



**Date: Thursday, 15 August 2024**

**Time: 5:00pm**

**Location: Council Chambers  
Cnr Camp & Weddin Streets  
GRENFELL NSW 2810**

# **AGENDA**

**Late Reports**

**Ordinary Council Meeting**

**15 August 2024**

**Noreen Vu  
General Manager**

## Order Of Business

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## 10 GENERAL MANAGER REPORTS

### 10.5 HENRY LAWSON FESTIVAL BANK ACCOUNT

**File Number:**

**Author:** General Manager

**Authoriser:** General Manager

**Attachments:** Nil

**CSP Objective:** Democratic and engaged community supported by efficient internal systems

**Precis:** A report relating to the HLF Bank Account and the need to close the separate account. Later Report 14/08/2024.

**Budget:** NIL

### RECOMMENDATION

That Council:

1. Note the information contained in this report.
2. Delegate the General Manager to work with the Henry Lawson Festival of Arts to close the Weddin Shire Council The Henry Lawson Festival of Art account (ending x7852).
3. Delegate the General Manager to include closing balance amount into its general fund and be reflected in the 2023-2024 financial statements.
4. Delegate the General Manager to include all financial transactions into the 2023-2024 financial statements.
5. Delegate the General Manager to carry-forward the closing balance amount in the new workorder to the 2024-2025 financial year.

### PURPOSE

To seek Council's endorsement that the Weddin Shire Council Henry Lawson Festival of Arts bank account is closed with funds moved into Council's operating account (currently with Westpac) with a separate work order and internally restricted funds.

### BACKGROUND

The Weddin Shire Council Henry Lawson Festival of Arts bank account ('the HLF Account') currently operates a bank account with the Bendigo Bank which was established in January 2021. Council undertook a review of its section 355 committees in 2020 with a recommendation that Council rename the bank account which subsequently changed to the Weddin Shire Council Henry Lawson Festival of Arts. Concerns raised in the review included:

- *Whilst Council does receive and note the Treasurers Report as part of the Committee's Minutes, Council does not conduct financial audits, reviews of financial management procedures and financial governance processes.*

The other recommendation from the Review included:

- *The Committee maintains clear, up to date and accurate records which details all financial transactions.*

A meeting was held with the HLF President on how Council could better meet the concerns raised in the 2020 review and the recommendation.

## **ISSUES AND COMMENTS**

### **Financial Management Concerns**

The Bank Account has been in existence since January 2021. For a significant period of time, no Council employees were signatories on this account. To date, the HLF Account operates without the General Manager as a signatory at the request of the Committee, with the Director of Corporate Services gaining access and signatory status in the last month.

As it stands, the recommendation from the 2020 review concluded that Council does not conduct financial audits, review of financial management procedures or financial governance processes. To date, the amount of funds reflected in this bank account is not reflected on Council's ledger and would be in breach of the *Local Government Act 1993*.

Under s. 409 of the *Local Government Act 1993* ('the Act'), Council must have:

*(1) All money and property received by Council must be held in Council's consolidated fund unless it is required to be held in the Council's trust fund.*

As a result, Council is in breach of s. 409 by not reflecting the amount in Council's consolidated fund. Furthermore, this means that the HLF Account is not financially audited on an annual basis. The financial reports are not provided in a format of a profit and loss/balance sheet.

Under Council's Delegation Register, the signatories on the HLF Account are not listed as financial delegates for purchases under \$2,999. The Charter mentions a financial delegation limit of up to \$2,999 however does not appropriately delegate the personnel who has this financial delegation. This would be in breach of s. 355, s. 377 and s. 370 of the Act relating to delegations of functions.

Council's General Manager and Director of Corporate Services met with the HLF President to discuss the matter, it was agreed that the HLF President would seek the Committee's support to recommend to Council to have the HLF Account closed, and the closing balance transferred to Council's operating account within the next fortnight. It is assumed that the Committee will provide their support, however acknowledging, that in the event that they do not, Council Officers will have to instruct the Committee to close the separate account. This will ensure that Council will comply with all provisions within the Act.

### **Future Financial Management**

- The amount of funds will sit in the consolidated fund and be allocated a new separate work order and be internally restricted for the purposes of the HLF.
- Council Officers will be able to provide to the Treasurer a trial balance and statement from Authority at the request of the Treasurer. The statement will show the:
  - Income (from fundraising, sponsorship)
  - Expenses (paid)
  - Expenses (committed)
  - Total amount remaining.

- Streamlined financial management, where receipts/invoices are stored within Council's server and system allowing for auditing.
- Accountability with expenses paid and committed. At present transactions under \$2,999 are paid directly from the bank account without Council's General Manager or Director of Corporate Services oversight or appropriate delegations in line with s. 377 and 378 of the Act. Transferring the HLF Account funds into the Council's consolidated fund and system, ensures all payments have a requisition and purchase order trail. This currently does not occur. As discussed with the President, this does not increase the workload of staff due to the minimal number of transactions operating from this account when compared to the nature of Council's multi-million dollar business and the quantum of transactions we deal with.
- The workorder budget will be rolled over each financial year to ensure that the funds are internally restricted for this purpose.
- The Treasurer's role will be to forward all invoices for payment.
- The Treasurer's role will be to forward all debtors (e.g. sponsors) to Council, to create invoices. This will be sent back to the HLF for sending. Following receipt of payment, this allows the Debtors to be marked off.
- The workorder will form part of Council's annual financial audit and be subject to internal audits in conjunction with other workorders to comply with the *Local Government Act 1993*.

## **POLICY/LEGAL IMPLICATIONS**

Council (The Council, the Committee and Staff) is currently in breach of s. 355, 377, 378 and 409 of the Local Government Act. The transfer of funds into Council's consolidated funds and appropriate financial delegations will mitigate Council's legal implications.

## **FINANCIAL/RESOURCE IMPLICATIONS**

At the time of writing this report, the available HLF Account balance was \$70,336.61. This would be moved into the consolidated fund and Council's financial statements will be adjusted to incorporate this amount into its general fund and be reflected in the 2023-2024 financial statements.

Council has also requested a copy of all receipts and invoices from the HLF President to support this. It was advised to the HLF President that the closure of the HLF Account and transfer of funds to Council's operating account would need to occur within the next fortnight.

## **INTERNAL/EXTERNAL CONSULTATION**

The General Manager and Director of Corporate Services met with the HLF President to discuss the matter. The report will be provided to the HLF President for the Annual General Meeting to explain the situation.

## **CONCLUSION**

The HLF Committee currently operate the Weddin Shire Council Henry Lawson Festival of Arts bank account, which is currently operating in breach of s. 355, 377, 378 and 409 of the *Local Government Act 1993*. After a robust discussion with the President, it was agreed that the funds would need to move into Council's operating account (currently with Westpac) with a separate work order and internally restricted fund to comply with the Act.

**10.6 COMMUNITY SUPPORT APPLICATION | GRENFELL RSL SUB-BRANCH - 2024 REMEMBRANCE DAY COMMEMMORATIVE SERVICE****File Number:****Author:** Executive Assistant to the General Manager**Authoriser:** General Manager**Attachments:** 1. ATT 1 | Community Support Application - Grenfell RSL Sub-Branch**CSP Objective:** Shire assets and services delivered effectively and efficiently**Precis:** To provide Council with a Community Support Application for the Grenfell RSL Sub-Branch – 2024 Commemorative Services – Late Report 15/08/2024**Budget:** Community Support Vote approx.. \$1,000.00 in-kind**RECOMMENDATION**

That Council provide in-kind support to the Grenfell RSL Sub-Branch for Traffic Control Services for the 2024 Grenfell Remembrance Day Commemorative Service, Memorial Park Grenfell NSW.

**PURPOSE**

To report to Council on the request from the Grenfell RSL Sub-Branch to receive in-kind support for Traffic Control for the 2024 Grenfell Remembrance Day Commemorative Service, Memorial Park Grenfell NSW on 11 November 2024.

**BACKGROUND**

Each year the Grenfell RSL Sub-Branch seek Council's approval for in-kind support for the traffic control for the Commemorative Service.

In Australia and other allied countries, including New Zealand, Canada and the United States, 11 November became known as Armistice Day - a day to remember those who died in World War I. The day continues to be commemorated in Allied countries. After World War II the Australian Government agreed to the United Kingdom's proposal that Armistice Day be renamed Remembrance Day to commemorate those who were killed in both World Wars. Today the loss of Australian lives from all wars and conflicts is commemorated on Remembrance Day.

In October 1997 the then Governor-General issued a Proclamation declaring 11 November as Remembrance Day - a day to remember the sacrifice of those who have died for Australia in wars and conflicts.

The Proclamation reinforced the importance of Remembrance Day and encouraged all Australians to renew their observance of the event.

**ISSUES AND COMMENTS**

The Grenfell RSL Sub-Branch submitted a Community Project Support Application on

19 June 2024 are requesting the Weddin Shire Council to provide traffic control services for the 2024 Grenfell Remembrance Day Commemorative Service, being conducted in Memorial Park Grenfell NSW on 11 November 2024.

**POLICY/LEGAL IMPLICATIONS**

There are no direct policy or legal implications.

**FINANCIAL/RESOURCE IMPLICATIONS**

The request is for in-kind support (staff costs to implement the Traffic Control Measures) at approximately \$1,000.00.

COMMUNITY PROJECT APPLICATIONS 2024 FINANCIAL YEAR						
Organisation	Event	Request	Resolution	Forecast Amount	Type (Hire, In-kind, donation)	Actual Amount
Karting NSW	Junior Sprint Classic		225/23	\$8,000.00		
Caragabal Country Club	Caragabal Sheep Races	Coolroom Hire - Bogie Axle Bollards Mesh Portaloos		\$807.00	Hire/In-Kind	\$807.00
Grenfell Jockey Club (Inc)	Annual 'Loaded Dog' Race	Coolroom Hire - Bogie Axle 20 rubbish bins 20 bin liners Garbage collection		\$745.00	Hire/In-Kind	\$745.00
Grenfell RSL Sub-Branch	2024 Commemorative Service	Traffic Control		\$1,000.00	In-kind	\$1,000.00
		<b>Total</b>		\$9,552.00		\$ 1,552.00
		<b>Budget</b>		\$25,000.00		\$ 25,000.00
		<b>Budget</b>		\$ 15,448.00		\$ 23,448.00

A Draft Donations and In-Kind Policy (1.26.3) has been drafted which proposes the Grenfell RSL Sub-Branch to have pre-approval to avoid the administration burden of an annual application to Council for their multiple events that Council proudly and respectfully supports.

**INTERNAL/EXTERNAL CONSULTATION**

No consultation is required for this application. However, the traffic controls will be advertised on Council's website, social media platform and Live Traffic NSW.

**CONCLUSION**

The application meets the requirements of the Community Project Support Policy and should be supported by Council. It is recommended that Council continue to support the Grenfell RSL Sub-Branch by providing Traffic Control services for the 2024 Remembrance Day Commemorative Service event on 11 November 2024.





**WEDDIN SHIRE COUNCIL**  
**COMMUNITY PROJECT SUPPORT**  
**APPLICATION – SMALL (<\$1,000)**

Weddin Shire Council is committed to the continued development of community capacity and sustainable communities through the provision of support to community organisations.

**Introduction**

This form should be used to submit requests for Council assistance including financial and/or in kind assistance (e.g. staff time, Council equipment such as cool room, bins etc.) where the total value is under \$1,000. Information on the cost of Council equipment can be found in Councils Fees & Charges Schedule which forms part of Councils Operational Plan.

Applicants should submit completed applications to Council no later than the first Friday of the month for the application to be considered at the next Council meeting on the Third Thursday of the month. Note – Council does not currently meet in January. Applications should be submitted at least two months prior to project commencement. Please submit the completed applications and any required supporting information to Weddin Shire Council at:

Email: [mail@weddin.nsw.gov.au](mailto:mail@weddin.nsw.gov.au) Post: Weddin Shire Council  
 Deliver: Councils Administration Office PO Box 125  
 Corner of Camp & Weddin Streets GRENFELL NSW 2810  
 GRENFELL NSW

**Project Title**

Grenfell's 2024 Remembrance Day Commemorative Service.

**Project Location**

Memorial Park Grenfell.

Have you obtained all necessary permits, licenses, approvals and insurance? Yes  No

**Community Organisation**

Grenfell RSL Sub-Branch.

Is the organisation a not-for-profit entity? Yes  No

**Project Contacts**

Primary Contact		Secondary Contact	
Name	[Redacted]	Name	[Redacted]
Position	President	Position	Secretary
Postal Address	[Redacted]	Postal Address	Po Box 65 Grenfell NSW 2810
Phone	[Redacted]	Phone	[Redacted]
Mobile	[Redacted]	Mobile	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]

**Bank account details for payment of funds**

Account name	N/A
Bank State Branch Number (BSB)	Click or tap here to enter text.

<b>Account number</b>	Click or tap here to enter text.
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**What is requested from Council – Please provide details of what is requested from Council**

The Grenfell RSL Sub-Branch requests the Weddin Shire Council provide traffic control services for the 2024 Grenfell Remembrance Day Commemorative Service, being conducted in Memorial Park Grenfell.

**Project outline – Please provide details of the project**

Grenfell's 2024 Remembrance Day Commemorative Service.

**Timeline**

<b>Start date</b>	<b>11 November 2024</b>
<b>Finish date</b>	<b>11 November 2024</b>

**Other information – Please provide details of any other information that is relevant to your application**

Please see submitted paperwork.

**Undertaking and Authorisation/Declaration**

In submitting this application, we hereby undertake to be bound by the following General Terms and Conditions and any additional Specific Terms and Conditions as resolved by Council when determining our community project support application.

**GENERAL TERMS AND CONDITIONS:**

1. Approved Community Project Support Funds will only be used for the purpose as outlined in this application, unless written permission for a variation has been obtained from Council prior to the funds being spent.
2. All required permits, licenses, approvals and insurance will be obtained.
3. We will acknowledge the assistance of Weddin Shire Council in all related promotions and promotional material. Approval by Council Officers will be sought for Artwork featuring Council's logo.
4. After the project/event we will complete a letter including:
  - a. Confirmation of the successful completion of the project/event
  - b. Confirmation the Approved Community Project Support Funds were spent as approved
  - c. Details of the project/event including participation rates/attendance figures
  - d. Confirmation of the acknowledgement of Weddin Shire Council's support
5. We will manage the resources of our organisation to the best of our ability and as efficiently as possible.
6. We will maintain appropriate internal controls over the finances and day to day operations of our organisation.
7. We indemnify, and promise to keep forever indemnified, Council, their respective officers, servants, agents and employees against all actions, suits, claims, demands, costs and other liabilities whatsoever of any nature which we or any third party now has or at any time may have, in equity, at law, under statute or otherwise, arising either directly or indirectly from, or in any way connected with the project/event for which this application of funding is being made.
8. We forever release and forever discharge Council from all actions, suits, claims, demands, costs and other liabilities whatsoever of any nature which we now have or at any time may have, in equity, at law, under statute or otherwise arising either directly from, or in any way connected with the project/event for which this application of funding is being made.

I certify to the best of my knowledge, the information contained within this application is true and correct.



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**President**

<b>Name</b>	[Redacted]
<b>Date</b>	19 June 2024



Please submit the completed application and any required supporting information to Weddin Shire Council at:

Email: [mail@weddin.nsw.gov.au](mailto:mail@weddin.nsw.gov.au)

Post: Weddin Shire Council  
PO Box 125  
GRENFELL NSW 2810

Deliver: Councils Administration Office  
Corner of Camp & Weddin Streets  
GRENFELL NSW