraordinary Council Meeting September 2024

1 Extension of Suspension and Administration.

Under Sections 438M and 438O of the Local Government Act the Minister for Local government extended the period of suspension of New England County Council and extended the term of appointment of the Interim Administrator as follows.

ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN COUNCIL'S RUSDEN STREET OFFICE ON 15th AUGUST 2024

By Order published in the Gazette on 17 May 2024 (the First Order) I, the Hon. Ron Hoenig MP, Minister for Local Government, suspended the New England County Council (Council) for a period of three months. That period is due to expire on 17 August 2024.

By this Order, made under section 438(O)(2) of the *Local Government Act 1993* (Act), I extend the period that the Council is suspended by the First Order for a further period of three months, that is until 17 November 2024.

By this Order, made under section 438M(8) of the Act, I extend the period for which Mr John Rayner PSM is appointed as interim administrator of the Council to 17 November 2024.

This Order takes effect seven days after its publication in the Gazette.

Dated this 16 day of August 2024



The Hon. Ron Hoenig, MP

Minister for Local Government

In his letter of appointment to the Administrator the Minister states,

"This extension letter maintains the roles and responsibilities as outlined in the previous letter of appointment sent on 17 May 2024. A further report will be required to be submitted not less than 14 days before the end of the extension period of the Board's suspension."

The 17th May Letter of Appointment from the Minister states the role will also include:

1. *Undertaking an urgent assessment of NEWA's current financial position and ensuring it is able to meet its immediate financial obligations.*
2. *Recommending and implementing a Strategic Improvement Plan or any other required interventions.*
3. *Ensuring compliance with accounting principles including as provided in the Local Government Act, Regulations and Code of Accounting Practice.*
4. *Restoring NEWA's compliance with its statutory responsibilities.*
5. *Developing strategies to improve its current financial circumstances, including the preparation of a Liquidity Plan.*
6. *Recommending and developing longer term strategies to assess NEWA's long-term financial sustainability.*

Given the dire financial position of NECC regular cash flow reviews are undertaken. These reviews underpin the additional contributions from constituent Councils.

ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN COUNCIL'S RUSDEN STREET OFFICE ON 10th FEBRUARY 2025

This financial year NECC has received the following contributions from constituent Councils.

- Regular/Annual contribution \$ 339,474 (The contribution from Armidale Regional Council (280,695) was advanced in 2023/24)
- Additional contribution August 2024 \$700,000
- Further Contribution \$500,000 being negotiated with constituent Councils

NECC is receiving very limited grant income and only spasmodic funds from private works.

The additional contributions have enabled creditors to be paid and day to day operations maintained.

The support from constituent Councils is very much appreciated.

2. Statement of Accounts 2023/24.

A contractor has been engaged to "Achieve an Audited Set of Financial Statements before the Statutory Deadline".

It is anticipated that draft Financial Statements for 2023/24 will be available for perusal by the Audit Risk and Improvement Committee at its meeting on 1st October 2024.

3. Draft Budget 2024/25

The draft Budget for the 2024/25 Financial Year was rejected at the Council Meeting on 21st June 2024.

"That the Budget and the 10-year Long Term Financial Plan (LTFP) be updated to take account of NEWA's current financial circumstances and the early payment of the annual contributions for 2024-2025 by ARC"

A draft Budget is currently being prepared. This will be considered by the General Managers of the constituent Councils prior to resubmitting to Council.

1. Operational Review

NECC and the constituent Councils engaged Mr Paul Quealey, Lambourne Partners, to undertake a review of the current operations of the NECC and make recommendations for a future service delivery model to meet the Council's responsibilities under the NSW Biosecurity Act.

Any change will need to be endorsed by the constituent Councils, the State Government and unions.

It is expected that recommendations will go to member council meetings in October.

Motion.

1. That the Minute be received and noted.
2. Appreciation be expressed to the constituent councils for their ongoing support.
3. Considering the dire financial position of New England County Council, the inability to finance its operating costs, and the fact that the constituent Councils are contributing significant funds to meet the continuing operations of the County Council, the Administrator be authorised to make changes to the organization structure as required
4. That the Acting General Manager be authorised to seek an extension of

**ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN
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time to lodge the 2023/2024 Financial Statements if required

Moved – John Rayner Interim Administrator

Carried

5. **MATTERS OF URGENCY – ANY OTHER BUSINESS - No Other Business**

6. **NEXT MEETING – TBA**

7. **MEETING CLOSE:- 11:10am**

7. **INTERIM ADMINISTRATORS MINUTE – FEBRUARY 2025**

Administrator's Minute 10th February 2025

TBA

**ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN
COUNCIL'S RUSDEN STREET OFFICE ON 10th FEBRUARY 2025**

8. SUSPENSION OF COUNCIL EXTENDED.

TBA

9. FINANCIAL STATEMENTS – DRAFT

RECOMMENDATION

1. That Council note the completion of the Draft Annual Financial Statements for the year ending 30 June 2024 and the details contained in this report;
2. That the Chair, Deputy Chair, or approved delegate, and the General Manager/Responsible Accounting Officer be authorised to sign the Councillor and Management Statement, and;
3. That the Draft Financial Statements be referred for audit in accordance with Section 413 and 416 of the Local Government Act 1993.

[NEWA Annual Financial Statements - Draft](#)

10. BUDGET 2023/2024

Recommendation:

1. That Council review and adopt the 2024/2025 Budget.

[NEWA - 2024-2025 Annual Budget - 1 year](#)

11. WEED ACTION PLAN REPORT

RECOMMENDATION:

That the Weeds Action Plan (WAP) Report, summarising activities and outcomes to date, including the 2023-2024 Weeds Action Program, be received and noted.

**ORDINARY MEETING OF NEW ENGLAND COUNTY COUNCIL HELD IN
COUNCIL'S RUSDEN STREET OFFICE ON 15th AUGUST 2024**

The **Weeds Action Plan Report**, to 30th January 2025, is set out in the attached document, titled Weed Action Program (WAP).

12. NEXT MEETING – TBA

MEETING CLOSE:

