



9 February 2023

Dear Councillor,

Your attendance is requested at an Ordinary Council Meeting of the Blayney Shire Council to be held in the Chambers, Blayney Shire Community Centre on Tuesday, 14 February 2023 at 6.00pm for consideration of the following business -

- (1) Livestreaming Video and Audio Check
- (2) Acknowledgement of Country
- (3) Recording of Meeting Statement
- (4) Apologies for non-attendance
- (5) Disclosures of Interest
- (6) Public Forum
- (7) Mayoral Minute
- (8) Confirmation of Minutes - Ordinary Council Meeting held on 19.12.22
- (9) Matters arising from Minutes
- (10) Reports of Staff
  - (a) Executive Services
  - (b) Corporate Services
  - (c) Infrastructure Services
  - (d) Planning and Environmental Services
- (11) Closed Meeting

Yours faithfully

Mark Dicker  
**General Manager**

## **Meeting Calendar 2023**

### **February**

<b><u>Time</u></b>	<b><u>Date</u></b>	<b><u>Meeting</u></b>	<b><u>Location</u></b>
6.00pm	14 February 2023	Council Meeting	Community Centre
10.30am	15 February 2023	Central Tablelands Water Meeting	Blayney
9.00am	16 February 2023	Audit, Risk and Improvement Committee Meeting	Blayney
9.00am	21 February 2023	Country Mayors Association	Sydney
9.00am	22 February 2023	Mining and Energy Related Councils Meeting	Sydney
10.00am	23 February 2023	Central NSW JO Board Meeting	Forbes

### **March**

<b><u>Time</u></b>	<b><u>Date</u></b>	<b><u>Meeting</u></b>	<b><u>Location</u></b>
9.00am	9 March 2023	Country Mayors Meeting	Newcastle
6.00pm	21 March 2023	Council Meeting	Community Centre

### **April**

<b><u>Time</u></b>	<b><u>Date</u></b>	<b><u>Meeting</u></b>	<b><u>Location</u></b>
6.00pm	18 April 2023	Council Meeting	Community Centre

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**HELD ON TUESDAY 14 FEBRUARY 2023**

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## **LIVE STREAMING OF COUNCIL MEETINGS**

In accordance with the Blayney Shire Council Code of Meeting Practice, this meeting will be recorded for the purpose of the live streaming function via our YouTube channel. The audio and visual live stream and recording, will allow members of the public to view proceedings via the Internet without the need to attend Council meetings. The objective of this service is to eliminate geographic and other access barriers for the community wishing to learn more about Council's decision making processes.

By speaking at the Council Meeting you agree to be livestreamed and recorded. Please ensure that if and when you speak at this Council Meeting that you ensure you are respectful to others and use appropriate language at all times.

Whilst Council will make every effort to ensure that live streaming is available, it takes no responsibility for, and cannot be held liable for technical issues beyond its control. Technical issues may include, but are not limited to the availability or quality of the internet connection, device failure or malfunction, unavailability of YouTube or power outages.

Live streams and archived recordings are a free public service and are not an official record of Council meetings. Recordings will be made of all Council meetings (excluding confidential items) and published to YouTube the day after the meeting. For a copy of the official public record, please refer to Council's Business Papers and Minutes page on Council's website.

Council does not accept any responsibility for any verbal comments made during Council meetings which may be inaccurate, incorrect, defamatory, or contrary to law and does not warrant nor represent that the material or statements made during the streamed meetings are complete, reliable, accurate or free from error.

Live streaming is primarily set up to capture the proceedings of the Council meeting and members of the public attending a Council meeting need to be aware they may be recorded as part of the proceedings.

**01) MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 19 DECEMBER 2022**

**Department:** Executive Services

**Author:** General Manager

**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance

**File No:** GO.ME.3

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**Recommendation:**

That the Minutes of the Ordinary Council Meeting held on 19 December 2022, being minute numbers 2212/001 to 2212/026 be confirmed.

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY CENTRE, ON 19 DECEMBER 2022, COMMENCING AT 5.00PM**

Present: Crs S Ferguson (Mayor), A Ewin, C Gosewisch, J Newstead, M Pryse Jones, B Reynolds and D Somerville (Deputy Mayor)

General Manager (Mr M Dicker), Director Corporate Services (Mr A Franze), Director Infrastructure Services (Mr J Hogan), Acting Director Planning and Environmental Services (Mrs C Johnstone) and Executive Assistant to the General Manager (Mrs L Ferson)

**ACKNOWLEDGEMENT OF COUNTRY**

**RECORDING OF MEETING STATEMENT**

**DISCLOSURES OF INTEREST**

Nil

**PUBLIC FORUM**

Raelene Mulligan - Item 18 – Planning Proposal to Amend the Blayney Local Environmental Plan 2012 – PP3: Six (6) Unsewered Villages and Surrounds

**MAYORAL MINUTE – INDEPENDENT PLANNING COMMISSION – NEW PUBLIC HEARING DATE – MCPHILLAMYS GOLD PROJECT**

Council noted the new dates for the public hearing into the McPhillamys Gold Project is 6, 7 and 8 February 2023.

**CONFIRMATION OF MINUTES****MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 21 NOVEMBER 2022**

2212/001

**RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 21 November 2022, being minute numbers 2211/001 to 2211/019 be confirmed.

(Reynolds/Newstead)

**CARRIED****MATTERS ARISING FROM THE MINUTES**

Nil

**EXECUTIVE SERVICES REPORTS****QUESTIONS TAKEN ON NOTICE AT THE PREVIOUS COUNCIL MEETING HELD 21 NOVEMBER 2022**

2212/002

**RESOLVED:**

That the questions taken on notice at the Ordinary Council Meeting held on 21 November 2022 and the subsequent response be received and noted.

(Reynolds/Gosewisch)

**CARRIED****COUNCIL MEETING DATES**

2212/003

**RESOLVED:**

That Council;

1. Adopt the following amended dates and times for Ordinary Meetings of Council until September 2023 (all commencing 6.00pm) in the Blayney Shire Community Centre:
  - 14 February 2023
  - 21 March 2023
  - 18 April 2023
  - 16 May 2023
  - 6 June 2023
  - 27 June 2023
  - 18 July 2023
  - 15 August 2023
  - 19 September 2023
2. Amend section 3.1 of Policy 1C – Code of Meeting Practice to reflect the change in meeting day and time.

(Gosewisch/Somerville)

**CARRIED**

**CORPORATE SERVICES REPORTS****REPORT OF COUNCIL INVESTMENTS AS AT 30 NOVEMBER 2022**

2212/004

**RESOLVED:**

1. That the report indicating Council's investment position as at 30 November 2022 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

(Somerville/Ewin)

**CARRIED****2024 ELECTION SERVICES**

2212/005

**RESOLVED:**

That the Blayney Shire Council ("the Council") resolves:

1. Pursuant to s. 296(2) and (3) of the *Local Government Act 1993* (NSW) ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner (NSW Electoral Commission) to administer all elections of the Council.
2. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s.18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
3. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s.18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

(Somerville/Pryse Jones)

**CARRIED****ENDORSEMENT OF CORPORATE CREDIT CARD POLICY**

2212/006

**RESOLVED:**

1. That the Corporate Credit Card Policy be endorsed and be placed on public exhibition for a period 42 days.
2. Should no submissions be received during the public exhibition period the Corporate Credit Card Policy be adopted and included in Council's policy register.

(Pryse Jones/Ewin)

**CARRIED****ATTRACTION AND RETENTION OF MEDICAL PROFESSIONALS POLICY**

2212/007

**RESOLVED:**

1. That the Attraction and Retention of Medical Professionals Policy be endorsed and be placed on public exhibition for a period 42 days.
2. Should no submissions be received during the public exhibition period the Attraction and Retention of Medical

Professionals Policy be adopted and included in Council's policy register.

(Somerville/Pryse Jones)

**CARRIED**

**MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 23 NOVEMBER 2022**

2212/008

**RESOLVED:**

That Council;

1. Receive the Minutes of the Audit Risk and Improvement Committee meeting held 23 November 2022.
2. Amend the Agenda issue timeframe in the Audit, Risk and Improvement Committee Charter to at least 3 business days and no later than Friday prior to the scheduled meeting if on a Wednesday.

(Somerville/Newstead)

**CARRIED**

**MINUTES OF THE DISABILITY INCLUSION WORKING GROUP MEETING HELD 16 NOVEMBER 2022**

2212/009

**RESOLVED:**

1. That the minutes of the Disability Inclusion Working Group meeting held 16 November 2022 be received and noted.
2. That the Disability Inclusion Working Group Charter be endorsed.
3. That Council make representation to Sydney Trains for rectification of the concrete lip at the entrance to café at Millthorpe Railway Station.
4. That the report on the 2022 – 2026 Disability Inclusion Action Plan be referred to Council for endorsement.

(Reynolds/Ewin)

**CARRIED**

**ENDORSEMENT OF DISABILITY INCLUSION ACTION PLAN**

2212/010

**RESOLVED:**

1. That the Draft Blayney Cabonne Orange Disability Inclusion Action Plan for Blayney Shire Council be placed on public exhibition for a period of at least 42 days.
2. Should no submissions be received during the public exhibition period the Draft Blayney Cabonne Orange Disability Inclusion Action Plan for Blayney Shire Council be adopted.

(Pryse Jones/Reynolds)

**CARRIED**



**INFRASTRUCTURE SERVICES REPORTS****DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT****2212/011****RESOLVED:**

That the Director Infrastructure Services Monthly Report for December 2022 be received and noted.

(Ewin/Pryse Jones)

**CARRIED**

**PROPOSED BRIDGE NAMING - CARCOAR ROAD****2212/012****RESOLVED:**

That Council:

1. Endorse the naming of Carcoar Road Bridge over Cowriga Creek, as the Pte W.G. Smith Bridge; and
2. Place the proposed name on public exhibition for a period of not less than 28 days; and
3. Should no submissions be received during the public exhibition period, the name be adopted.

(Gosewisch/Somerville)

**CARRIED**

**LAND CLASSIFICATION - GLENORIE ROAD****2212/013****RESOLVED:**

That Council following public notice, classifies the 316m<sup>2</sup> of closed road, adjacent to 18 Glenorie Road as Operational Land.

(Reynolds/Somerville)

**CARRIED**

**LAND ACQUISITION - LEABEATER STREET****2212/014****RESOLVED:**

That Council:

1. Compulsorily acquire the land described as unnamed portion of Crown Land located within the area known as Leabeater Street, Lyndhurst and Grubbenbun Creek, Lyndhurst to the north of Lot 2 DP 738955 and Lot 360 DP 750392 pursuant to s186-187 of the Local Government Act 1993 and for the purpose of the *Roads Act* 1993.
2. The making of an Application to the Minister for Local Government and Governor for the approval of such compulsory acquisition.
3. Delegate to the Mayor and General Manager authority execute signature and fixing of the Council Seal on all required documentation to facilitate the acquisition.
4. Give public notice for a period of 28 days of Council's intention to classify the land as Operational Land.
5. Following public notice period, if no submissions are received the land be classified as Operational Land.

(Ewin/Pryse Jones)

**CARRIED**

**MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 9 DECEMBER 2022**

2212/015

**RESOLVED:**

1. That the minutes of the Blayney Traffic Committee Meeting, held on Friday 9 December 2022, be received and noted.
2. That Council endorse the Traffic Guidance Scheme for the annual Blayney Show, to be staged on 11 March 2023 on Blayney Showground, Marshalls Lane, as a Class 3 event, subject to the conditions detailed in the Director Infrastructure Services' Report with the amendment that a condition be added: for approval by Transport for NSW for the VMS.
3. That the signage on Martin St, Blayney be replaced with signs indicating "Bus Zone 7.30AM-3.00PM"
4. That Council request NSW Police monitor parking at Millthorpe bus stop to ensure compliance with bus zones
5. That Council on behalf of Transport for NSW (TfNSW) install traffic counters along Park St in Millthorpe.
6. That Council request NSW Police to monitor speed on Park Street, Millthorpe.
7. That Transport for NSW (TfNSW) to triage the northern entry 50km signage placement for Park Street, Millthorpe.
8. That Council adopt the Guidelines for Rural School Bus Routes and informal Bus Stops, and informs school bus operators of the outcome.

(Newstead/Pryse Jones)

**CARRIED**

**PLANNING AND ENVIRONMENTAL SERVICES REPORTS**

**ADOPTION OF BLAYNEY SHIRE LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN 2022**

2212/016

**RESOLVED:**

That Council:

1. Adopt the Blayney Shire Local Infrastructure Contributions Plan 2022 attached to this report.
2. Note the Plan commences on the day notice of the Council's decision to approve the plan is published on the Council's website.
3. Update the schedule of fees and charges in the 2022/23 Operational Plan to reflect the new charges.

(Reynolds/Gosewisch)

The **DIVISION** was taken and the names of the Councillors voting FOR and AGAINST were as follows:

**FOR**

**AGAINST**

Councillor Ewin  
 Councillor Ferguson  
 Councillor Somerville  
 Councillor Reynolds  
 Councillor Newstead

Councillor Pryse Jones

Councillor Gosewisch

**Total (7)**

**Total (0)**

**CARRIED**

**PLANNING PROPOSAL TO AMEND BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012 – RU2 RURAL LANDSCAPE TO R2 LOW DENSITY RESIDENTIAL – 34 CHARLES STREET, BLAYNEY**

**2212/017**

**RESOLVED:**

That Council:

1. Submit the Planning Proposal to the Minister for Planning in accordance with Section 3.34(1) of the Environmental Planning and Assessment Act 1979, requesting a Gateway Determination, pursuant to Section 3.34(2) of the Environmental Planning and Assessment Act 1979.
2. Request delegation to finalise and make the draft Local Environmental Plan, pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979.
3. Prepare and exhibit an amendment to the Blayney Shire Development Control Plan 2018 to include development controls relating to the subject property in accordance with the Environmental Planning and Assessment Act 1979.
4. Require, prior to submitting the Planning Proposal for Gateway Determination, that the landowner be advised and agree to paying all reasonable costs involved for Council to amend the Blayney Shire Development Control Plan 2018.

(Newstead/Ewin)

The **DIVISION** was taken and the names of the Councillors voting FOR and AGAINST were as follows:

**FOR**

Councillor Ewin

Councillor Ferguson

Councillor Newstead

Councillor Gosewisch

**Total (4)**

**AGAINST**

Councillor Somerville

Councillor Reynolds

Councillor Pryse Jones

**Total (3)**

**CARRIED**

**PLANNING PROPOSAL TO AMEND THE BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012 - PP3: SIX (6) UNSEWERED VILLAGES AND SURROUNDS**

**MOTION:**

That Council:

1. Endorse, the amendment to the Blayney Local Environmental Plan 2012 *PP3 Six (6) Unsewered Villages & Surrounds* as outlined in this report.
2. Include 6450 Mid Western Highway, Lyndhurst (Lot 5 DP 1108340) as a lot under PP3B: Dwelling Permissibility – within 500m of the Village zone provision.
3. In exercising its delegation under Section 3.36 of the Environmental Planning and Assessment Act 1979, as endorsed by NSW Department Planning and Environment, forward the required documentation to Parliamentary Counsel for opinion to amend the Blayney Local Environmental Plan 2012.
4. Delegate authority to the General Manager to finalise the amendments to Blayney Local Environmental Plan 2012 with advice from Parliamentary Counsel and the NSW Government on terms that are broadly consistent with the Planning Proposal and this report, including any final feedback from government agencies.
5. Not implement the changes in the Planning Proposal to the Blayney Local Environmental Plan 2012 prior to 1 March 2023.

(Newstead/Gosewisch)

An **AMENDMENT** was moved by Cr Somerville and seconded by Cr Reynolds to include 108 Brady Road, Carcoar (Lot 1 DP626899) as a lot under PP3B: Dwelling Permissibility – within 500m of the Village zone provision.

**AMENDMENT**

1. Endorse, the amendment to the Blayney Local Environmental Plan 2012 *PP3 Six (6) Unsewered Villages & Surrounds* as outlined in this report.
2. Include 6450 Mid Western Highway, Lyndhurst (Lot 5 DP 1108340) and 108 Brady Road, Carcoar (Lot 1 DP626899) as lots under PP3B: Dwelling Permissibility – within 500m of the Village zone provision.
3. In exercising its delegation under Section 3.36 of the Environmental Planning and Assessment Act 1979, as endorsed by NSW Department Planning and Environment, forward the required documentation to Parliamentary Counsel for opinion to amend the Blayney Local Environmental Plan 2012.
4. Delegate authority to the General Manager to finalise the amendments to Blayney Local Environmental Plan 2012 with advice from Parliamentary Counsel and the NSW

Government on terms that are broadly consistent with the Planning Proposal and this report, including any final feedback from government agencies.

5. Not implement the changes in the Planning Proposal to the Blayney Local Environmental Plan 2012 prior to 1 March 2023.

(Somerville/Reynolds)

The amendment became the substantive motion and was put.

**CARRIED**

**2212/018 RESOLVED:**

1. Endorse, the amendment to the Blayney Local Environmental Plan 2012 *PP3 Six (6) Unsewered Villages & Surrounds* as outlined in this report.
2. Include 6450 Mid Western Highway, Lyndhurst (Lot 5 DP 1108340) and 108 Brady Road, Carcoar (Lot 1 DP626899) as lots under PP3B: Dwelling Permissibility – within 500m of the Village zone provision.
3. In exercising its delegation under Section 3.36 of the Environmental Planning and Assessment Act 1979, as endorsed by NSW Department Planning and Environment, forward the required documentation to Parliamentary Counsel for opinion to amend the Blayney Local Environmental Plan 2012.
4. Delegate authority to the General Manager to finalise the amendments to Blayney Local Environmental Plan 2012 with advice from Parliamentary Counsel and the NSW Government on terms that are broadly consistent with the Planning Proposal and this report, including any final feedback from government agencies.
5. Not implement the changes in the Planning Proposal to the Blayney Local Environmental Plan 2012 prior to 1 March 2023.

The **DIVISION** was taken and the names of the Councillors voting FOR and AGAINST were as follows:

**FOR**

**AGAINST**

Councillor Ewin  
 Councillor Ferguson  
 Councillor Somerville  
 Councillor Reynolds  
 Councillor Newstead  
 Councillor Pryse Jones  
 Councillor Gosewisch

**Total (7)**

**Total (0)**

**CARRIED**

**DA94/2022 - ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING - 7 - 9 VICTORIA STREET MILLTHORPE**

2212/019

**RESOLVED:**

That Council consent to Development Application 94/2022 for alterations and additions to an existing dwelling house at Lot 116 DP587508, 7 – 9 Victoria Street, Millthorpe subject to the recommended conditions of consent.

(Gosewisch/Reynolds)

The **DIVISION** was taken and the names of the Councillors voting FOR and AGAINST were as follows:

FOR	AGAINST
Councillor Ewin	
Councillor Ferguson	
Councillor Somerville	
Councillor Reynolds	
Councillor Newstead	
Councillor Pryse Jones	
Councillor Gosewisch	
<b>Total (7)</b>	<b>Total (0)</b>

**CARRIED**

**DA99/2022 - PROPOSED ALTERATIONS AND ADDITIONS TO THE FORMER BLAYNEY BOWLING CLUB FOR USE AS A RESTAURANT, BAR, LOUNGE AND GUEST RECREATION AREA ANCILLARY TO THE BLAYNEY MOTEL - 62 OSMAN STREET BLAYNEY**

2212/020

**RESOLVED:**

That Council consent to Development Application 99/2022 for alterations and additions to the former Blayney Bowling Club at 62 Osman Street Blayney for use as a restaurant, bar, lounge and guest recreation area ancillary to the Blayney Motel at 62 Osman Street, Blayney subject to the recommended conditions of consent.

(Ewin/Newstead)

The **DIVISION** was taken and the names of the Councillors voting FOR and AGAINST were as follows:

FOR	AGAINST
Councillor Ewin	
Councillor Ferguson	
Councillor Somerville	
Councillor Reynolds	
Councillor Newstead	
Councillor Pryse Jones	
Councillor Gosewisch	
<b>Total (7)</b>	<b>Total (0)</b>

**CARRIED**

**DELEGATES REPORTS****REPORT OF THE CENTRAL NSW JOINT ORGANISATION  
BOARD MEETING HELD 12 OCTOBER 2022**

2212/021

**RESOLVED:**

That Council note the report on the Central NSW Joint Organisation Board Meeting held 12 October 2022, the Roundtable with Ministers on 13 October 2022 and provide feedback to CNSWJO on its draft Statement of Strategic Regional Priority.

(Pryse Jones/Gosewisch)

**CARRIED****REPORT OF THE CENTRAL NSW JOINT ORGANISATION  
BOARD MEETING HELD 24 NOVEMBER 2022**

2212/022

**RESOLVED:**

That Council note the report of the Central NSW Joint Organisation Board Meeting held 24 November 2022 and provide feedback on advocacy regarding flooding in region.

(Reynolds/Newstead)

**CARRIED****CLOSED MEETING**

2212/023

**RESOLVED:**

That the meeting now be closed to the public in accordance with Section 10A of the Local Government Act, 1993 for consideration of the following matters:

**LAND ACQUISITION - FOREST REEFS ROAD**

*This matter is considered to be confidential under Section 10A(2) (c) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

**GENERAL MANAGERS PERFORMANCE AGREEMENT**

*This matter is considered to be confidential under Section 10A(2) (a) of the Local Government Act, as it deals with personnel matters concerning particular individuals.*

(Pryse Jones/Ewin)

**CARRIED**

**CONFIDENTIAL MEETING REPORTS**

- 2212/024**     **LAND ACQUISITION - FOREST REEFS ROAD**  
**RESOLVED:**  
That Council:
1. Approve the acquisition of land for the purpose of road widening, being approx. 86m<sup>2</sup> of Lot 1 DP576280 as required for the Forest Reefs Road construction works, and the land be classified as Public Road.
  2. Delegate authority to the General Manager to negotiate the terms of the acquisition with the landowner of Lot 1 DP576280
  3. Delegate to the Mayor and General Manager authority to execute signature and fixing of the Council Seal on all required documentation to facilitate the acquisition.
- (Newstead/Ewin)  
**CARRIED**

- 2212/025**     **GENERAL MANAGERS PERFORMANCE AGREEMENT**  
**RESOLVED:**  
That Council:
1. Endorse the actions taken to date in relation to the development of the General Managers Performance Agreement including nominated Strategic Objectives and Priorities,
  2. Note that an informal half yearly review will be conducted in June 2023 and the formal yearly review conducted in November 2023.
- (Ewin/Somervaille)  
**CARRIED**

- 2212/026**     **RESOLVED:**  
That as consideration of the matters referred to in the closed meeting has been concluded, the meeting now be opened to the public.
- (Newstead/Reynolds)  
**CARRIED**

**AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 2212/024 AND 2212/025.**

There being no further business, the meeting concluded at 6.53pm.



The Minute Numbers 2212/001 to 2212/026 were confirmed on 14 February 2023 and are a full and accurate record of proceedings of the Ordinary Meeting held on 19 December 2022.

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Cr S Ferguson  
**MAYOR**

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Mr M Dicker  
**GENERAL MANAGER**

**02) QUARTERLY OUTSTANDING RESOLUTION REPORT**

**Department:** Executive Services

**Author:** General Manager

**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance

**File No:** GO.ME.1

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**Recommendation:**

That Council note the Outstanding Resolution Report to December 2022.

**Reason for Report:**

The General Manager is responsible for ensuring that Council's policies, decisions and priorities are implemented in a timely and efficient manner, consistent with the goals and objectives of Council.

After a Council meeting, each resolution is allocated to the responsible officer to action in accordance with the intent of the Council decision.

Council have requested an Outstanding Resolution Report on a quarterly basis.

**Report:**

This Council Outstanding Resolution Report includes Council Resolutions up to and including the previous Council Meeting.

It should be noted that;

- Road related land matters, are captured and transferred to a land register, and
- Traffic Committee matters are captured and transferred to a traffic register.

Council currently has 21 resolutions not yet completed and/or moved to the land and/or traffic register.

An update is provided in the comments section has been completed by the relevant responsible officer.

Date of Meeting	Res. No	Resolution	Owner	Comments
21-Dec - 20	2012/027	<p><b>EOI3/2016 - Sale of Industrial Land by Council</b> RESOLVED</p> <p>1. That Council accept the offer for sale of part Lot 4 DP 871015 and part Lot 1 DP134341 for the amount of \$49,500 including GST plus survey and subdivision costs; and</p> <p>2. That Council endorse execution of relevant contracts and associated documentation by the Mayor and General Manager under Council seal if required.</p>	DCS	<p>Subdivision documents lodged in September 2022 by Purchaser to LRS who have since requested that Lessees (communication towers) be consulted prior to registration. Documents re-lodged with LRS 11/01/2023. Confirmation on 02/02/2023 of subdivision plan registration by LRS. Sale contract settlement in progress.</p>
19-Apr-21	2104/013	<p><b>Change of Tenure - Crown Land Cemeteries</b> RESOLVED</p> <p>That Council seek approval from Department Planning, Industry and Environment – Crown Lands for amendment of the management structure of Crown Land cemeteries located at Carcoar, Lyndhurst, Neville and Newbridge from ‘Devolved to Council’ to ‘Crown Land Manager’.</p>	DCS	<p>DPIE – Crown Lands have advised in January 2023 of no objection to the proposed appointment of Council as Crown Land Manager and requested comment from Cemeteries &amp; Crematoria on proposal with no objections. Crown Lands now working towards progressing matter to finalisation.</p>

Date of Meeting	Res. No	Resolution	Owner	Comments
19-Apr-21	2104/020	<p><b>Minutes of the Blayney Shire Cemetery Forum Meeting held 24 March 2021</b>  <b>RESOLVED</b>                      2. Council investigate options and consider establishment of a memorial garden for early pregnancy loss within the Blayney Shire.</p>	DPES	<p>No further progress on matter to report.</p> <p>To be considered in Cemeteries Operation Plan.</p> <p>To be removed from report.</p>
19-Apr-21	2104/025	<p><b>Sale of Land for Unpaid Rates - Land Title Anomaly 6370 Mid Western Highway, Lyndhurst</b>  <b>RESOLVED</b>                      1. That the rates outstanding from A348636 in the name of Edward James Earl 6370 Midwestern Highway, Lyndhurst (Lot 12 DP 1173235) in the amount of \$3,562.77 be written back and the rates record be noted as a duplicate valuation and therefore not to be rated.                      2. That the property owner of 6376 Midwestern Highway, Lyndhurst seek legal representation to establish a "Good root of title" to resolve ownership of 6370 Midwestern Highway, Lyndhurst (Lot 12 DP 1173235).                      3. That following issue of an amended title deed that the Valuer General be informed of the duplicate valuation for 6370 Midwestern Highway, Lyndhurst (Lot 12 DP 1173235).</p>	DCS	<p>Matter is of private matter which Council has no control.</p> <p>Council working with property owner solicitor to help facilitate outcome.</p> <p>Statutory Declaration prepared by Council on records held re property history.</p> <p>No further progress on matter to report.</p> <p>Moved to land register for ongoing monitoring.</p>

Date of Meeting	Res. No	Resolution	Owner	Comments
20-Sep-21	2109/017	<p><b>Sale of Part Dungeon Road, Kings Plains</b> RESOLVED</p> <p>1. Conditional upon the McPhillamys Gold project being approved by the NSW Independent Planning Commission and the Regis Board; that Council accept the offer of \$722,000 plus GST for the sale of 6.49 km of Dungeon Road to Regis Resources from 560m from the Mid Western Highway to the shire boundary.</p> <p>2. That Council commence the process of road closure pursuant to the Roads Act subject to project approval and sale conditions being satisfied.</p> <p>3. That Council endorse execution of relevant contracts and associated documentation by the Mayor and General Manager, and if required under Council seal.</p> <p>4. That Council establishes an internal reserve and allocates the sale of Dungeon Road funds to those shire roads around the Walkom Road, Village Road, Guyong Road and Vittoria Road areas.</p>	DCS	<p>Pending DPE Major Projects Assessment Process.</p> <p>IPC hearing held 6-8 February 2023.</p> <p>Council to confirm in further written submission to IPC that no financial loss to be incurred by Council through closure and sale of Dungeon Road Kings Plains.</p> <p>Resolution to be moved to land register for ongoing monitoring.</p>

Date of Meeting	Res. No	Resolution	Owner	Comments
15-Nov-21	2111/007	<p><b>Blayney Medium Scale Solar Array Project</b> RESOLVED That Council;</p> <ol style="list-style-type: none"> <li>1. Endorse the Blayney Medium Scale Solar Array project Business Case and refer to the new Council for consideration following receipt of a Peer Review of the Business Case, finalisation of the Capital Expenditure Review and assessment of financial implications.</li> <li>2. Approve the General Manager progressing discussion with another Council(s) for a potential joint arrangement for the project.</li> <li>3. Approve a supplementary vote of \$40k from the Property Account, to engage a consultant to prepare documentation required for the Development Application and fees associated with lodgement of the Development Application.</li> </ol>	GM	<p>Energy market extremely volatile over the past 12 months constantly changing inputs for Business Case.</p> <p>Project viability and project options to be reviewed as no Council has been identified to undertake a joint arrangement for the project.</p>

Date of Meeting	Res. No	Resolution	Owner	Comments
19-Apr-22	2204/004	<p><b>Committees of Council</b> RESOLVED</p> <p>4. That Council staff conduct an annual onsite inspection of the Shire's Cemeteries with Councillors inviting stakeholders, Blayney Family History Group, Village/Progress Association representatives and community members.</p> <p>5. That the Tourism, Towns and Villages Committee not continue in its current format, and Council utilise alternative localised attendance of the Mayor, Councillors and staff, engagement with Orange360 and ongoing communication and involvement supporting Village/Progress Associations and Hall Committees to progress the individual Town and Village Community Plans. A report comes back to Council on the best options to connect with each of the villages and Blayney Township.</p>	GM	Further report to be presented to Council.
16-May-22	2205/014	<p><b>Floodplain Management</b> RESOLVED</p> <p>1. That Council endorse the Addendum to the Blayney Flood Study (Storm, 2022), and Addendum to the Blayney Floodplain Risk Management Study (Storm, 2022) and place them on Public Exhibition for a period of not less than 28 days.</p> <p>2. Should no submissions be received during the Public Exhibition period, the Addendums be adopted by Council at the earliest possible meeting.</p> <p>3. That Council endorse the Blayney Retarding Basins Study – Concept Design Report (Storm, 2022), and place it on Public Exhibition for a period of not less than 42 days.</p>	DIS	<p>RFQ for independent review and local flood study assessment advertised in late 2022.</p> <p>RFQ submissions currently under assessment.</p>

Date of Meeting	Res. No	Resolution	Owner	Comments
16-May-22	2205/019	<p><b>Proposed Land Transfers - Clarke Street</b> RESOLVED That Council;</p> <p>1. Endorse the closure of the following parts of Clarke Street, Blayney, in accordance with s.38 Roads Act 1993, subject to the applicant funding all associated survey and legal costs:</p> <ul style="list-style-type: none"> <li>- ~189m<sup>2</sup> adjacent to 4 Clarke Street</li> <li>- ~205m<sup>2</sup> adjacent to 23 Mitchell Street</li> </ul> <p>2. That a further report be presented to Council to consider any submissions lodged during the notification period and decide on approval for the proposal.</p> <p>3. Approve commencement of negotiations with 8 Mitchell Street with the intention of Council acquiring ~50m<sup>2</sup> of land for the purposes of the Roads Act 1993.</p>	DIS	<p>Planning Proposal required to reclassify the land from community to operational. Yet to commence.</p> <p>No further progress on matter to report.</p> <p>Moved to land register for ongoing monitoring.</p>
27-Jun-22	2206/014	<p><b>Child Protection Policy</b> RESOLVED That the Child Protection Policy be placed on public exhibition for a period of 28 days.</p>	DCS	Feedback received from OCG. Policy tabled for adoption at February 2023 meeting.



Date of Meeting	Res. No	Resolution	Owner	Comments
18-Jul-22	2207/011	<p><b>Proposed Road Closure - Mid Western Highway</b> RESOLVED</p> <p>1. That Council endorse the closure of the “old” road alignment, alongside the frontage of 3399 Mid-Western Highway, Kings Plains, in accordance with s.38 Roads Act 1993, subject to the applicant funding Council’s road closure application fee, and all associated survey, and legal costs.</p> <p>2. That a further report be presented to Council to consider any submissions lodged during the notification period and make a decision on approval for the proposal.</p>	DIS	<p>No further progress on matter to report.</p> <p>Moved to land register for ongoing monitoring.</p>

Date of Meeting	Res. No	Resolution	Owner	Comments
15-Aug-22	2208/017	<p><b>Minutes of the Traffic Committee Meeting held 5 August 2022</b> RESOLVED</p> <p>2. That Council note the change of date for the undertaking of the Pollie Pedal 2022 Charity Cycle Ride, to be staged on Hobbys Yards Road, Mid Western Highway, Orange Road, Neville Road, Mandurama Road, and Belubula Way, on 3 and 4 October 2022, and that the event approval be subject to the conditions as detailed in the Director Infrastructure Services' Report of June 2021.</p> <p>3. That Council endorse the Traffic Guidance Scheme for the Orange Running Festival, to be held on 5 March 2023 on roads in the vicinity of Forest Reefs and Spring Terrace, in the Orange City LGA, as a Class 2 event, and subject to the conditions detailed in the Director Infrastructure Services' Report.</p> <p>4. That:</p> <p>a) Signs indicating a bus stop should not be erected at Eves Lane, Millthorpe;</p> <p>b) Appropriate use of signage be investigated following any future alterations to the bus stop.</p> <p>5. That:</p> <p>a) The application for a rural bus route and rural bus stop at the corner of Wimbledon Road and Gresham Lane, Newbridge be approved.</p> <p>b) That vegetation trimming be undertaken and available sight distance be subsequently reassessed prior to Council approval.</p> <p>c) Design and creation of an approved bus bay would be outside Council's current budgetary capabilities.</p>	DIS	<p>No further progress on matter to report.</p> <p>Moved to traffic committee register.</p>

Date of Meeting	Res. No	Resolution	Owner	Comments
19-Sep-22	2209/017	<p><b>Land Acquisition - Lot 1, DP6158, 22 Newbridge Road, Blayney</b> RESOLVED That Council;</p> <ol style="list-style-type: none"> <li>1. Approve the acquisition of land, being Lot 1, DP6158 as required for the Belubula River Walk stage 3 construction works.</li> <li>2. Delegate Authority to the General Manager to negotiate the terms of the acquisition with the landowner of Lot 1, DP6158.</li> <li>3. Delegate to the Mayor and General Manager authority to execute signature and fixing of the Council Seal to any sale document as required.</li> <li>4. Intend to classify Lot 1, DP6158 as community land.</li> <li>5. Give public notice for a period of 28 days of Council's intention to classify the land as community land.</li> </ol>	DIS	<p>No further progress on matter to report.</p> <p>Moved to land register for ongoing monitoring.</p>
17-Oct-22	2210/020	<p><b>Road Closure - Glenorie Road</b> RESOLVED That Council;</p> <ol style="list-style-type: none"> <li>1. Take into consideration all submissions lodged during the notification period.</li> <li>2. Approve the closure of part of Glenorie Road, Millthorpe being ~316m<sup>2</sup> adjacent to 18 Glenorie Road in accordance with s.38 Roads Act 1993.</li> <li>3. Give public notice for a period of 28 days of Council's intention to classify the land as Operational Land.</li> <li>4. Endorse the land be exchanged as compensation for other land acquired for the purposes of the Roads Act 1993.</li> <li>5. Delegate to the Mayor and General Manager authority to execute signature and fixing of the Council Seal to facilitate the road closure and land transfer.</li> </ol>	DIS	<p>No further progress on matter to report.</p> <p>Moved to land register for ongoing monitoring.</p>

Date of Meeting	Res. No	Resolution	Owner	Comments
21-Nov-22	2211/015	<p><b>Planning Proposal to Amend the Blayney Local Environmental Plan 2012 - PP2: Millthorpe and Surrounds</b>  <b>RESOLVED</b>  That Council</p> <ol style="list-style-type: none"> <li>1. Endorse, as exhibited, the amendment to the Blayney Local Environmental Plan 2012 PP2 as outlined in this report including addendum PP2C.</li> <li>2. In addition to the exhibited Planning Proposal, a maximum lot yield of 5 potential lots be placed on the land pertinent to PP2D: 78 Clover Ridge Road.</li> <li>3. In exercising its delegation under Section 3.36 of the Environmental Planning and Assessment Act 1979, as endorsed by NSW Department Planning and Environment, forward the required documentation to Parliamentary Counsel for opinion to amend the Blayney Local Environmental Plan 2012.</li> </ol>	DPES	Currently with NSW Parliamentary Counsel for finalisation.
19-Dec-22	2212/010	<p><b>Endorsement Of Disability Inclusion Action Plan</b>  <b>RESOLVED</b></p> <ol style="list-style-type: none"> <li>1. That the Draft Blayney Cabonne Orange Disability Inclusion Action Plan for Blayney Shire Council be placed on public exhibition for a period of at least 42 days.</li> <li>2. Should no submissions be received during the public exhibition period the Draft Blayney Cabonne Orange Disability Inclusion Action Plan for Blayney Shire Council be adopted.</li> </ol>	DCS	<p>Document placed on public exhibition with a closing date of 02/02/2023.</p> <p>One submission received. Meeting of Disability Inclusion Working Group to be coordinated.</p>

Date of Meeting	Res. No	Resolution	Owner	Comments
19-Dec-22	2212/014	<p><b>Land Acquisition - Leabeater Street</b>  <b>RESOLVED</b>  That Council:</p> <ol style="list-style-type: none"> <li>1. Compulsorily acquire the land described as unnamed portion of Crown Land located within the area known as Leabeater Street, Lyndhurst and Grubbenbun Creek, Lyndhurst to the north of Lot 2 DP 738955 and Lot 360 DP 750392 pursuant to s186-187 of the Local Government Act 1993 and for the purpose of the <i>Roads Act</i> 1993.</li> <li>2. The making of an Application to the Minister for Local Government and Governor for the approval of such compulsory acquisition.</li> <li>3. Delegate to the Mayor and General Manager authority execute signature and fixing of the Council Seal on all required documentation to facilitate the acquisition.</li> <li>4. Give public notice for a period of 28 days of Council's intention to classify the land as Operational Land.</li> <li>5. Following public notice period, if no submissions are received the land be classified as Operational Land.</li> </ol>	DIS	<p>No further progress on matter to report.</p> <p>Moved to land register for ongoing monitoring.</p>

Date of Meeting	Res. No	Resolution	Owner	Comments
19-Dec-22	2212/015	<p><b>Minutes of the Traffic Committee Meeting held 9 December 2022</b> RESOLVED</p> <p>2. That Council endorse the Traffic Guidance Scheme for the annual Blayney Show, to be staged on 11 March 2023 on Blayney Showground, Marshalls Lane, as a Class 3 event, subject to the conditions detailed in the Director Infrastructure Services' Report with the amendment that a condition be added: for approval by Transport for NSW for the VMS.</p> <p>3. That the signage on Martin St, Blayney be replaced with signs indicating "Bus Zone 7.30AM-3.00PM"</p> <p>4. That Council request NSW Police monitor parking at Millthorpe bus stop to ensure compliance with bus zones</p> <p>5. That Council on behalf of Transport for NSW (TfNSW) install traffic counters along Park St in Millthorpe.</p> <p>6. That Council request NSW Police to monitor speed on Park Street, Millthorpe.</p> <p>7. That Transport for NSW (TfNSW) to triage the northern entry 50km signage placement for Park Street, Millthorpe.</p> <p>8. That Council adopt the Guidelines for Rural School Bus Routes and informal Bus Stops, and informs school bus operators of the outcome.</p>	DIS	<p>No further progress on matter to report.</p> <p>Moved to traffic committee register.</p>

Date of Meeting	Res. No	Resolution	Owner	Comments
19-Dec-22	2212/017	<p><b>Planning Proposal to Amend Blayney Local Environmental Plan 2012 – RU2 Rural Landscape to R2 Low Density Residential – 34 Charles Street, Blayney</b></p> <p>RESOLVED</p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Submit the Planning Proposal to the Minister for Planning in accordance with Section 3.34(1) of the Environmental Planning and Assessment Act 1979, requesting a Gateway Determination, pursuant to Section 3.34(2) of the Environmental Planning and Assessment Act 1979.</li> <li>2. Request delegation to finalise and make the draft Local Environmental Plan, pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979.</li> <li>3. Prepare and exhibit an amendment to the Blayney Shire Development Control Plan 2018 to include development controls relating to the subject property in accordance with the Environmental Planning and Assessment Act 1979.</li> <li>4. Require, prior to submitting the Planning Proposal for Gateway Determination, that the landowner be advised and agree to paying all reasonable costs involved for Council to amend the Blayney Shire Development Control Plan 2018.</li> </ol>	DPES	<p>In progress.</p> <p>PP yet to be lodged with DPIE for Gateway Determination.</p>

Date of Meeting	Res. No	Resolution	Owner	Comments
19-Dec-22	2212/018	<p><b>Planning Proposal to Amend the Blayney Local Environmental Plan 2012 - PP3: Six (6) Unsewered Villages and Surrounds</b> RESOLVED</p> <p>That Council:</p> <p>Endorse, the amendment to the Blayney Local Environmental Plan 2012 <i>PP3 Six (6) Unsewered Villages &amp; Surrounds</i> as outlined in this report.</p> <p>2. Include 6450 Mid Western Highway, Lyndhurst (Lot 5 DP 1108340) and 108 Brady Road, Carcoar (Lot 1 DP626899) as lots under PP3B: Dwelling Permissibility – within 500m of the Village zone provision.</p> <p>3. In exercising its delegation under Section 3.36 of the Environmental Planning and Assessment Act 1979, as endorsed by NSW Department Planning and Environment, forward the required documentation to Parliamentary Counsel for opinion to amend the Blayney Local Environmental Plan 2012.</p> <p>4. Delegate authority to the General Manager to finalise the amendments to Blayney Local Environmental Plan 2012 with advice from Parliamentary Counsel and the NSW Government on terms that are broadly consistent with the Planning Proposal and this report, including any final feedback from government agencies.</p> <p>5. Not implement the changes in the Planning Proposal to the Blayney Local Environmental Plan 2012 prior to 1 March 2023.</p>	MDA	Currently with NSW Parliamentary Counsel for finalisation.



Date of Meeting	Res. No	Resolution	Owner	Comments
19-Dec-22	2212/024	<b>Land Acquisition - Forest Reefs Road</b> <b>RESOLVED</b> That Council: 1. Approve the acquisition of land for the purpose of road widening, being approx. 86m <sup>2</sup> of Lot 1 DP576280 as required for the Forest Reefs Road construction works, and the land be classified as Public Road. 2. Delegate authority to the General Manager to negotiate the terms of the acquisition with the landowner of Lot 1 DP576280 3. Delegate to the Mayor and General Manager authority to execute signature and fixing of the Council Seal on all required documentation to facilitate the acquisition.	DIS	No further progress on matter to report.  Moved to land register for ongoing monitoring.

**Risk/Policy/Legislation Considerations:**

Nil

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**03) RISK, WORK HEALTH AND SAFETY QUARTERLY REPORT**

**Department:** Executive Services

**Author:** WHS and Risk Coordinator

**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance

**File No:** GO.ME.1

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**Recommendation:**

That Council receive and note the Risk, Work Health and Safety Report for the quarter to 31 December 2022.

**Reason for Report:**

To update Council on Risk, Work Health and Safety activities and performance for the period of 1 October 2022 to 31 December 2022.

**Report:**

**StateWide Mutual**

The Continuous Improvement [CIP] Workbooks for 2022 have been submitted. Two actions from the Roads workbook are to be completed by 2025. Signs as Remote Supervision and Operational Waste Facilities have no actions to complete.

**StateCover**

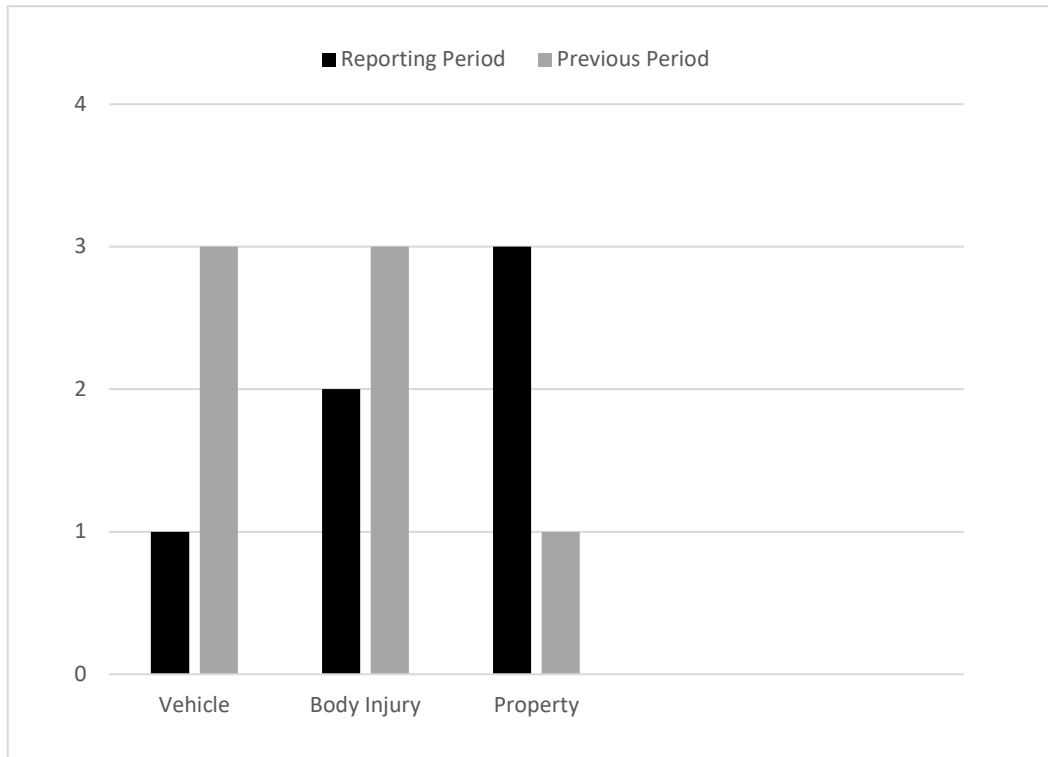
The 2022 WHS Self -Audit action plan has been submitted. Council has nominated: WHS Audit, Musculoskeletal Risks and Work Near Overhead Powerlines as the three priority items to be completed by June 2023 to receive 100% of the 2023/2024 WHS Incentive Rebate.

Council received the 2022/23 Safety and Wellbeing incentive rebate of \$24,579 to be used to support the WHS Wellbeing Program and safety initiatives for employees for 2023.

Health & Safety meetings are held quarterly, with next meeting scheduled 21 February 2023, and actions arising from meetings continue to be addressed and completed.

Safework reviewed completed works on the emulsion tank, from an incident in June 2022. Safework Prohibition notice (60333) to cease works has been removed.

**1. Incident notifications submitted 1 October 2022 to 31 December 2022**

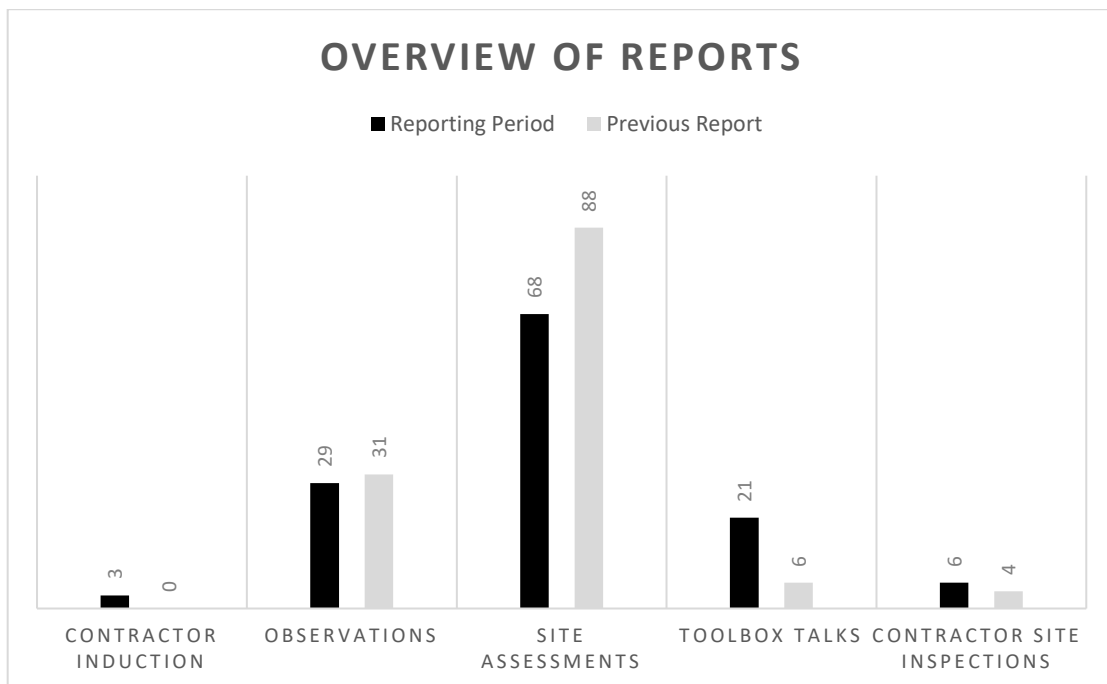


Property: Vandalism of Council property.

Vehicle: Mower windscreen damaged after contact with a branch.

Public (liability) claims: three claims received for damages.

**2. Internal WHS documents submitted 1 October 2022 to 31 December 2022**



**Risk/Policy/Legislation Considerations:**

Enterprise Risk Management Policy and Plan.

**Budget Implications:**

Council has no specific budget within the Operational Plan for incidents. Vandalism of Council property, in particular, has a direct impact to Council's Operational Plan.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**04) TOURISM DEVELOPMENT PROGRAM APPLICATIONS****Department:** Executive Services**Author:** Manager Tourism and Communications**CSP Link:** 3. Diversify and Grow the Blayney Shire Local and Visitor Economy**File No:** GS.PG.1**Recommendation:**

That Council approve the following applications under the Tourism Development Program;

- a) \$1,000 for Serena Louise Yoga for marketing of yoga classes
- b) \$1,000 for Plants n Pretty Pieces for marketing of retail stall

**Reason for Report:**

For Council to consider and approve the applications seeking Council financial support under the Tourism Development Program 2022/23.

**Report:****Serena Louise Yoga**

Funding requested: \$1,000

Serena Louise Yoga hosts weekly yoga sessions in Carcoar which also offer mindfulness activities and paddock to plate food. The events and classes will focus on community and culture, attracting likeminded people both locally and further afield. The events will help to develop stronger communities and attract a wide demographic, targeting 25–65-year old's. The funding will go towards printing posters and radio marketing around the region to increase awareness of the activities and visitation to Carcoar.

**Plants n Pretty Pieces**

Funding requested: \$1,000

Plants n Pretty Pieces is a boutique retail store located in Millthorpe. The funding requested is to go towards two key promotional activities to promote both the store and the village. The first part of the project is for an advertisement in Downtown Magazine with a double page feature where the article will be focused on the introduction of Plants n Pretty Pieces and what they do while also promoting the village and what is on offer. The second part of the marketing project is a website update and engaging with a local digital media specialist, a photographer to critic to update the web page, complete search engine optimisation (SEO) and develop separate pages to promote both regional tourism websites; Millthorpe Village and Orange360.

**Risk/Policy/Legislation Considerations:**

In accordance with the Local Government Act, s356, Council may resolve to grant financial assistance to persons for the purpose of exercising its functions.

As this program was included in the 2022/23 Operational Plan, does not exceed more than 5 percent of Council's income and is open to all persons within Council's area; 28 days public notice of Council's resolution is not required.

These applications fit within the criteria as the marketing activities are relevant to the target market outlined in the Orange Region Destination Management Plan and will help attract visitors to our region.

Both applications are financial members of Orange360 as required by the program requirements.

**Budget Implications:**

The approval of these applications will be a total of \$2,000. Council had allocated a total budget of \$10,000 for 2022/23, approval of this application will leave \$4,000 available in this program.

Any funding not allocated in this program by the end of financial year will not roll over to the following financial year.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**05) REPORT OF COUNCIL INVESTMENTS AS AT 31 DECEMBER 2022**

**Department:** Corporate Services

**Author:** Chief Financial Officer

**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance

**File No:** FM.AU.1

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**Recommendation:**

1. That the report indicating Council's investment position as at 31 December 2022 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

**Reason for Report:**

For Council to endorse the Report of Council Investments as at 31 December 2022.

**Report:**

This report provides details of Council's Investment Portfolio as at 31 December 2022.

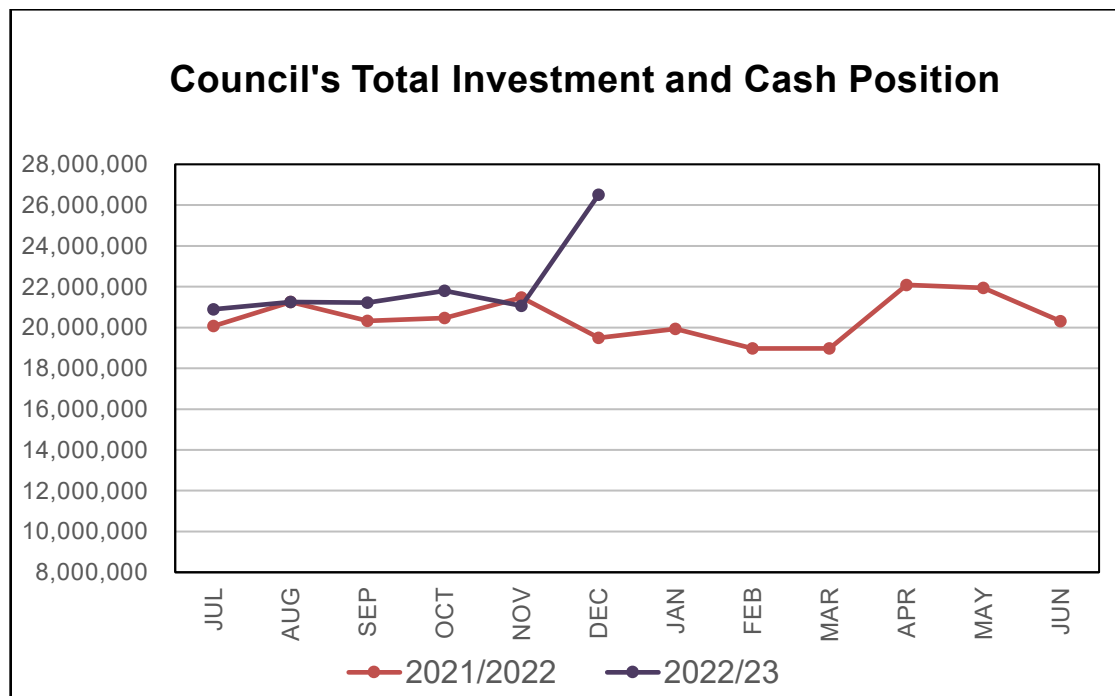
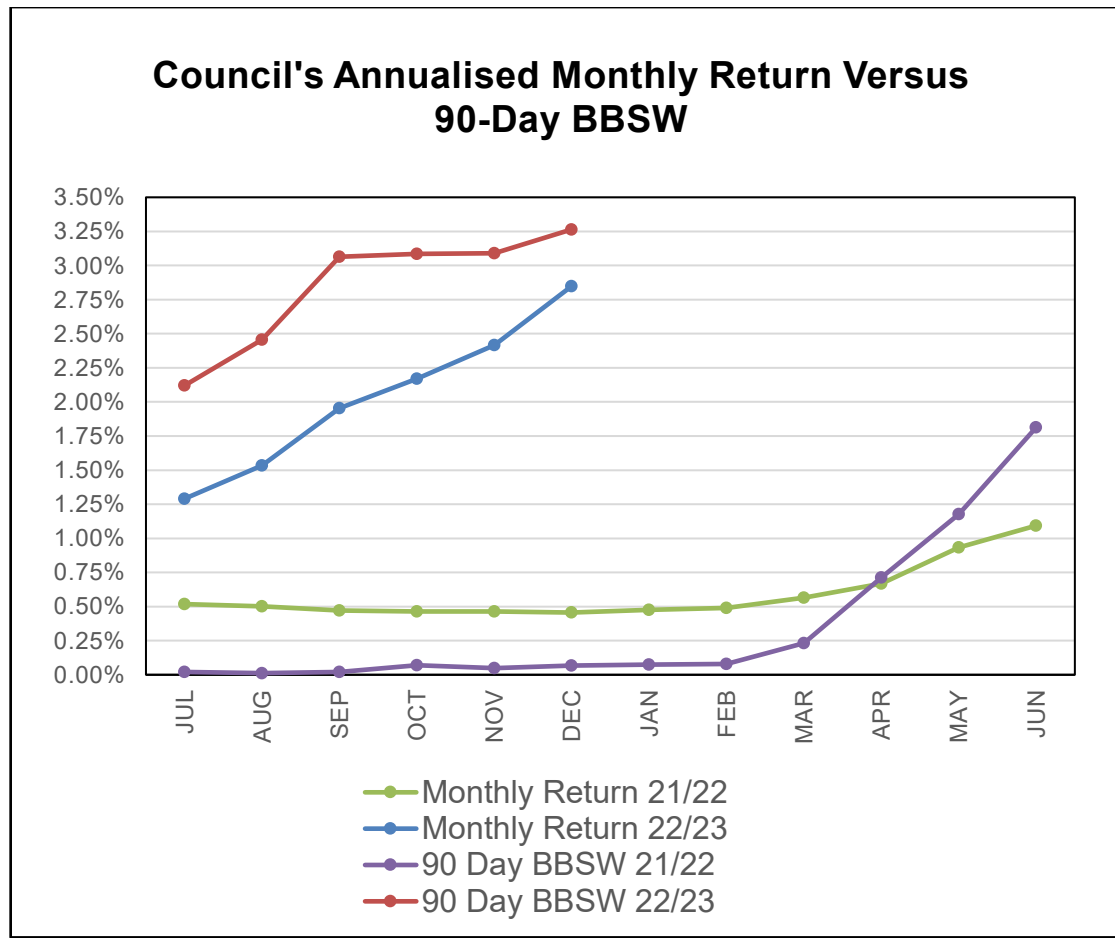
Council's total investment and cash position as at 31 December 2022 is \$26,513,601. Investments earned interest of \$54,492.14 for the month of December 2022.

Council's monthly net return on Term Deposits annualised for December was 2.85% which did not outperform the 90-day Bank Bill Swap Rate of 3.26%.

As existing term deposits, locked in at significantly lower rates, reach maturity the annualised monthly rate of interest should increase in line with the Bank Bill Swap Rate. This will be subject to the trajectory of interest rates going forward.

Council received a large influx of grant funding in December from the advanced payment of Resources for Regions Round 9 (R4R9). These funds will be invested to coincide with the project delivery timeframes specified in the funding agreement whilst ensuring adherence with the investment policy guidelines.

Throughout December \$1m was placed in new short-term deposits and a further \$2m was moved to a higher interest earning cash account. Further opportunities to maximise investment returns will be explored in the coming weeks whilst ensuring that any sudden drop in cash levels does not breach the policy limitations in each investment rating category.





<b>Register Of Investments and Cash as at 31 December 2022</b>					
<b>Institution</b>	<b>Method</b>	<b>Rating</b>	<b>Maturity</b>	<b>Amount \$</b>	<b>Interest Rate</b>
NAB	Direct	A1+/AA-	10/01/2023	500,000	0.750%
CBA	Direct	A1+/AA-	24/01/2023	500,000	0.760%
NAB	Direct	A1+/AA-	07/02/2023	500,000	0.770%
Westpac	Direct	A1+/AA-	21/02/2023	500,000	2.310%
NAB	Direct	A1+/AA-	22/02/2023	500,000	0.850%
Reliance Bank	Direct	Unrated	07/03/2023	500,000	3.430%
ME Bank	IAM	A2/BBB+	14/03/2023	500,000	1.120%
CBA	Direct	A1+/AA-	21/03/2023	500,000	3.930%
CBA	Direct	A1+/AA-	28/03/2023	500,000	1.300%
Macquarie Bank	IAM	A1/A+	28/03/2023	500,000	1.600%
CBA	Direct	A1+/AA-	11/04/2023	500,000	1.850%
NAB	Direct	A1+/AA-	18/04/2023	500,000	2.100%
Westpac	Direct	A1+/AA-	25/04/2023	500,000	3.850%
NAB	Direct	A1+/AA-	02/05/2023	500,000	4.020%
NAB	Direct	A1+/AA-	09/05/2023	500,000	2.750%
NAB	Direct	A1+/AA-	23/05/2023	500,000	2.800%
Westpac	Direct	A1+/AA-	23/05/2023	500,000	2.780%
Westpac	Direct	A1+/AA-	06/06/2023	500,000	3.220%
NAB	Direct	A1+/AA-	13/06/2023	500,000	4.110%
Westpac	Direct	A1+/AA-	20/06/2023	500,000	3.990%
NAB	Direct	A1+/AA-	20/06/2023	500,000	0.600%
Westpac	Direct	A1+/AA-	04/07/2023	500,000	3.760%
CBA	Direct	A1+/AA-	18/07/2023	500,000	4.130%
ME Bank	IAM	A2/BBB+	01/08/2023	500,000	3.770%
Westpac	Direct	A1+/AA-	15/08/2023	500,000	0.530%
CBA	Direct	A1+/AA-	15/08/2023	500,000	3.980%
NAB	Direct	A1+/AA-	29/08/2023	500,000	4.050%
CBA	Direct	A1+/AA-	12/09/2023	500,000	4.060%
CBA	Direct	A1+/AA-	26/09/2023	500,000	4.640%
Bank of Queensland	Curve	A2/BBB+	10/10/2023	500,000	4.200%
Westpac	Direct	A1+/AA-	10/10/2023	500,000	0.720%
CBA	Direct	A1+/AA-	17/10/2023	500,000	4.420%
CBA	Direct	A1+/AA-	31/10/2023	500,000	4.480%
Reliance Bank	Direct	Unrated	21/11/2023	500,000	4.100%
Westpac	Direct	A1+/AA-	21/11/2023	500,000	4.350%
Macquarie Bank	IAM	A1/A+	28/11/2023	500,000	4.200%
Westpac	Direct	A1+/AA-	28/11/2023	500,000	4.390%
Bank of Queensland	Curve	A2/BBB+	05/12/2023	500,000	4.250%
Defence Bank Ltd	Curve	A2/BBB	12/12/2023	500,000	4.450%
<b>Total Investments</b>				<b>19,500,000</b>	<b>3.009%</b>
Commonwealth Bank - At Call Account <sup>(1)</sup>				3,264,808	3.150%
Commonwealth Bank Balance - General <sup>(1)</sup>				3,509,525	2.950%
Reliance Bank <sup>(1)</sup>				239,268	0.000%
<b>TOTAL INVESTMENTS &amp; CASH</b>				<b>26,513,601</b>	
Benchmarks:		BBSW 90 Day Index <sup>(1)</sup>			3.265%
		RBA Cash Rate <sup>(1)</sup>			3.100%

1. % Interest rates as at end of reporting period

Summary of Investment Movements - December 2022		
Financial Institution	Invst/(Recall) Amount \$	Commentary
NAB	(503,241)	Term deposit matured 06/12/2022
NAB	500,000	Term deposit reinvested 06/12/2022
Bank of Queensland	(503,241)	Term deposit matured 06/12/2022
Bank of Queensland	500,000	Term deposit reinvested 06/12/2022
MyState Bank Ltd	(502,493)	Term deposit redeemed 13/12/2022
Defence Bank Ltd	500,000	New term deposit 13/12/2022
CBA	500,000	New term deposit 13/12/2022
Westpac	500,000	New term deposit 13/12/2022

Long Term Credit Rating (or Moody's, Fitch, S&P or Equivalent)	Policy Maximum	Current Holding %	Current Holding \$
TCorp IM Funds	100%	0%	-
AAA – AA Category	100%	77%	15,000,000
A- Category	40%	5%	1,000,000
BBB+ Category	25%	10%	2,000,000
BBB Category	5%	3%	500,000
BBB- Category and below: Local <sup>(2)</sup> ADI's	10%	5%	1,000,000
BBB+ / BBB / BBB- & below categories combined	25%	18%	
2. ADI's located within the Local Government Area			19,500,000

Individual Institution Limit	Rating	Policy Maximum	Current Holding \$
Bank of Queensland	A2/BBB+	1,000,000	1,000,000
CBA	A1+/AA-	5,000,000	5,000,000
Defence Bank Ltd	A2/BBB	500,000	500,000
Macquarie Bank	A1/A+	3,000,000	1,000,000
ME Bank	A2/BBB+	1,000,000	1,000,000
NAB	A1+/AA-	5,000,000	5,000,000
Reliance Bank	Unrated	1,000,000	1,000,000
Westpac	A1+/AA-	5,000,000	5,000,000

<b>Summary of Restricted, Allocated and Unrestricted Cash &amp; Investments</b>			
	<b>Actual 30/06/2022 \$ 000's</b>	<b>Actual<sup>(1)</sup> 31/12/2022 \$ 000's</b>	<b>Forecast<sup>(2)</sup> 30/06/2023 \$ 000's</b>
External Cash Restrictions	13,097	18,680	9,856
Internal Cash Restrictions	7,120	5,492	4,815
<b>Total Restricted, Allocated Cash &amp; Investments</b>	<b>20,217</b>	<b>24,172</b>	<b>14,671</b>
Unrestricted Cash	81	2,342	2,871
<b>Total Restricted, Allocated and Unrestricted Cash &amp; Investments</b>	<b>20,298</b>	<b>26,514</b>	<b>17,542</b>

<sup>(1)</sup> Balances are indicative and represent best available information as at 31/12/2022.

<sup>(2)</sup> Balances are informed by the Long Term Financial Plan and based on the best available information at time of preparation.

#### CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

I, Tiffaney Irlam, certify that the investments listed in this report have been made in accordance with s625 of the Local Government Act (1993), the Local Government (General) Regulation (2005) and Council Policy.

#### **Risk/Policy/Legislation Considerations:**

The Responsible Accounting Officer must table a written report to Council on money invested pursuant to s625 of the Local Government Act (1993). Investments made are in accord with the framework established within Council's Investment Policy.

#### **Budget Implications:**

A good investment strategy optimises Council's return on investments.

#### **Enclosures (following report)**

Nil

#### **Attachments (separate document)**

Nil

**06) REPORT OF COUNCIL INVESTMENTS AS AT 31 JANUARY 2023**

**Department:** Corporate Services

**Author:** Chief Financial Officer

**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance

**File No:** FM.AU.1

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**Recommendation:**

1. That the report indicating Council's investment position as at 31 January 2023 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

**Reason for Report:**

For Council to endorse the Report of Council Investments as at 31 January 2023.

**Report:**

This report provides details of Council's Investment Portfolio as at 31 January 2023.

Council's total investment and cash position as at 31 January 2023 is \$27,221,286. Investments earned interest of \$69,325.32 for the month of January 2023.

Council's monthly net return on Term Deposits annualised for January was 3.08% which did not outperform the 90-day Bank Bill Swap Rate of 3.37%.

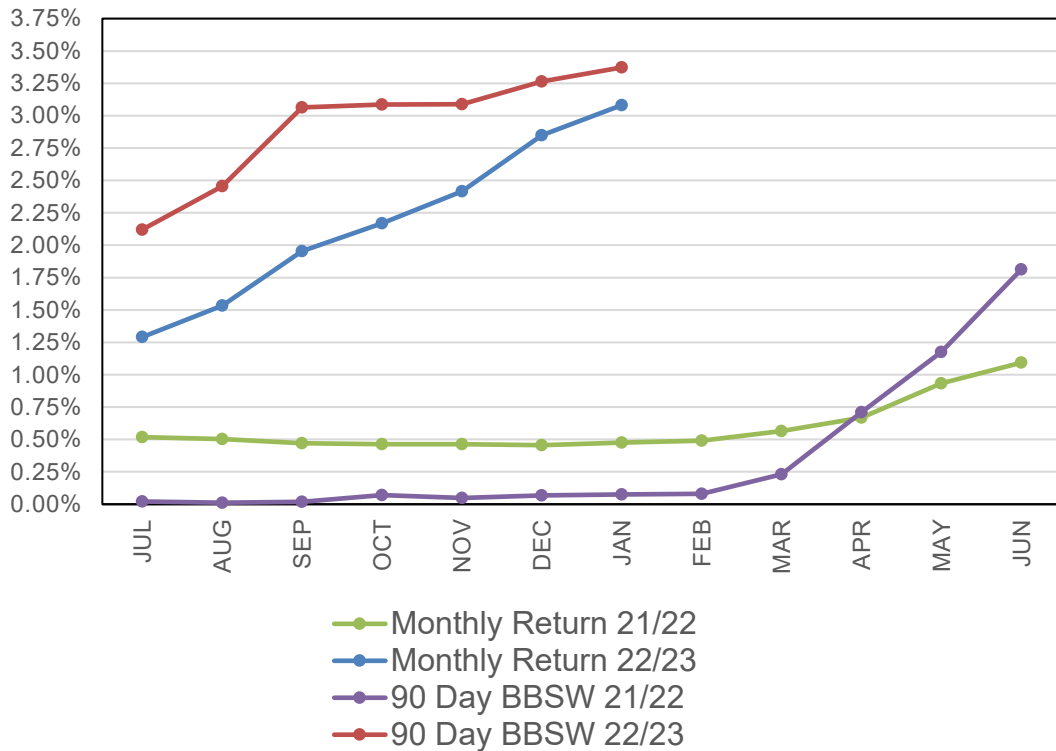
As existing term deposits, which were locked in at significantly lower rates, reach maturity the annualised monthly rate of interest should increase in line with the Bank Bill Swap Rate. This will be subject to the trajectory of interest rates going forward.

Council cashflow remained steady through the month of January with additional cash injections at months' end to coincide with early delivery of the 3<sup>rd</sup> rates instalment notices due at the end of February.

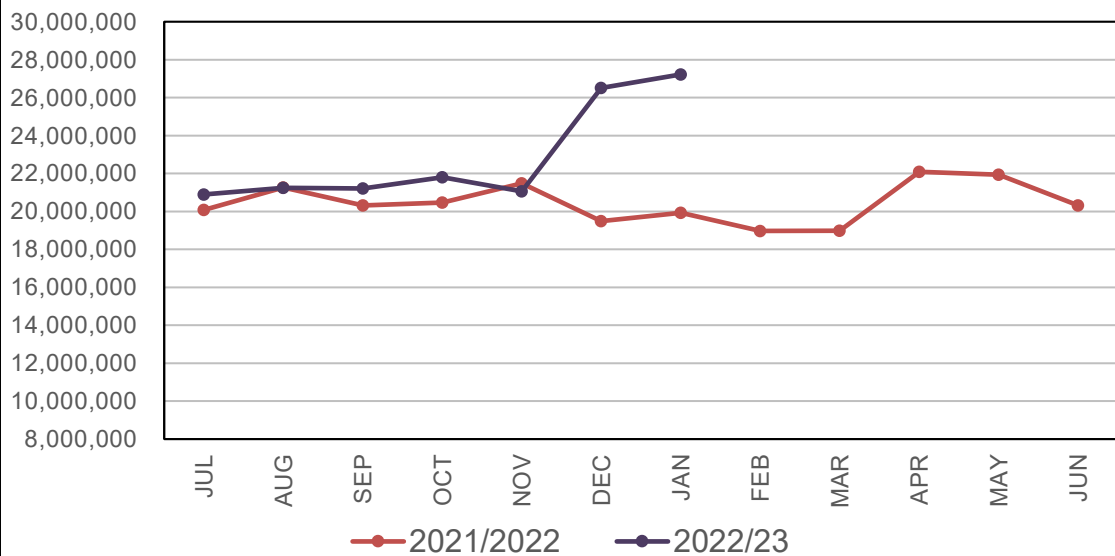
Council continues to investigate opportunities to maximise investment returns whilst ensuring adherence with the investment policy guidelines. It is anticipated that additional funds will be invested in new short-term deposits in February.

The interest rate offerings on investments appear to have plateaued however future offerings may change depending on the outcomes of the RBA meeting in February.

### Council's Annualised Monthly Return Versus 90-Day BBSW



### Council's Total Investment and Cash Position



<b>Register Of Investments and Cash as at 31 January 2023</b>					
<b>Institution</b>	<b>Method</b>	<b>Rating</b>	<b>Maturity</b>	<b>Amount \$</b>	<b>Interest Rate</b>
NAB	Direct	A1+/AA-	07/02/2023	500,000	0.770%
Westpac	Direct	A1+/AA-	21/02/2023	500,000	2.310%
NAB	Direct	A1+/AA-	22/02/2023	500,000	0.850%
Reliance Bank	Direct	Unrated	07/03/2023	500,000	3.430%
ME Bank	IAM	A2/BBB+	14/03/2023	500,000	1.120%
CBA	Direct	A1+/AA-	21/03/2023	500,000	3.930%
CBA	Direct	A1+/AA-	28/03/2023	500,000	1.300%
Macquarie Bank	IAM	A1/A+	28/03/2023	500,000	1.600%
CBA	Direct	A1+/AA-	11/04/2023	500,000	1.850%
NAB	Direct	A1+/AA-	18/04/2023	500,000	2.100%
Westpac	Direct	A1+/AA-	25/04/2023	500,000	3.850%
NAB	Direct	A1+/AA-	02/05/2023	500,000	4.020%
NAB	Direct	A1+/AA-	09/05/2023	500,000	2.750%
NAB	Direct	A1+/AA-	23/05/2023	500,000	2.800%
Westpac	Direct	A1+/AA-	23/05/2023	500,000	2.780%
Westpac	Direct	A1+/AA-	06/06/2023	500,000	3.220%
NAB	Direct	A1+/AA-	13/06/2023	500,000	4.110%
Westpac	Direct	A1+/AA-	20/06/2023	500,000	3.990%
NAB	Direct	A1+/AA-	20/06/2023	500,000	0.600%
Westpac	Direct	A1+/AA-	04/07/2023	500,000	3.760%
CBA	Direct	A1+/AA-	18/07/2023	500,000	4.130%
ME Bank	IAM	A2/BBB+	01/08/2023	500,000	3.770%
Westpac	Direct	A1+/AA-	15/08/2023	500,000	0.530%
CBA	Direct	A1+/AA-	15/08/2023	500,000	3.980%
NAB	Direct	A1+/AA-	29/08/2023	500,000	4.050%
CBA	Direct	A1+/AA-	12/09/2023	500,000	4.060%
CBA	Direct	A1+/AA-	26/09/2023	500,000	4.640%
Bank of Queensland	Curve	A2/BBB+	10/10/2023	500,000	4.200%
Westpac	Direct	A1+/AA-	10/10/2023	500,000	0.720%
CBA	Direct	A1+/AA-	17/10/2023	500,000	4.420%
CBA	Direct	A1+/AA-	31/10/2023	500,000	4.480%
Reliance Bank	Direct	Unrated	21/11/2023	500,000	4.100%
Westpac	Direct	A1+/AA-	21/11/2023	500,000	4.350%
Macquarie Bank	IAM	A1/A+	28/11/2023	500,000	4.200%
Westpac	Direct	A1+/AA-	28/11/2023	500,000	4.390%
Bank of Queensland	Curve	A2/BBB+	05/12/2023	500,000	4.250%
Defence Bank Ltd	Curve	A2/BBB	12/12/2023	500,000	4.450%
NAB	Direct	A1+/AA-	09/01/2024	500,000	4.500%
CBA	Direct	A1+/AA-	23/01/2024	500,000	4.490%
<b>Total Investments</b>				<b>19,500,000</b>	<b>3.201%</b>
Commonwealth Bank - At Call Account <sup>(1)</sup>				3,270,039	3.150%
Commonwealth Bank Balance - General <sup>(1)</sup>				4,153,864	2.950%
Reliance Bank <sup>(1)</sup>				297,384	0.000%
<b>TOTAL INVESTMENTS &amp; CASH</b>				<b>27,221,286</b>	
Benchmarks:		BBSW 90 Day Index <sup>(1)</sup>			3.373%
		RBA Cash Rate <sup>(1)</sup>			3.100%

1. % Interest rates as at end of reporting period

<b>Summary of Investment Movements - January 2023</b>		
<b>Financial Institution</b>	<b>Invest/(Recall) Amount \$</b>	<b>Commentary</b>
NAB	(503,729)	Term deposit matured 10/01/2023
NAB	500,000	Term deposit reinvested 10/01/2023
CBA	(503,790)	Term deposit matured 24/01/2023
CBA	500,000	Term deposit reinvested 24/01/2023

<b>Long Term Credit Rating (or Moody's, Fitch, S&amp;P or Equivalent)</b>	<b>Policy Maximum</b>	<b>Current Holding %</b>	<b>Current Holding \$</b>
TCorp IM Funds	100%	0%	-
AAA – AA Category	100%	77%	15,000,000
A- Category	40%	5%	1,000,000
BBB+ Category	25%	10%	2,000,000
BBB Category	5%	3%	500,000
BBB- Category and below: Local <sup>(2)</sup> ADI's	10%	5%	1,000,000
BBB+ / BBB / BBB- & below categories combined	25%	18%	
2. ADI's located within the Local Government Area			19,500,000

<b>Individual Institution Limit</b>	<b>Rating</b>	<b>Policy Maximum</b>	<b>Current Holding \$</b>
Bank of Queensland	A2/BBB+	1,000,000	1,000,000
CBA	A1+/AA-	5,000,000	5,000,000
Defence Bank Ltd	A2/BBB	500,000	500,000
Macquarie Bank	A1/A+	3,000,000	1,000,000
ME Bank	A2/BBB+	1,000,000	1,000,000
NAB	A1+/AA-	5,000,000	5,000,000
Reliance Bank	Unrated	1,000,000	1,000,000
Westpac	A1+/AA-	5,000,000	5,000,000

<b>Summary of Restricted, Allocated and Unrestricted Cash &amp; Investments</b>			
	<b>Actual 30/06/2022 \$ 000's</b>	<b>Actual<sup>(1)</sup> 31/01/2023 \$ 000's</b>	<b>Forecast<sup>(2)</sup> 30/06/2023 \$ 000's</b>
External Cash Restrictions	13,097	18,697	9,856
Internal Cash Restrictions	7,120	5,398	4,815
<b>Total Restricted, Allocated Cash &amp; Investments</b>	<b>20,217</b>	<b>24,095</b>	<b>14,671</b>
Unrestricted Cash	81	3,126	2,871
<b>Total Restricted, Allocated and Unrestricted Cash &amp; Investments</b>	<b>20,298</b>	<b>27,221</b>	<b>17,542</b>

<sup>(1)</sup> Balances are indicative and represent best available information as at 31/01/2023.

<sup>(2)</sup> Balances are informed by the Long Term Financial Plan and based on the best available information at time of preparation.

#### CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

I, Tiffaney Irlam, certify that the investments listed in this report have been made in accordance with s625 of the Local Government Act (1993), the Local Government (General) Regulation (2005) and Council Policy.

#### **Risk/Policy/Legislation Considerations:**

The Responsible Accounting Officer must table a written report to Council on money invested pursuant to s625 of the Local Government Act (1993). Investments made are in accord with the framework established within Council's Investment Policy.

#### **Budget Implications:**

A good investment strategy optimises Council's return on investments.

#### **Enclosures (following report)**

Nil

#### **Attachments (separate document)**

Nil



**07) QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2022****Department:** Corporate Services**Author:** Chief Financial Officer**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** FM.BU.1**Recommendation:**

1. That the Quarterly Budget Review Statement for the quarter ending 31 December 2022 be received.
2. That the supplementary votes of \$612k nett proposed in the Quarterly Budget Review Statement be adopted, resulting in an increase to capital expenditure of \$1.11m, an increase to operating expenditure of \$15k and an increase in income of \$1.74m (which includes an increase of \$1.57m in capital income).

**Reason for Report:**

For Council to endorse the Quarterly Budget Review Statement (QBRS) for the quarter ending 31 December 2022.

**Report:**

The budget review statement must show, by reference to the estimate of income and expenditure set out in the Operational Plan adopted by Council, a revised estimate of the income and expenditure for the year. The budget review statement must also be accompanied by a report as to whether or not the Responsible Accounting Officer believes that the financial position of the council is satisfactory, having regard to the original estimates of income and expenditure.

A set of minimum requirements have been set for reporting the financial position of Council, to facilitate explanations and major variations and recommend changes to the budget for Council approval. The report as tabled satisfies this minimum disclosure.

The QBRS reports the Council Consolidated position combining General and Sewer Funds and is composed of, but not limited to, the following budget review components:

- A statement by the Responsible Accounting Officer on Council's financial position at the end of the year based on the information in the QBRS;
- Summary of Operational, Capital, Net and Restricted cash positions **(QBRS: Part 1)**
- Income and Expenses (Operational) Budget Review Statement in the following formats:
  - o by income and expense type by fund including capital grants and contributions **(QBRS: Part 2)**

- o by function / activity to align with the operational plan including capital grants and contributions (**QBRs: Part 4**) and further detailed, excluding capital grants and contributions (**QBRs: Part 4A**)
- Capital Expenditure and Funding Budget Review (**QBRs: Part 3**) and further detailed (**QBRs: Part 5**)
- Recommended changes to revised budget with commentary for Operational Income and Expenditure (**QBRs: Part 6**) and Capital (**QBRs: Part 7**)
- Budget Review Cash and Investments position (**QBRs: Part 8**) and narrative (**QBRs: Part 9**)
- Budget Review Key Performance Indicators (**QBRs: Part 10**)
- Contracts Budget Review Statement (**QBRs: Part 11**) and narrative (**QBRs: Part 12**)
- Consultancy & Legal Expenses Overview (**QBRs: Part 13**)
- Loans summary (**QBRs: Part 14**).

The purpose of the quarterly budget review is to act as a barometer of Council's financial health during the year and disclose Council's overall financial position. It is also a means to ensure Council meets its objectives, targets and outcomes as set out in its Operational Plan.

The attached report provides a detailed review of Council's 2022/23 Budget Review covering the December 2022 quarter.

#### **Risk/Policy/Legislation Considerations:**

Clause 203 of the Local Government (General) Regulation 2021 requires that the Responsible Accounting Officer of a council prepare and submit to Council a budget review statement. The format as presented reports on an income and expense type, in a similar format to that included in the annual financial reports, as well as by Council activity and helps to inform Council on the anticipated Income Statement operating result for the financial year. Other information is also disclosed including budgeted capital income and expenditure, restricted cash movements and key performance indicators.

#### **Budget Implications:**

Overall, the net variation in Continuing Operations for the quarter of \$1.88m will increase the projected Net Operating Result before Capital Items to (\$1.43m) forecast deficit. For General Fund, net variations of \$1.88m will increase the projected Net Operating Result before Capital Items to (\$1.4m) deficit. For Sewer Fund, net variations of \$0 won't change the projected Net Operating Result before Capital Items from (\$41k) deficit.

Operational income variations of \$1.74m include an increase to Grants and Contributions of \$1.73m comprising:

- \$1.09m received through Resources for Regions Round 9 for replacement of the Belubula Way Bridge over Icely Creek.
- A reduction of (\$52k) in eligible funding for the Boondaroo Bridge replacement which was completed below the upper limit of approved funding.

Natural Disaster Funding relating to the November flood events for local and regional roads & bridges with anticipated expenditure of \$470k in the 22/23 financial year. An additional \$251k awarded under the Fixing Local Roads Pothole Repair Program with anticipated expenditure of \$150K in the 22/23 financial year.

Other budget variations to operational income and expenditure are detailed on page 11 of the attached QBRS.

Variations of \$1.11m to capital expenditure include:

- Rehabilitation work of \$470k forecast this financial year following the natural disaster flood event in November which caused widespread damage to Council's local and regional road network.
- An additional \$790k to fully fund the replacement of the Belubula Way Bridge over Icely Creek.
- Rehabilitation of Errowanbang Rd at Gooley's Creek funded from the gravel resheeting programming with costs forecast to be \$111k.
- Resources for Regions round 8 funding reallocated between projects housed under this funding program based on updated forecast expenditure.
- \$15k for replacement of a splash pool boiler at CentrePoint.
- Removal of the Truck Wash project at Council's Works Depot with an approved budget of \$150k deemed not feasible following project scoping.
- An additional \$67k to fund preliminary site studies and progression of the development application as part of Council's proposed Renewable Energy Project.

Other budget variations to capital expenditure are detailed on page 18 of the attached QBRS.

#### **Enclosures (following report)**

Nil

#### **Attachments (separate document)**

1     December Quarterly Budget Review Statement                      26 Pages

**08) SIX MONTHLY DELIVERY PLAN REVIEW - DECEMBER 2022**

**Department:** Corporate Services

**Author:** Director Corporate Services

**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance

**File No:** CM.PL.1

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**Recommendation:**

That the six-monthly review, for period ending 31 December 2022, of Council's 2022/23 – 2025/26 Delivery Plan be received.

**Reason for Report:**

To review progress of Council's 2022/23 – 2025/26 Delivery Plan.

**Report:**

As part of the Integrated Planning and Reporting Framework the Office of Local Government (OLG) requires Council to adopt a suite of strategic planning documents. These documents include a long term Community Strategic Plan, a four year Delivery Plan and an annual Operational Plan and Budget. These documents are supported by the Resourcing Strategy comprising the Long Term Financial Plan, Asset Management Policy and Plans and the Workforce Plan.

The 2022/23 – 2025/26 Delivery Plan was adopted in June 2022 following consultation involving the community, Councillors and Council staff. The Delivery Plan is a document that outlines what will be delivered to the community during the term of Council using the Blayney Shire Council Community Strategic Plan as an overarching guide.

It is a further requirement of the OLG that progress reports are provided to Council and the community every 6 months. At the conclusion of the Council term a full and comprehensive report, known as the End of Term Report, is prepared for the benefit of the outgoing Council and community.

This report is presented in a format which summarises the activities across the organisation using qualitative and quantitative information sourced from Managers and Directors.

**Risk/Policy/Legislation Considerations:**

Council is required under the Local Government Act to report six monthly to Council with reporting included in Council's Annual Report.

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

- 1 Delivery Plan Status Report as at 31 December 2022 17 Pages

**09) COMPLIANCE AND REPORTING ACTIVITIES****Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** IM.CO.3**Recommendation:**

That the report on Compliance and Reporting Activities for the six month period to December 2022 be received.

**Reason for Report:**

For Council to be updated on compliance and reporting activities for the six month period to December 2022.

**Report:**

The Office of Local Government (OLG) issues all councils with a calendar of compliance and reporting activities annually. These activities are statutory obligations required under various pieces of legislation.

This report outlines compliance and reporting activities undertaken for the six month period to December 2022:

<b>Activity</b>	<b>Legislation</b>	<b>Due Date</b>	<b>Completion Date</b>
Review of Agency Information guide at intervals of not more than 12 months	Government Information (Public Access) Act s.21	Annually	15/08/2022
Proposed loan borrowings return lodgement to TCorp	OLG Guideline	09/07/2022	11/07/2022
GST Certificate lodgement to OLG	OLG Guideline	31/07/2022	22/07/2022
Last day for resolution for making rates	L.G. Act s.533	01/08/2022	27/06/2022
Public Interest Disclosure (PID) (six monthly) report to NSW Ombudsman	PID Act s.6CA	30/07/2022	18/07/2022
Rates levied by service of rates & charges notice	L.G. Act s.562	01/08/2022	19/07/2022
Delivery Program progress report to Council	L.G. Act s.404(5)	6 monthly	15/08/2022
Table completed Pecuniary Interest Returns for Councillors and Designated Persons at Council meeting after due date	MCC cl.4.21 & 4.25	Council meeting after 30/09/2022	17/10/2022

<b>Activity</b>	<b>Legislation</b>	<b>Due Date</b>	<b>Completion Date</b>
Financial Statements to be audited within 4 months of year end	L.G. Act s.416(1)	31/10/2022	21/10/2022
Lodgement of Public Interest Disclosures Annual Report with Minister and NSW Ombudsman	Public Interest Disclosures Act s.31	30/10/2022	18/07/2022
Government Information (Public Access) Act Annual Report with Minister and Information Commissioner	Government Information (Public Access) Act s.125 & Regulation cl. 7	30/10/2022	25/10/2022
Issue 2nd Rates Instalment notices	L.G. Act s.562	31/10/2022	14/10/2022
Audited Financial Statement to be lodged with OLG	L.G. Act s.417(5)	31/10/2022	24/10/2022
Financial Data Return to be lodged with OLG	L.G. Act s.417(5)	31/10/2022	31/10/2022
Adopt new policy on Payment of Expenses and Provision of Facilities to Mayor and Councillors within 12 months of election	L.G. Act s.252	04/12/2022	15/08/2022
Adopt Organisation Structure within 12 months of election	L.G. Act s.333	04/12/2022	21/11/2022
Adopt Register of Delegations within 12 months of election	L.G. Act s.380	04/12/2022	21/11/2022
Adopt Codes of Conduct within 12 months of election	L.G. Act s.440(7)	04/12/2022	27/06/2022
Presentation of Audited Financial Reports to public	L.G. Act s.418(2)	05/12/2022	21/11/2022
Submission of Quarterly Budget Review Statement to Council (1st Quarter)	L.G. Reg. cl.203(1)	30/11/2022	21/11/2022
Notify Minister (via OLG) that Annual Report posted on website.	L.G. Act s.428	30/11/2022	30/11/2022

**Risk/Policy/Legislation Considerations:**

Nil

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**10) INFORMATION TECHNOLOGY QUARTERLY REPORT****Department:** Corporate Services**Author:** Manager Information Technology**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** GO.ME.1**Recommendation:**

That Council receive and note the Information Technology report for the quarter to 31 December 2022.

**Reason for Report:**

To update Council on Information Technology activities and performance for the October to December 2022 quarter.

**Report:**

The following is an overview of information technology projects in progress during the quarter:

- Migration of data storage to the cloud is ongoing.
- Implementation of mapping Standard to Council's mapping software GDA2020 has commenced.
- Commencement of Access Control system installation as a part of the Security Enhancement project at the Works Depot.
- CCTV installation at Redmond Oval, Heritage Park, Dakers Oval and Council's Pound.

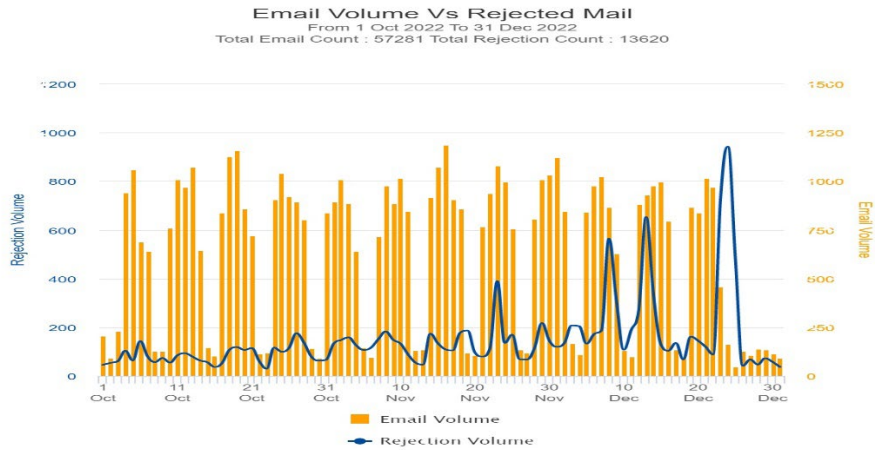
**Vulnerability System Monitoring**

The Anti-Virus Software on Council's internal network reported zero threats for the quarter.

**Email Filtering Statistics**

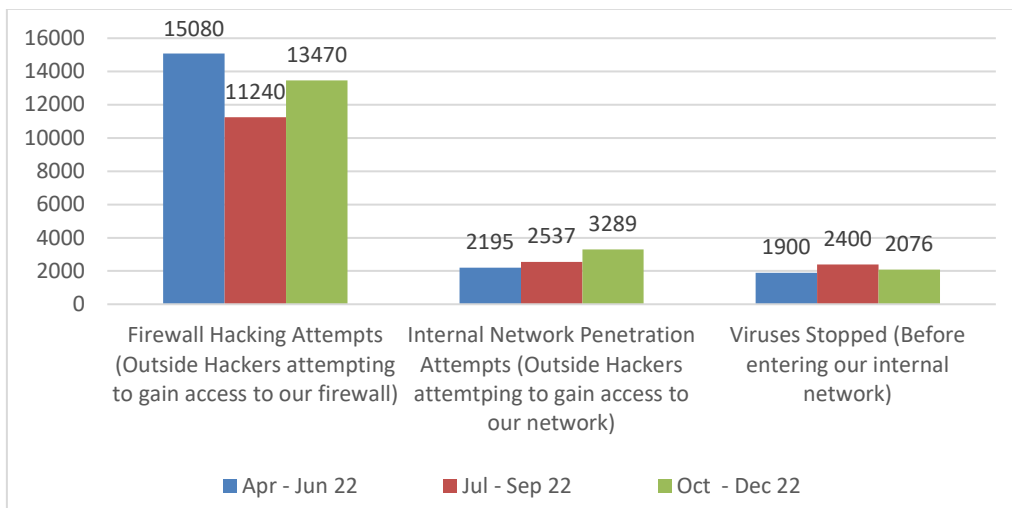
Council has not had any malicious emails enter the network during the quarter with all being stopped by the email filtering service. The following table provides an overview of email volume to emails rejected for the quarter.





**Firewall Statistics**

The number of threats to Council’s Firewall has risen slightly during the last quarter. The below graph provides a comparison of activity for the quarter to previous quarters of the calendar year and reflects hackers on the internet looking for open ports to penetrate. This graph does not indicate hackers deliberately targeting Council’s network. As Council has no open ports, there were no successful attempts made.



**Risk/Policy/Legislation Considerations:**

Cyber threats are noted within Council’s Strategic Risk Register with mitigating controls in place.

**Budget Implications:**

Council has provision within its Operational Plan for costs associated with Information Technology operations, support, and licencing arrangements.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**11) QUARTERLY REPORT ON SOLAR ANALYTICS**

**Department:** Corporate Services

**Author:** Manager Information Technology

**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance

**File No:** GO.ME.2

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**Recommendation:**

That Council receive and note the Solar Analytics report for the quarter to 31 December 2022.

**Reason for Report:**

To update Council on Solar performance and savings for the October to December 2022 quarter and overall savings for the 22/23 Financial year

**Report:**

Council's solar power generation sites include the Sewage Treatment Plant, Works Depot, Council Administration Office and CentrePoint.

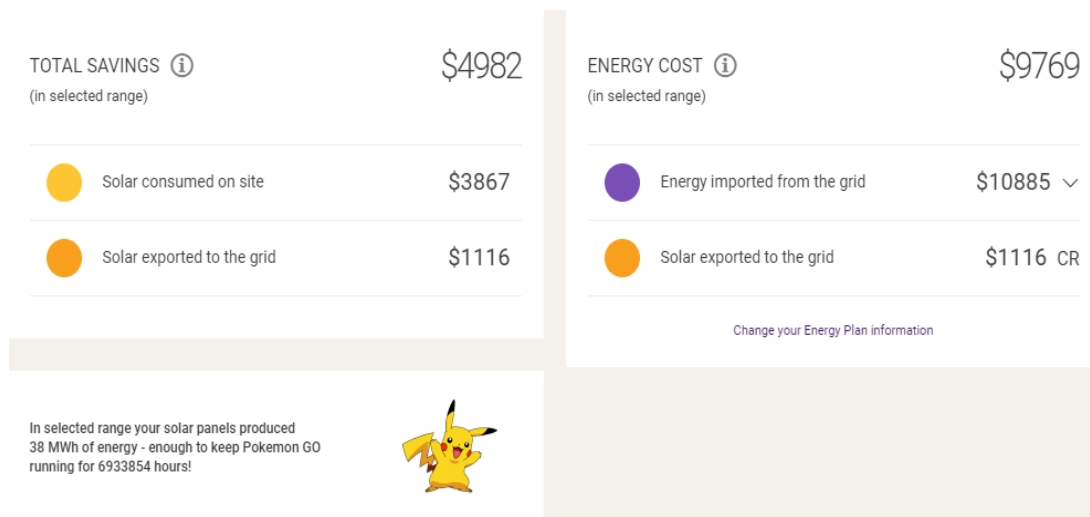
Overall solar generation and savings have risen due to more favourable weather conditions while overall usage is down.

