



16 November 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, 21 November 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 - Extraordinary Council Meeting held on 09.11.23
- (9) Matters arising from Minutes
- (10) Notices of Motion
- (11) Reports of Staff
 - (a) Executive Services
 - (b) Corporate Services
 - (c) Infrastructure Services
- (12) Closed Meeting

Mark Dicker
General Manager

Meeting Calendar 2023 / 2024

November

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
5.00pm	16 November 2023	Disability Inclusion Working Group	Online
6.00pm	21 November 2023	Council Meeting	Community Centre
7.30am	22 November 2023	Orange 360 AGM and Board Meeting	Orange
9.00am	22 November 2023	Audit, Risk and Improvement Committee Meeting	Community Centre
9.00am	23 November 2023	Central NSW JO Board Meeting	Sydney
9.00am	24 November 2023	Country Mayors	Sydney
9.00am	24 November 2023	Skillset AGM	Bathurst or Online

December

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
8.30am	8 December 2023	Mining and Energy Related Councils Meeting	Sydney
10.00am	13 December 2023	Central Tablelands Water Meeting	Canowindra
6.00pm	13 December 2023 (to be confirmed)	Council Meeting	Community Centre

January

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
6.00pm	23 January 2024	Council Meeting	Community Centre

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HELD ON TUESDAY 21 NOVEMBER 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) MAYORAL MINUTE - BIPARTISAN SUPPORT - PARLIAMENTARY INQUIRY INTO CRIME, LAW AND ORDER IN REGIONAL NSW**Author:** Councillor Scott Ferguson**File No:** GR.LR.2**Recommendation:**

That Council endorse the following recommendations listed in the Country Mayors Association of NSW report into Crime, Law and Order and call on Local Member Paul Toole to support the establishment of a Parliamentary Inquiry with the suggested terms of reference in the document

1. That Council call on all members of the NSW Parliament to commit to bipartisan support to establish a Parliamentary Inquiry into and report on the rate of crime in all categories reported on by the Bureau of Crime Statistical and Research (BOCSAR) in Regional, Rural and Remote New South Wales, specifically focussing on the inequity between Metro and Regional Local Government areas.
2. That Council calls on all members of the NSW Parliament to commit to bipartisan support to increase spending on the NSW police force to increase front line policing numbers in Regional, Rural and Remote regions most at need.
3. That Council call on the NSW Government to commit to the minimum staffing agreements (known in the NSW Police Force as First Response Agreements) for non-24 hour police stations, all of which are located in Regional, Rural and Remote Local Government areas.
4. That Council calls on the NSW Government to review the current formula used to assess staffing levels including the universally agreed outdated current model for those Local Government areas that do have a First Response Agreement in place.

Item:**Background**

On 19 October 2023 Country Mayors Association of NSW (CMA) supported by the Police Association of NSW launched the CMA report into Crime, Law and Order in regional communities. The recommendations within the report call for the establishment of a Parliamentary Inquiry, an increase in funding to enhance front line policing in regional communities in need, establishment of first response agreements in all police stations and that the formula used to determine the first response agreements in those stations with agreements are reviewed. The report also calls for bipartisan support from all State MP's.

Comments

The Country Mayors Association of New South Wales joined forces with the Police Association of New South Wales to call for a Parliamentary Inquiry into crime, law and order in regional New South Wales.

CMA Chairman, Mayor Jamie Chaffey said statistics showed residents of rural, regional and remote New South Wales were more likely to be sexually assaulted, more likely to have their cars stolen, more likely to have their homes broken into and more likely to be impacted by domestic violence. When these crimes did occur, the Police response was delayed due to the resources available.

“It is estimated one-third of New South Wales’ population live outside metropolitan areas,” Mayor Chaffey said. “But we are still second-class citizens when it comes to the safety of our communities.

“For the first time, our CMA annual survey has revealed that crime, law and order is now in the top five emerging issues for New South Wales local governments.

“We knew crime was increasing, but we looked to the NSW Bureau of Crime Statistics and Research (BOCSAR) data to clarify the situation. We were shocked to learn that as well as the alarming incident counts in regional New South Wales, the rate of incidents per 100,000 people was, in some cases, horrifying when compared to metropolitan figures. Up to 90% of crimes including vehicle theft, breaking and entering, sexual assault and domestic assault are happening here, in our regional communities”, Mayor Chaffey added.

“We also have significantly fewer Police than our city cousins, and as a whole, New South Wales has less Police per head of population than Queensland, Victoria and South Australia. Our Police officers are already facing an incredible workload, with only one Police officer per 467 NSW residents.

“We have not been heard by our state leaders, and our people - particularly the elderly and the vulnerable - are scared. They need to feel safe. They deserve to feel safe.”

“In this Country Mayors Association of New South Wales report, endorsed by the Police Association of New South Wales, are calling for change. The report paints a very clear picture of a law and order crisis in regional communities. Our already-stretched Police officers cannot continue to try to address this impossible challenge alone.”, Mayor Chaffey concluded.

Conclusion

Following the success of the Parliamentary Inquiry into health outcomes and access to health services in regional New South Wales that was established in 2020, we know the only way forward is to seek the bipartisan support of our state Members of Parliament to commit to this inquiry.

The health inquiry saw 15 public hearings across New South Wales, and heard one heart-breaking story after another about the level of inequity and the lack of care for our regional communities. It came up with 22 findings and 44 recommendations to bring about the changes needed.

This is what we need to make a difference in crime, law and order in our regional, rural and remote communities. We need a bold, hard look at everything from Police numbers, to the experiences of people who have suffered at the hands of this inequity. We need a clear way forward. Please help us to end this. Thank you for taking time to read this crucial request.

Enclosures (following report)

Nil

Attachments (separate document)

- 1 Country Mayors Association of NSW - Report on
Crime, Law and Order 21 Pages

02) MINUTES OF THE PREVIOUS EXTRAORDINARY COUNCIL MEETING HELD 9 NOVEMBER 2023

Department: Executive Services

Author: General Manager

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

File No: GO.ME.3

Recommendation:

That the Minutes of the Extraordinary Council Meeting held on 9 November 2023, being minute numbers 2311/E001 to 2311/E002 be confirmed.

MINUTES OF THE BLAYNEY SHIRE COUNCIL EXTRAORDINARY MEETING HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY CENTRE, ON 9 NOVEMBER 2023, COMMENCING AT 6.00PM

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

General Manager (Mr M Dicker), Director Corporate Services (Mr A Franze), Director Infrastructure Services (Mr J Hogan), Director Planning & Environmental Services (Mr A Muir), Chief Financial Officer (Mrs T Irlam) and Executive Assistant to the General Manager (Mrs L Ferson)

ACKNOWLEDGEMENT OF COUNTRY**RECORDING OF MEETING STATEMENT****DISCLOSURES OF INTEREST**

Nil

MAYORAL MINUTE**MAYORAL MINUTE - MINUTE'S SILENCE TO ACKNOWLEDGE THE PASSING OF JOHN DAVIS**

Councillors held a minute's silence to acknowledge the passing of former Mayor and Councillor John Davis OAM. John served the community as a Councillor from 1987 to 2004 including Mayor from 1994 to 2004.

CONFIRMATION OF MINUTES**MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 17
OCTOBER 2023****2311/E001****RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 17 October 2023, being minute numbers 2310/001 to 2310/013 be confirmed.

(Gosewisch/Somervaille)

CARRIED

MATTERS ARISING FROM THE MINUTES

Nil

EXECUTIVE SERVICES REPORTS**SPECIAL RATE VARIATION - COMMUNITY ENGAGEMENT
AND PUBLIC EXHIBITION****2311/E002****RESOLVED:**

That Council

1. Endorse the updated 2024/25 – 2033/34 Long-Term Financial Plan (LTFP) as part of the Updated Resourcing Strategy, appended at *Attachment 2*, for public exhibition until 15 December 2023.
2. Endorse the commencement of community consultation on a potential application to the Independent Pricing and Regulatory Tribunal for a proposed permanent Special Rate Variation (SRV) of;
 - c) 10 per cent in 2024-25 (including the forecasted rate peg of 3.5 per cent), 10 per cent in 2025-26 (including the forecasted rate peg of 2.5 per cent) and 10 per cent in 2026-27 (including the forecasted rate peg of 2.5 per cent), representing a cumulative Special Variation of 33.1 per cent over three years, which is the Scenario 4 - Sustainability – Three-year SRV option in the updated Long Term Financial Plan.
3. Endorse the revised 2023-24 to 2026-27 Delivery Program and 2023-24 Operating Plan (DP/OP), appended at *Attachment 7*, for public exhibition until 15 December 2023.
4. Receive a further report regarding community consultation undertaken to determine any final application to be made to the Independent Pricing and Regulatory Tribunal for a Special Rate Variation.

(Reynolds/Somervaille)

CARRIED

There being no further business, the meeting concluded at 6.40pm.

The Minute Numbers 2311/E001 to 2311/E002 were confirmed on 21 November 2023 and are a full and accurate record of proceedings of the Extraordinary Meeting held on 9 November 2023.

Cr S Ferguson
MAYOR

Mr M Dicker
GENERAL MANAGER

03) NOTICE OF MOTION - FLYERS CREEK AREA WEED CONTROL

Department: Executive Services

Author: General Manager

CSP Link: 5. Protect Our Natural Environment

File No: EM.ME.6

Recommendation:

The following Notice of Motion has been received from Councillor Reynolds;

Motion:

That Council provide \$10,000 annually for the next three financial years from the Community Benefit Fund section of the Flyers Creek Voluntary Planning Agreement to fund the control priority weeds along roadsides, including sticky nightshade in the Flyers Creek/Cadia area.

Reason for Report:

Councillor Reynolds has submitted a Notice of Motion.

Background:

There is a proposed program in the Cadia area to control Sticky Nightshade and other priority weeds along roadsides in the area surrounding the Cadia Mine and Flyers Creek windfarm on an annual basis.

Cadia Valley Operations through their contractor, Bullseye Ag is willing to contribute fifty percent of the roadside control costs on an annual basis for a period of three years.

Blayney Shire Council or other parties would be required to contribute the other fifty percent. These funds would be used to contribute to this roadside control program.

Central Tablelands Weeds Authority (CTWA) has estimated that there are about 110km's of roadside within the area.

Risk/Policy/Legislation Considerations:

The request is in accordance with Councils Code of Meeting Practice.

Budget Implications:

A fifty percent contribution would equate to \$10,000 per year contribution (for three years) to the program from both Cadia (Newmont) and Blayney Shire Council.

Councils 50% contribution, \$10,000 per annum is proposed to be funded from the Flyers Creek Windfarm Voluntary Planning Agreement.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

04) QUESTIONS TAKEN ON NOTICE AT THE OCTOBER COUNCIL MEETING

Department: Executive Services

Author: General Manager

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

File No: GO.ME.3

Recommendation:

That the questions taken on notice at the Ordinary Council Meeting held 17 October 2023 and the subsequent response be received and noted.

Reason for Report:

To formally record questions taken on notice at the previous Council meeting and subsequent response.

Report:**Question 1 – Item 5**

Cr Somerville and Cr Reynolds questioned the maximum investment amount of \$5m and whether Council might need to review and increase the policy maximums?

Response:

A review of the Investments Policy will be undertaken in early 2024 and feedback from TCorp approval will be sought thereafter.

Council's Chief Financial Officer had envisaged an erosion of funds held as projects progress however the advance payment of other grants has resulted in a significant growth in funds held. TCorp has advised that it has reviewed its "prescriptive" stance on Council Investment policies and are now more amenable to reasonable changes.

Council is still obligated through its loan agreement with TCorp to not amend, vary or modify its Investment Policy without providing written notice.

Question 2 – Item 11

Cr Reynolds questioned if the works in Trunkey Street are completed as indicated in the report?

Response:

It is acknowledged that Stage 1 was reported to Council as complete, despite some outstanding items remaining:

- Driveway crossings require reopening following tie-in with the road (completed 19/10/2023)
- There are 2 instances where the footpath meets a roadway and require installation of signs "Pedestrians give way to vehicles".

- There are concrete pathway works outstanding to cross 2x bitumen sealed driveways. These will be completed as part of Stage 2 works.

Question 3 – Item 12

Cr Reynolds asked;

- If the study will include Millthorpe pipelines and pump stations or is it just the Blayney Sewerage Treatment Plant?
- Is there an indication on how long Public Works will take to complete this study.

Response:

A capacity assessment of the Millthorpe sewage collection and transfer system was completed in 2022. Further analysis and modelling will form part of this scope of works.

The draft program is as follows;

- Draft Issues Paper Report – 7 Months
- Scenario analysis and assessment report – 12 months
- Draft Strategy Report – 15 months

Risk/Policy/Legislation Considerations:

Nil

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

05) SIDETRACK ARTS INCORPORATED SUB LICENCE AGREEMENT AND MOU

Department: Executive Services

Author: Manager Tourism and Communications

CSP Link: 4. Enhance facilities and networks that support Health and Wellbeing of the Community, Sport, Heritage and Cultural interests

File No: RC.CO.2

Recommendation:

That Council;

1. Delegate authority to the General Manager to finalise the Licence agreement with Transport Asset Holding Entity and correlating Sub-Licence agreement with Sidetrack Arts Incorporated for the Blayney Railway Station 'Platform' space for a period of 3 years followed by a rolling month-to-month lease.
2. Delegate authority to the General Manager to sign and execute a Memorandum of Understanding between Council and Sidetrack Arts Incorporated for a period of 3 years.

Reason for Report:

To seek Council approval to formalise the sub licence agreement and Memorandum of Understanding between Blayney Shire Council and Sidetrack Arts Incorporated for the Blayney Railway Station 'Platform' space.

Report:

In 2020, Transport Asset Holding Entity (TAHE) completed refurbishment works of the previously unused spaces at Blayney Railway Station which enabled the spaces to be utilised as a community space for events and workshops showcasing art, heritage and culture.

Blayney Shire Council executed a sub-licence agreement with Blayney Town Association to coordinate exhibitions and events under the subcommittee Platform Arts Hub which formally ended the sub licence in September 2023. Funding was provided to Platform Arts Hub through the Village Enhancement Program to cover operational expenses.

Sidetrack Arts Incorporated (Sidetrack) is a newly formed not-for-profit organisation which aims to; *cultivate a connected community that values, celebrates and supports local creative practitioners and engage in projects that deepen and develop creative practice within nurturing community focused spaces.*

With support from the outgoing Platform Arts Hub Committee and Blayney Town Association, Council has been in discussions with Sidetrack and TAHE about forming a sub-licence agreement with Sidetrack for the Platform spaces.

Sidetrack plans to manage the Platform Arts Hub as a creative hub, providing the core service of affordable artist studios, along with an offering of seasonal open studio days, community arts events, workshop space, and potential railway history museum.

Prior to Council entering into a new sub-licence agreement with Sidetrack, Council is awaiting formal approval from TAHE with a new licence agreement to be completed, noting the sub-let of the area to Sidetrack (noted in clause 5.4(j) of current agreement).

TAHE have so far indicated support for Sidetrack's proposal with the new licence agreement to have the same terms as the current one (current agreement attached for reference). In the interim, Council can co-host events with Sidetrack with the completion of the MOU enabling Sidetrack to purchase their own Public Liability Insurance.

Council approval to delegate finalisation of the agreements to the General Manager is sought to help expedite finalisation of this matter.

Risk/Policy/Legislation Considerations:

Whilst Council only has a formal agreement with TAHE until March 2024, Council would face a potential reputational risk with TAHE if the space is not utilised. The NSW Government provided substantial investment into the restoration of the Blayney Railway Station which was based on the continued support from Council for activation of the space for community use.

If Council does not enter into a sub-licence agreement and MOU with Sidetrack, Council would still have expenses associated with the lease including electricity, rates, and charges for the space until the end of the agreement in March 2024. Council would need to utilise its own resources to manage and activate the space or face the reputational risks with TAHE.

Supporting the arts industry is important to Council as per 4.4 outlined in the Community Strategic Plan: *The Shire is a centre for cultural interest, arts, performance, and entertainment*. If Council chooses not to support the activation of Platform through an MOU with Sidetrack, Council would need to find further strategies for supporting the Arts and Culture industry.

There are risks with engaging a volunteer association including volunteer reliance and financial sustainability. Sidetrack has completed a risk assessment as part of their business plan which addresses volunteer reliance for operations with a focus on workshops spaces and a pared back calendar of events.

Sidetrack's financial sustainability is currently dependent on support through Council funding with the MOU however the business plan includes income from artists through studio hire fees and identifies potential grant programs which can be applied for. The MOU also includes a clause to ensure both parties are open to constant review and may be amended or cancelled if all parties agree it is required.

Budget Implications:

Through the Village Enhancement Program from 2020/21 to 2022/23, \$20,000 was allocated annually to Platform Arts Hub for operational expenses with \$16,791 claimed or reimbursed. Unclaimed funding was returned to Council in August 2023 and has been used to pay ongoing operational expenses.

Council has included \$20,000 in the 2023/24 – 2026/27 Delivery Program and 2023/24 Operational Plan. The proposed MOU includes a reduced annual allocation to approximately \$7,000 to cover operational expenses.

Item	Amount Covered	Estimate
Licence Fee	100%	\$800
Rates	100%	\$700
Electricity	Capped at \$4,000	\$4,000
WH&S Costs	100%	\$500
Public Liability Insurance	100%	\$1,000
Total		\$7,000

Enclosures (following report)

- 1 Memorandum of Understanding - Sidetrack and Blayney Shire Council 2 Pages

Attachments (separate document)

- 2 Current Licence for Permitted Use 39 Pages

**Memorandum of Understanding between Blayney Shire Council and
Sidetrack Incorporated**

1. PURPOSE

The purpose of this Memorandum of Understanding (MOU) is to outline the general principles for a collaborative approach to the operation of Platform Arts Hub, Blayney by Sidetrack Incorporated.

2. DEFINITIONS

In this document the following definitions will apply:

Council: Blayney Shire Council

Sidetrack: Sidetrack Arts Incorporated

Platform: Is the venue known as Platform Arts Hub Blayney located at Blayney Railway Station on the Cnr of Railway Lane and Adelaide Street and includes the refreshment rooms, amenities block and two sheds on the platform.

3. COMMENCEMENT & PERIOD OF OPERATION

3.1. This MOU will commence on 23 November 2023 and will continue for a three-year period.

4. ACKNOWLEDGEMENTS

4.1. Sidetrack will operate in accordance with proposed business plan.

4.2. Blayney Shire Council has a license agreement in place with Transport Asset Holding Entity for the Platform space.

4.3. Sidetrack will have a sub-license agreement with Blayney Shire Council for the Platform space.

5. FUNDING CONTRIBUTIONS

5.1. Council will provide the following support under the Village Enhancement Program:

Item	Amount Covered
Licence Fee	100%
Rates	100%
Electricity	Capped at \$4,000
WH&S Costs	100%
Public Liability Insurance	100%

5.2. Invoices for Council related costs will be paid by Council. Council related invoices include the licence fee, rates, electricity, and fire extinguisher testing.

- 5.3. The annual electricity contribution is capped at \$4,000 with all statements provided to Sidetrack. Any electricity costs above \$4,000 will be invoiced to Sidetrack with 30-day payment terms.
- 5.4. Sidetrack will be reimbursed for Public Liability Insurance upon proof of payment and copy of Certificate of Currency
- 5.5. Sidetrack acknowledges that there is no scope for any increase in funding through this agreement and that financial control and management of this expenditure is the responsibility of the Organisation.
- 5.6. Sidetrack can apply for additional funding for specific projects/events through other Council funding programs subject to the funding program criteria.

6. REPORTING

- 6.1. Sidetrack will provide an annual report to Council within 30 days of the end of financial year including:
 - Hours of use by artists in residents including geographic location of artists
 - Number of room / workshop space bookings including geographic location of attendees and host
 - Number of events including number of attendees including geographic location of attendees
 - AGM meeting minutes and financial report

7. REVIEW OF MEMORANDUM OF UNDERSTANDING

Through this MOU, Council and the Sidetrack agree that the MOU is open to constant review and may be amended or cancelled if all parties agree that it is required.

06) SKILLSET**Department:** Executive Services**Author:** General Manager**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** GO.ME.1

Recommendation:

That Council:

1. Support the nomination of Cr Pryse Jones to the Skillset Ltd Board.
2. Delegate to Mr. Ian Tooke authority to attend and vote as Councils proxy at the Skillset Ltd Annual General Meeting.

Reason for Report:

For Council to resolve a specific board nominee and delegate voting to a proxy.

Report:

The Skillset Annual General Meeting (AGM) will be held on Friday 24 November 2023 in Bathurst or online from 9.00am to 10.00am.

A total of seven vacancies on the Skillset Board will arise at this year's AGM.

To support Skillset to transform to a skills-based Board, Skillset has conducted a promotional campaign to encourage nominations from Central West residents who are interested in being considered for vacancies on the Board as they arise. As part of this process, applicants were asked to outline the skills and experience they would bring to the Board.

Member Councils may nominate any number of person/s for consideration for appointment to the Board either from the list of shortlisted candidates or another person at the discretion of the member organisation.

The power to nominate and/or second a nomination for election to the Board at the AGM may only be called from the members present (whether in person or online) and entitled to vote, and each appointment will be decided on a show of hands.

The Mayor and General Manager are unavailable to attend the Skillset AGM as they had already committed to attending the NSW Country Mayors Association AGM to be held on the same day. Council has previously delegated to Mr Ian Tooke the authority to attend the Skillset AGM as its proxy.

Risk/Policy/Legislation Considerations:

Nil

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

07) DECEMBER COUNCIL MEETING**Department:** Executive Services**Author:** General Manager**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** GO.ME.1

Recommendation:

That Council move the December Council meeting to 6.00pm Wednesday 13 December 2023.

Reason for Report:

For Council to consider moving the December 2023 Council meeting from Tuesday 20 December 2023 to Wednesday 13 December 2023.

Report:

In September 2023 Council adopted a meeting schedule of Ordinary Meetings of Council for the forthcoming 12 months as per cl.3.1 of Blayney Shire Council Code of Meeting Practice.

Most monthly meetings of Council are usually 6:00pm on the third Tuesday of each month.

It is proposed to Council to move the December 2023 meeting forward by a week to move the meeting further away from Christmas.

Moving the meeting forward will enable staff greater time to action any necessary resolutions and issue correspondence and statutory instruments prior to the Christmas closure.

Please note the Blayney Shire Community Centre is already booked and not available on Tuesday 12 December 2023.

Risk/Policy/Legislation Considerations:

Nil

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

08) REPORT OF COUNCIL INVESTMENTS AS AT 31 OCTOBER 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

Recommendation:

That Council;

1. Note the report indicating Council's investment position as at 31 October 2023.
2. Note the certification of the Responsible Accounting Officer.

Reason for Report:

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

Report:

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

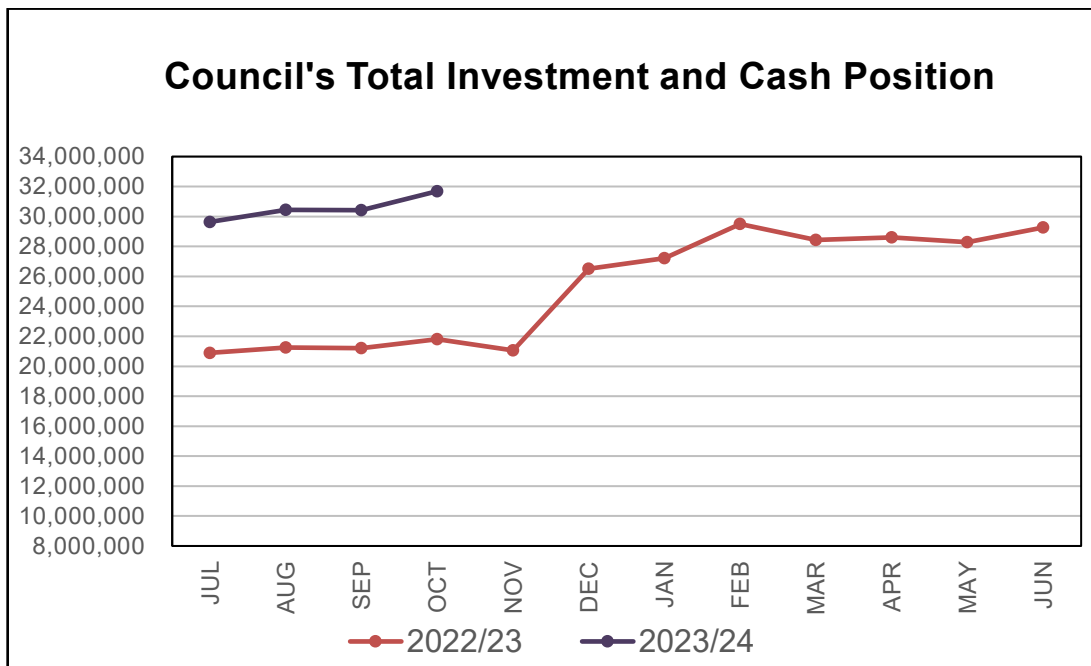
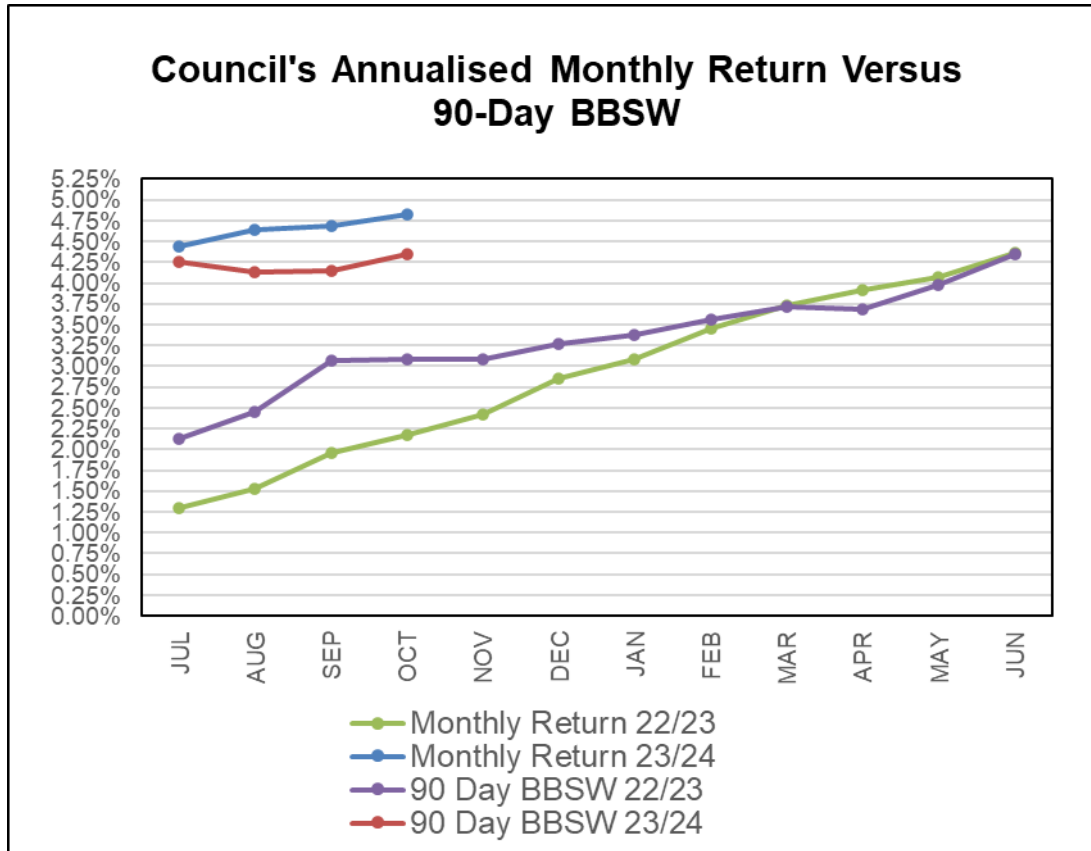
Council's total investment and cash position as at 31 October 2023 is \$31,689,471. Investments earned interest of \$119,584 for the month of October 2023.

Council's monthly net return on Term Deposits annualised for October was 4.83% which outperformed the 90-day Bank Bill Swap Rate of 4.35%.

Council's current cash position is unusually high with Council still holding significant levels of grant funding received in advance. With Council's capital works program now in full swing it is anticipated that cash levels will steadily decline towards the end of 2023/24. It should also be noted that Council is funding \$6.98m of its \$9.34m infrastructure related capital works program by grants and contributions in 2023/24 which are not anticipated to be received going forward.

No additional deposits were established in October however the last term deposit booked at a rate <1% than that matured during the month, positively impacting the average return on current deposits with all investments now yielding >4%.

It is noted that in early November that the RBA has increased the cash rate from 4.10% to 4.35%. As outlined to Council in previous reports, this will present challenges for Council to outperform the BBSW should these continue in quick succession. Forecasts for the cash rate indicate it will hold at these levels for longer than was originally expected due to inflation pressures.



Register Of Investments and Cash as at 31 October 2023					
Institution	Method	Rating	Maturity	Amount \$	Interest Rate
MyState Bank Ltd	Curve	A2/BBB+	07/11/2023	500,000	4.550%
NAB	Direct	A1+/AA-	14/11/2023	500,000	4.550%
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%
ING Bank	IAM	A1/A	19/12/2023	500,000	4.800%
NAB	Direct	A1+/AA-	09/01/2024	500,000	4.500%
IMB Bank Ltd	Direct	A2/BBB+	16/01/2024	500,000	4.800%
CBA	Direct	A1+/AA-	23/01/2024	500,000	4.490%
NAB	Direct	A1+/AA-	30/01/2024	500,000	5.250%
NAB	Direct	A1+/AA-	06/02/2024	500,000	4.550%
B & A Bank	IAM	A2/BBB+	13/02/2024	500,000	5.170%
Westpac	Direct	A1+/AA-	20/02/2024	500,000	4.950%
CBA	Direct	A1+/AA-	26/02/2024	500,000	4.300%
NAB	Direct	A1+/AA-	27/02/2024	500,000	5.000%
Reliance Bank	Direct	Unrated	09/03/2024	500,000	4.200%
Macquarie Bank	IAM	A1/A+	12/03/2024	500,000	4.750%
ING Bank	IAM	A1/A	13/03/2024	500,000	4.750%
CBA	Direct	A1+/AA-	19/03/2024	500,000	4.200%
Macquarie Bank	IAM	A1/A+	02/04/2024	500,000	4.450%
MyState Bank Ltd	Curve	A2/BBB+	02/04/2024	500,000	4.650%
CBA	Direct	A1+/AA-	09/04/2024	500,000	4.280%
NAB	Direct	A1+/AA-	16/04/2024	500,000	4.510%
Westpac	Direct	A1+/AA-	23/04/2024	500,000	4.490%
Macquarie Bank	IAM	A1/A+	30/04/2024	500,000	4.800%
NAB	Direct	A1+/AA-	07/05/2024	500,000	4.700%
CBA	Direct	A1+/AA-	14/05/2024	500,000	4.920%
NAB	Direct	A1+/AA-	21/05/2024	500,000	4.900%
Westpac	Direct	A1+/AA-	28/05/2024	500,000	4.840%
Westpac	Direct	A1+/AA-	04/06/2024	500,000	5.040%
NAB	Direct	A1+/AA-	11/06/2024	500,000	5.500%
Westpac	Direct	A1+/AA-	18/06/2024	500,000	5.450%
Macquarie Bank	IAM	A1/A+	25/06/2024	500,000	5.250%
Westpac	Direct	A1+/AA-	02/07/2024	500,000	5.420%
CBA	Direct	A1+/AA-	09/07/2024	500,000	5.300%
Macquarie Bank	IAM	A1/A+	16/07/2024	500,000	5.100%
ING Bank	Curve	A1/A	23/07/2024	500,000	5.200%
ING Bank	Curve	A1/A	30/07/2024	500,000	5.200%
Westpac	Direct	A1+/AA-	06/08/2024	500,000	5.150%
CBA	Direct	A1+/AA-	13/08/2024	500,000	5.170%
NAB	Direct	A1+/AA-	20/08/2024	500,000	5.200%
CBA	Direct	A1+/AA-	27/08/2024	500,000	5.090%
Westpac	Direct	A1+/AA-	03/09/2024	500,000	5.050%
ING Bank	Curve	A1/A	10/09/2024	500,000	5.050%