Please see below a summary by site for the October to December quarter and total savings for the 22/23 Financial year.

**Sewage Treatment Plant**

Month	Production	Consumption	Savings
Oct-22	7.6 MWh	17.5 MWh	\$1,015
Nov-22	9.0 MWh	15.7 MWh	\$1,150
Dec-22	4.4 MWh	18.0 MWh	\$ 560

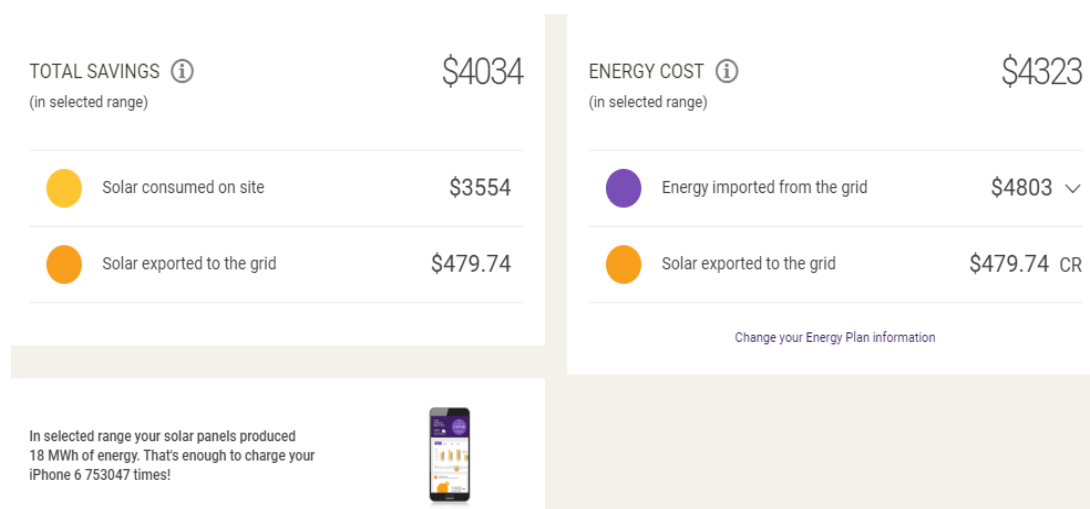
Total Savings for the 2022/23 Financial Year to date



**Works Depot**

Month	Production	Consumption	Savings
Oct-22	3.1 MWh	4.1 MWh	\$664
Nov-22	3.8 MWh	4.2 MWh	\$810
Dec-22	4.3 MWh	3.3 MWh	\$756

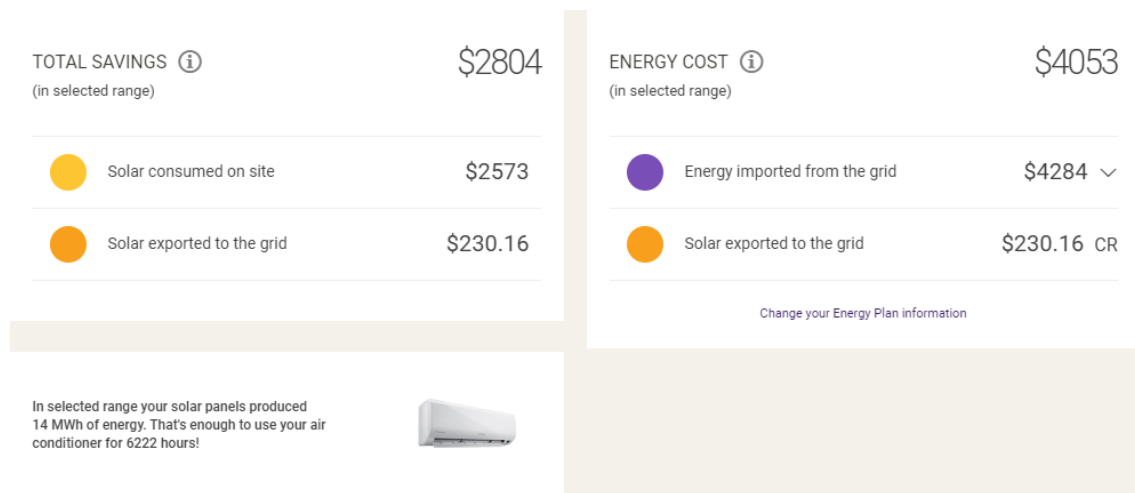
Total Savings for the 2022/23 Financial Year to date



**Council Administration Office**

Month	Production	Consumption	Savings
Oct-22	2.4 MWh	3.7 MWh	\$460
Nov-22	3.0 MWh	3.9 MWh	\$613
Dec-22	3.5 MWh	3.3 MWh	\$618

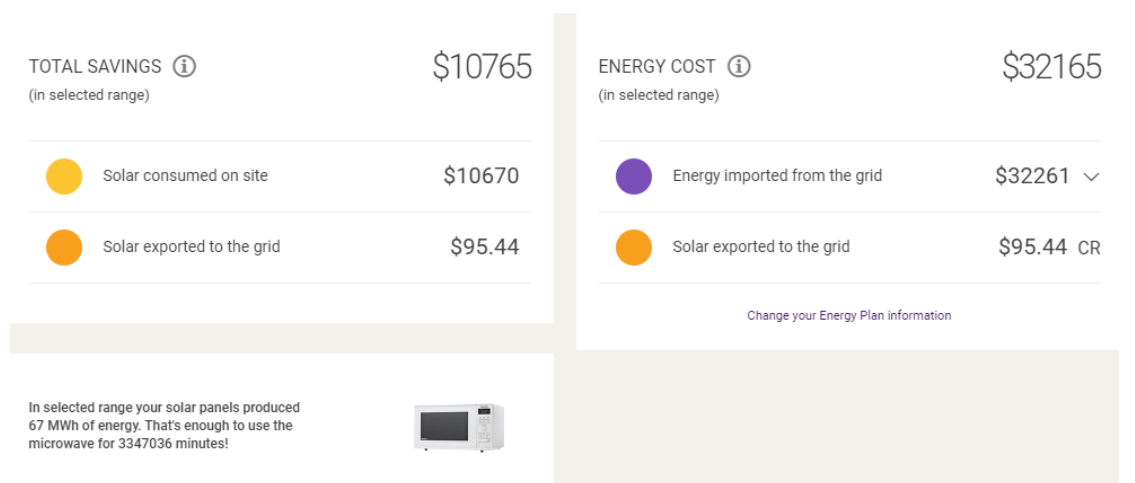
Total Savings for the 2022/23 Financial Year to date



**CentrePoint**

Month	Production	Consumption	Savings
Oct-22	11.6 MWh	51.7 MWh	\$1,827
Nov-22	14.5 MWh	55.4 MWh	\$2,324
Dec-22	17.2 MWh	52.2 MWh	\$2,669

Total Savings for the 2022/23 Financial Year to date



**Risk/Policy/Legislation Considerations:**

While performance has been good during the last quarter, periods of bad weather can hamper solar power production which will draw more power from the grid.

**Budget Implications:**

The installation of solar panels at Council's large generation sites creates operational savings by reducing Council's overall electricity costs. Anticipated savings have been forecast throughout Council's Operational Plan.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**12) REVIEW OF COUNCIL POLICIES****Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** GO.PO.1**Recommendation:**

1. That the following policies be endorsed by Council and be placed on public exhibition for a period of not less than 28 days:
  - Enterprise Risk Management Policy and Plan
  - Fitness Instructors and Group Trainers Policy
  - Procurement of Goods and Services Policy
  - Street Tree Policy
  - Verge Garden Guidelines
  - Enforcement Policy
2. Should no submissions be received during the public exhibition period, the policies be adopted and included in Council's policy register.

**Reason for Report:**

For the Council to review Council's strategic policies.

**Report:**

Council has in place a process of policy review following the election of a new Council. The following policies are presented to Council for endorsement.

<b>POLICY</b>	<b>OBJECTIVE</b>	<b>COMMENT</b>
Enterprise Risk Management Policy and Plan	There are a number of objectives including to provide direction and commitment to ERM principles as part of Council's management planning, decision making and the undertaking of operational activities	Policy amendments to reflect amendments to Council risk appetite following Risk Management workshop with Councillors.
Fitness Instructors and Group Trainers Policy	To provide a framework for the effective management of the commercial use of Council's Parks and other Public Open Spaces, for personal and group fitness training activities, and to minimise the disturbance of the general public's use of these facilities.	Minor amendments to include details around times, risk management, COVID, and noise.

Procurement of Goods and Services Policy	To provide a framework for all procurement processes and activities undertaken by Council, including purchasing, ordering, tendering, contracting and disposals	Amendments include increased legislative obligations, responsibilities and reporting.
Street Tree Policy	To provide a framework for the development of high quality streetscapes that require minimal resource input, thereby increasing environmental values.	Amendments include greater details re protection, removal engagement, consultation, and legislative context.
Verge Garden Guidelines	To enhance and maintain the visual amenity and safety of street verges throughout the Blayney Shire Council	Policy expanded to encompass more detailed processes and responsibilities.
Enforcement Policy	To establish clear guidelines for the exercise of discretion in dealing with proactive regulatory action by the Council and customer service requests or complaints about unlawful activity.	Policy amended to align with model policy by NSW Ombudsman.

The policies as proposed are existing policies and have been reviewed with minimal or no amendments being required however in the interest of public transparency it is proposed for public exhibition of the policies for a period of not less than 28 days.

**Risk/Policy/Legislation Considerations:**

Nil

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

1	Enterprise Risk Management Policy and Plan	20 Pages
2	Fitness Instructors and Group Trainers Policy	10 Pages
3	Procurement of Goods and Services Policy	11 Pages
4	Street Tree Policy	10 Pages
5	Verge Garden Guidelines	16 Pages
6	Enforcement Policy	22 Pages

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**13) ADOPTION OF CHILD SAFE POLICY**

**Department:** Corporate Services

**Author:** Director Corporate Services

**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance

**File No:** GO.PO.1

---

**Recommendation:**

That the Child Safe Policy be adopted and included in Council's policy register.

**Reason for Report:**

For Council to review and adopt the Child Safe Policy following amendments recommended from the period of public exhibition.

**Report:**

At the June 2022 Council meeting the draft Child Protection Policy was endorsed for public exhibition.

A copy of the policy was sent to the Office of Children's Guardian and feedback was received in December with suggested amendments. From the submission it is proposed to amend the policy title from Child Protection Policy to Child Safe Policy. There are also a number of other minor edits and amendments made to the document, as recommended.

The overall objective of this Policy is to ensure compliance with child protection legislation, including mandatory reporting, attraction and engagement and responding to allegations against staff involving children and young people.

A copy of the policy with edits is provided as an attachment to this report.

**Risk/Policy/Legislation Considerations:**

Adoption of the policy will clearly articulate Council's commitment to being a Child Safe Organisation and assist Council compliance with the associated legislative framework.

**Budget Implications:**

Nil

**Enclosures (following report)**

1 Child Safe Policy

8 Pages

**Attachments (separate document)**

Nil





SHIRE COUNCIL  
**Blayney**

**Child Protection-Safe Policy**

<b>Policy</b>	1G
<b>Officer Responsible</b>	Director Corporate Services
<b>Last Review Date</b>	27/06/2022

**Strategic Policy**

### Policy Objective

The overall objective of this Policy is to ensure compliance with child protection legislation, including; mandatory reporting, attraction and engagement and responding to allegations against staff involving children and young people.

The objectives of this Policy aims to ensure that:

- Council's commitment to protecting children is clearly spelt out.
- To promote the health, safety, welfare and wellbeing of children and young people in council activities
- Council provides a safe environment for children and young people whilst on Council premises and utilising Council services.
- All workers engaged with Council in a child-related role have a valid Working with Children Check clearance number.
- Workers are aware of their obligations in relation to the various child protection legislation and Council's policy.
- Council promptly implements procedures which are confidential and transparent when investigating and responding to allegations of "reportable conduct" as defined under the Children's Guardian Act 2019.

### Policy Scope

Child protection is a broad responsibility. It involves more than responding once an allegation has been made. It involves minimising the possibility of reportable conduct occurring in the first place. Council is committed to:

- Developing and reviewing strategies to minimise reportable conduct occurring.
- Staff training on child ~~protection-safe~~ issues.
- Raising community awareness of child ~~protection-safety~~ through brochures, posters or other means of communication.

This policy applies to all workers engaged by Council (in any paid or unpaid capacity). Any reference to 'worker' for the purpose of this policy includes employees, councillors, contractors or sub-contractors, work experience participants, labour hire, volunteers and student placements who are in a child-related role. Child related roles are to be in accordance with legislation and regulatory requirements.

### Policy Statement

This policy demonstrates Council's commitment to the safety and wellbeing of children and young people. Council is committed to ~~children and young people having safe and happy experiences in our community, accessing our facilities and in the care of our services. All staff, volunteers, students and persons undertaking work experience, contractors and suppliers must uphold and promote safety and wellbeing for children and young people and respond appropriately where concerns are identified. Council is committed to the ongoing education of children, young people and families, staff, volunteers, contractors and key stakeholders about their rights, responsibilities and reporting processes relating to child protection. fulfilling its duty of care by endeavouring to ensure that all workers act in the best interests of a child and take all reasonable steps to ensure a child's safety. Council will ensure all workers engaged in a child-related role have a valid Working with Children Check~~

clearance number as per the ~~Child Protection (Working with Children) Act 2012 and Child Protection (Working with Children) Regulation 2013.~~

#### POLICY DEFINITIONS

Abuse	A term used to refer to different types of harm or maltreatment. In this document it refers to types of harm or maltreatment that children and young people experience, including; physical harm, sexual assault, exposure to domestic violence, psychological harm and prenatal risks.
Allegation	A reportable allegation is an allegation that an employee has engaged in conduct that may be reportable.
Child	Any persons under the age of 18 years.
Child-related Work	Work that involves direct contact (physical contact or Face to Face) by a worker with a child or children and that contact is a usual part of and more than incidental to the work, or work in a stipulated, child-related role.
Conviction	A reportable conviction means a conviction (including a finding of guilt without the court proceeding to a conviction), in NSW or elsewhere, of an offence involving reportable conduct.
Child-Safe Organisation	An organisation in which child safety is embedded in planning, policy and practices and where the voices of children and young people are valued and actioned.
DCJ	Department of Communities and Justice.
Investigation	Conduct investigations to determine whether there is a risk of (significant) harm to a child or young person.
Mandatory Reporters	People who deliver services, wholly or partly, to children as part of their paid or professional work. This is regulated by the Children and Young Persons (Care and Protection) Act 1998.
MRG	Mandatory Reporter Guide. The MRG is a decision-making tool to assist Mandatory Reporters to help determine how the suspected risk of significant harm of a child or young person is reported.
Neglect	A term used to refer to a pattern characterised when a parent or caregiver cannot regularly provide a child or young person the basic requirements for his or her growth and development such as food, clothing, shelter, medical and dental care, adequate supervision and adequate parenting and care.
Risk of Significant Harm	Concern/s about a child or young person that are sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent. It is something that is not minor or trivial and that may be reasonably expected to produce a substantial and demonstrably adverse impact on the child or young person's safety, welfare or wellbeing. In Addition, it can result from a single act or omission or an accumulation of these. Risk of significant harm is the NSW threshold to report child protection concerns to DCJ via the Child Protection helpline.
Reportable Conduct Scheme	The reportable conduct scheme monitors how organisations (relevant entities) investigate and report on types of conduct made against their employees, volunteers or certain contractors who provide service to children. When the head of a relevant entity

	becomes aware of a reportable allegation or a reportable conviction, the head of that entity must notify the Children's Guardian within seven (7) business days and conduct an investigation into the allegations.
WWCC	Working with Children Check. The WWCC is a requirement for any non-exempt person who works or volunteers in child-related work in NSW. The check provides either clearance to work with children for five years, or a bar against working with children.
Worker	A worker includes employees, councillors, contractors or sub-contractors, work experience participants, labour hire, volunteers and student placements who are in a child-related role. Child related roles are to be in accordance with legislation and regulatory requirements.
Young Person	A young person can be defined in a variety of ways depending on the context. For the purpose of this policy a young person is a person who is over the age of 16 years but under the age of 18 years.

## 1. Responsibilities

### Head of Entity

Council is considered a relevant entity and reporting body as per the Reportable Conduct Scheme and under the Children's Guardian Act 2019 must have a "head of a relevant entity". For the purpose of this policy Council's Head of Entity is the General Manager. The Head of Entity is required to notify the Children's Guardian of reportable allegations and convictions against employees.

Responsibilities include:

- Ensuring the entity's compliance with legislative obligations under the Reportable Conduct Scheme.
- Ensuring the entity has systems, policies and processes in place to adhere to the Children's Guardian Act 2019.
- Should Council become aware of a reportable allegation or a reportable conviction, the Head of Entity must follow the below steps:
  - Notify the Office of the Children's Guardian within seven business days
  - Conduct an investigation into the allegations.
  - Provide information about the allegation, the progress of the investigation and the finding and action taken to the alleged victim and their parent/carer unless the General Manager considers that it is not in the public interest to do so
  - By 30 calendar days after the Head of Entity becomes aware of the reportable allegation, provide either a finalised entity report or an update (an interim report, reasons the investigation has not been completed and an estimated timeframe for completion)
  - Make a finding of reportable conduct if satisfied, on the balance of probabilities
  - Provide information to the Children's Guardian, which may include information about a reportable allegation, the relevant entity's response

- to a reportable allegation, and systems for preventing and responding to reportable allegations
- o Ensure an appropriate level of confidentiality of information relating to reportable allegations and only disclose information about the allegations in circumstances permitted by the Act or other legislation

## **2. Commitment to child safety and wellbeing**

Council is committed to implementing the NSW Child Safe Standards which are aligned to the National Principles for Child Safe Organisations. Council have put into practice several measures to ensure we are providing a safe environment for children and young people. This includes the processes related to policy adherence, risk, recruitment, communications and council response to issues and complaints.

This policy reflects Council's commitment to the child safe standards identified by the Royal Commission (2017) as outlined below:

- Child safety is embedded in institutional leadership, governance & culture
- Children participate in decisions affecting them and are taken seriously
- Families and communities are informed and involved
- Equity is upheld and diverse needs are considered
- People working with children are suitable and supported
- Processes to respond to complaints of child sexual abuse are child focused.
- Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training
- Physical and online environments minimise the opportunity for abuse to occur.
- Implementation of the Child Safe Standards is continuously reviewed and improved.
- Policies and procedures document how the institution is child safe.

## **3. Recruitment & Training**

Council has implemented a risk based approach on all pre-employment screening checks as part of its recruitment and selection process. The risk based approach has the level of risk identified and the requirements for when a Criminal Records Check and Working with Children Check need to be completed. Where a position is identified in child-related work, an employee of Council will be required to have necessary checks undertaken. These checks will be listed within Position Descriptions and within the Job Advertisement. If any concerns are highlighted as part of the employment screening process, Human Resources will consider the information in consultation with the responsible Manager.

Volunteers, work experience students and contractors in designated areas are responsible for maintaining their own Working with Children Checks and providing it as part of their screening processes prior to their applications being accepted by Council. Where Council has outsourced a service, e.g. library or leisure centre, a condition of engagement shall be the certification that required checks have been performed and requisite policies are in place.

Council is committed to ensuring that all workers engaged in child-related work are equipped with the knowledge, skills and awareness to keep children safe and will provide targeted training and support for individuals in those roles. All workers engaged in child-related work will be required to sign off that they have read, understood and will abide by the ~~child-Child protection-Safe~~ policy and ~~Ce~~code of ~~conduct~~Conduct.

#### 4. Complaints Management

Complaints and allegations concerning the welfare, wellbeing and safety of children against Council workers will be managed according to Council's Complaints Management Policy.

All complaints should be reported immediately, this includes:

- Disclosure of abuse
- Inappropriate behaviour around children
- Suspicion of abuse or harm to a child

All complaints must be reported either verbally or written as per Council's Complaint Policy. Any worker can also make a complaint to the Manager Human Resources.

For complaints related to outsourced services, the complaint shall be referred to the contractor will lead investigations and undertake mandatory obligations. The contractor shall keep Council of progress and ultimate outcome.

#### 5. Reporting Obligations

Where there are concerns that a child or young person is at risk of being neglected or physically, sexually or emotionally abused, staff who are 'mandatory reporters' are required to report this to Department of Communities and Justice (DCJ) by phoning the helpline on 132 111. Mandatory reporters should use the Mandatory Reporters Guide (MRG) (<https://reporter.childstory.nsw.gov.au/s/>) to help decide whether a child is suspected to be at risk of significant harm.

The MRG covers eight key areas to help you understand if a report should be made and they include:

- Physical Abuse
- Neglect – Supervision; Environment; Food; Hygiene; Medical Care; Mental Health Care; Education -Not Enrolled
- Sexual Abuse – Child; Young Person; Problematic Sexual Behaviour Toward Others
- Psychological Harm
- Danger to Self or Others
- Relinquishing Care
- Carer Concern – Substance abuse; Mental Health; Domestic Violence
- Unborn Child

Workers who are not mandatory reporters, as well as members of the community, can also report the suspected risk of significant harm to the DCJ helpline.

As a reporting body Council has obligations to report findings of sexual misconduct and serious physical assault involving children by a child-related worker to the Office of Children's guardian. Under the Child Protection (Working With Children) Act 2012, Council must investigate allegations of such conduct to make an informed finding as to whether or not the conduct occurred.

To determine whether or not the conduct meets the criteria, Council must consider the nature of the conduct itself and the context in which it occurred.

If the investigation results in a finding that sexual misconduct or serious physical assault occurred, Council must report this finding to the Office of the Children's Guardian.

#### **6. Risk Management**

Council will ensure that child safety is a part of the overall risk management approach. A risk assessment will be undertaken in facilities that have child related services and Council events. Steps that must be taken to complete council's Risk Assessment for child related services are:

- 1) An activity will be identified
- 2) Hazards associated with that activity will then be recorded.
- 3) A risk score for the hazards identified from the risk score matrix should be determined and recorded.
- 4) Determine appropriate risk controls as reasonably practical for hazards identified and recorded
- 5) Finally determine the risk score after controls have been implemented for the hazards in which have been identified

#### **7. Documentation and record keeping**

Council's Manager Human Resources will maintain records of Working With Children Checks, acknowledgement of the workers understanding of their child protection and training undertaken. Records will be electronic and be made available if requested for audit and monitoring purposes.

All documentation and/or records of a confidential nature relating to allegations against workers will always be kept private and confidential.

For outsourced services, such mandatory obligations complaint shall be the responsibility of the contractor.

#### **8. Barred Status**

Should the check or continuous monitoring result in a barred status the worker, if currently working in a child-related role, will be removed from that role. Should the worker be an employee of Council then the matter will be referred to the General Manager for determination, which depending on the circumstances may also result in termination of employment. This will be managed in accordance with the Local Government (State) Award.

**9. Support Available**

Council provides an Employee Assistance Program (EAP) which is available to workers who have had allegations made against them and workers who have been involved in the investigative process, including those who have been involved in reporting the matter to the Head of Entity. The EAP service is also available to workers and their families who may be experiencing personal difficulties including child abuse and/or allegations. The EAP is a free confidential and independent counselling service.

**Relevant Legislation**

Child Protection (Working with Children) Act 2012 (NSW)  
 Child Protection (Working with Children) Regulation 2013 (NSW)  
 Local Government (State) Award 2020  
 Children’s Guardian Act 2019  
 Children and Young Persons (Care and Protection) Act 1998  
 Crimes Act 1900 – No 40

**Related Policies**

Code of Conduct  
 Complaints Management Policy  
[Procurement of Goods and Services Policy](#)  
[Risk Management Policy](#)

**END**

<b>Adopted:</b>	<b>27/06/2022</b>	<b>2206/014</b>
<b>Lasted Reviewed:</b>	<b>27/06/2022</b>	
<b>Next Reviewed:</b>	<b>19/03/2024</b>	



**14) DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT****Department:** Infrastructure Services**Author:** Director Infrastructure Services**CSP Link:** 1. Maintain and Improve Public Infrastructure and Services**File No:** GO.ME.1**Recommendation:**

That the Director Infrastructure Services Monthly Report for February 2023 be received and noted.

**Reason for Report:**

To update Councillors on matters associated with shire infrastructure, its maintenance, operation, upgrade, and construction.

**Report:****Topical Matters****Storm Damage AGRN1034**

Blayney Shire Council is still repairing damages that occurred in storms on the 13 & 14 of November. An extension has been granted until 30 June 2023 to complete projects under Natural Disaster Immediate Reconstruction Works funding, with approx. \$400K already expended in repairs and a further \$1M anticipated.

**Newcrest (Cadia) Road Deed**

Cadia Road has now been reopened after a longer-than-expected closure.

Cadia has been working to scope the repairs to the detour as required under a deed made with Council prior to the failure of VR-14 to enable the repair of their asset and to resolve the impacts to the surrounding road network. A detailed scope and sequencing of repairs is expected to be confirmed in the coming month.

**Major Contracts****Leabeater Street Bridge**

Bridge works are now complete. Road approaches will be constructed in early 2023 in conjunction with the Lucan Road Bridge.

**Lucan Road Bridge**

The deck has been poured, with the approach slabs and guard rail scheduled. Following this the road approaches will be constructed in conjunction with the Leabeater Street bridge road works.

**Major Works**Hobbys Yards Road Repair

Works to be performed using the remaining Resources for Regions Round 8 funding have been scoped and issued to a contractor for delivery under a Local Government Procurement (LGP) contract. Works are programmed to commence in April 2023.

Gap Road Culvert Repair

This intersection and road is now open. There are concerns with seal warranty given the current warm weather and the high wind farm use deteriorating a new seal. Sealing will be delayed until March 2023 when conditions are more favourable.

Long Swamp Road Heavy Patching

Pavement construction has commenced, with approximately 4 weeks of gravelling remaining. Pavement and batter finishing works will be completed with sealing tentatively scheduled for 13<sup>th</sup> of March 2023.

Forest Reefs Road Reconstruction CH700-2300

Preliminary drainage works are underway, with widening works and major culvert installation to commence thereafter. Road works are to commence after completion of Long Swamp Road.

**Road Works**

Road maintenance works including pothole patching, gravel road maintenance, and signage works have been undertaken on Forest Reefs Road and Garland Road.

Maintenance works are still vastly reactive and while Council staff have identified where work needs to be undertaken, they are not able to be firmly scheduled due to the broad dilapidated nature of the road network.

Road Maintenance works

Deep pavement repairs were undertaken on Hobbys Yards Road in multiple patches. Additional works will need to be undertaken on the following roads; Old Lachlan Road, Wattersons Lane, Barry Road, and Fardells Lane.

Roadside mowing has been undertaken on Wimbleton Road and Newbridge Road.

Re-sheeting works as part of the Fixing Local Roads Round 3 program on McKellars Lane and Corks Lane are substantially completed. Staff will monitor Corks Lane and McKellars Lane over the coming weeks for defects prior to marking project completion.

Culvert Renewal Program

All works on Glenlea Lane culvert replacement are complete, with the road being opened on the 15<sup>th</sup> of December 2022.

**Footpaths**

All works except path edge re-sealing on the Coombing Street, Carcoar AMS project are complete.

The works on the Glenorie Road shared path has been awarded to a contractor, with completion scheduled for the end of February 2023. These projects are being completed under the Resources for Regions program, round 8.

**Assets**

Staff are finalising the quarterly reconciliations for all asset classes and preparing for a 'health check' and training in the AssetFinda asset management system

The Building and Other Structures condition assessments for all building assets has been completed by the consultants and staff are now awaiting the draft report.

**Smart Hub Lighting & Access Control**

CWELC lighting, Dakers Oval amenities, and Redmond Oval lighting and access control sites are online with final programming and software deliverables outstanding.

Once completed and commissioned, this will enable Council to provide, monitor and control, access and lighting at these sites remotely. The KGO change rooms still require the installation of the locks.

**Belubula River Walk – Stage 3 & 4**

Contractors have installed the foot bridge to the "Island". The boardwalk will commence early February. The gross pollutant trap and diversion pit have been installed near the Martin Street / Henry Street intersection.

The footpath has been completed prior to the Christmas break. Works outstanding are the installation of the bench seating (2), fencing around the dams near Heritage Park, bollards to prevent cars driving on the new footpath, solar lighting and vegetation works – trees and bushes along the new path. Designs are being prepared for the Stillingfleet and Charles Streets Cul-De Sac's roadworks.

**King George Oval – Pedestrian Project**

The removal of the pine trees and the new external/internal fencing has been completed. The new score board has been installed and is fully operational. The new footpath works will commence mid-February 2023, and the new grandstand handrails will be completed late February 2023. The carpark works will go out to Tender early February 2023.

**Carrington Park Toilet Refurbishments**

The design has been completed and project tendered mid-February 2023.

Heritage Park New Toilets

This is currently being designed and will be tendered in March 2023.

Carcoar Dam Improvements

The follow works have been completed; large shelters with electric BBQ's, table & bench seating, small shelters, fish cleaning stations and the pontoon.

The pontoon sustained vandalism shortly after completion, prior to the Christmas break. The supplier will be back onsite in the next two weeks to re-anchor the pontoon again back to the original location with more anchors to secure it. A CCTV camera will be installed to deter vandalism.

Recycled Water Treatment Plant

The recycle water treatment plant commenced validation at the end of January 2023 and will take approximately 3 weeks for completion. Once complete, the plant will be fully operational and be able to produce recycled water to King George Oval, Napier Oval, as well as contractor and Council's watercarts.

**Fleet, Plant & Depot**

The security gate upgrade of Council's depot is still in progress, with the access control and final fencing components to be completed.

**Risk/Policy/Legislation Considerations:**

Information report only.

**Budget Implications:**

Nil.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**15) NOTIFICATION PLAN FOR PESTICIDE USE****Department:** Infrastructure Services**Author:** Director Infrastructure Services**CSP Link:** 1. Maintain and Improve Public Infrastructure and Services**File No:** EM.PO.2**Recommendation:**

That Council adopt the Notification Plan for Pesticide Use.

**Reason for Report:**

For Council to adopt the Notification Plan for Pesticide Use.

**Report:**

At the March 2022 Ordinary Council meeting, Council resolved (Resolution 2203/017);

“That the Pesticide Notification Plan be placed on public exhibition for a period of not less than 28 days.”

As part of the exhibition period, notices were placed in the Blayney Chronicle inviting written submissions closing 21 April 2022. No submissions were received during the public exhibition period.

As a key stakeholder, Council forwarded the Notification Plan for comment to Upper Macquarie County Council on 15 July 2022. No feedback was received.

It is recommended that Council adopt the Notification Plan for Pesticide Use.

**Risk/Policy/Legislation Considerations:**

Council is required to hold a Notification Plan for Pesticide Use in accordance with the Pesticides Regulation 2017.

**Budget Implications:**

Nil.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

1 Notification Plan for Pesticide Use

15 Pages

**Matters to be dealt with in closed committee**

In accordance with the Local Government Act (1993) and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

**16) LAND ACQUISITION - FOUR MILE CREEK ROAD**

*This matter is considered to be confidential under Section 10A(2) (c) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

**17) PROPOSED LAND TRANSFER - GLENORIE ROAD**

*This matter is considered to be confidential under Section 10A(2) (c) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*