Register Of Investments and Cash as at 31 October 2023					
Institution	Method	Rating	Maturity	Amount \$	Interest Rate
Bank of Queensland	Curve	A2/BBB+	01/10/2024	500,000	5.150%
CBA	Direct	A1+/AA-	15/10/2024	500,000	5.150%
ING Bank	Curve	A1/A	22/10/2024	500,000	5.350%
CBA	Direct	A1+/AA-	29/10/2024	500,000	5.250%
Total Investments				25,500,000	4.827%
Commonwealth Bank - At Call Account ⁽¹⁾				2,822,177	4.100%
Commonwealth Bank Balance - General ⁽¹⁾				3,181,064	3.950%
Reliance Bank ⁽¹⁾				186,230	0.000%
Total Cash and Investments				31,689,471	
Benchmarks:		BBSW 90 Day Index ⁽¹⁾			4.351%
		RBA Cash Rate ⁽¹⁾			4.100%

1. % Interest rates as at end of reporting period.

Summary of Investment Movements - October 2023		
Financial Institution	Amount \$	Commentary
WBC	(503,570)	Term deposit matured 10/10/2023
WBC	500,000	Term deposit reinvested 10/10/2023
Bank of Queensland	(520,885)	Term deposit matured 10/10/2023
Bank of Queensland	500,000	Term deposit reinvested 10/10/2023
CBA	(522,075)	Term deposit matured 17/10/2023
CBA	500,000	Term deposit reinvested 27/10/2023
Auswide Bank Ltd	(515,812)	Term deposit redeemed 24/10/2023
ING Bank Ltd	500,000	New term deposit 24/10/2023
CBA	(522,339)	Term deposit matured 31/10/2023
CBA	500,000	Term deposit reinvested 31/10/2023

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%	59%	15,000,000
A- Category	40%	23%	6,000,000
BBB+ Category	25%	12%	3,000,000
BBB Category	5%	2%	500,000
BBB- Category and below: Local ⁽²⁾ ADI's	10%	4%	1,000,000
BBB+ / BBB / BBB- & below categories combined	25%	18%	
			25,500,000

2. ADI's located within the Local Government Area

Individual Institution Limit	Rating	Policy Maximum \$	Current Holding \$
Bank of Queensland	A2/BBB+	1,000,000	1,000,000
Bendigo & Adelaide Bank	A2/BBB+	1,000,000	500,000
CBA	A1+/AA-	5,000,000	5,000,000
Defence Bank Ltd	A2/BBB	500,000	500,000
IMB Bank Ltd	A2/BBB+	1,000,000	500,000
ING Bank	A1/A	3,000,000	3,000,000
Macquarie Bank	A1/A+	3,000,000	3,000,000
MyState Bank Ltd	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

Summary of Restricted, Allocated and Unrestricted Cash & Investments			
	Actual 30/06/2023 \$ 000's	Actual 31/10/2023 \$ 000's	Forecast ⁽¹⁾ 30/06/2024 \$ 000's
External Cash Restrictions	20,329	20,122	9,958
Internal Cash Allocations	8,751	6,789	5,330
Total Restricted, Allocated Cash & Investments	29,080	26,911	15,288
Unrestricted Cash	191 ⁽²⁾	4,778 ⁽³⁾	4,959 ⁽³⁾
Total Restricted, Allocated and Unrestricted Cash & Investments	29,271	31,689	20,247

(1) Balances are informed by the Long Term Financial Plan and based on the best available information at time of preparation.

(2) Unrestricted cash was impacted by grant debtors totalling \$3.84m at 30/06/2023, specifically \$1m which was anticipated to be received prior to 30 June but wasn't deposited until 3 July. Internal cash allocations include \$3.5m of restricted cash from prepayment of the financial assistance grant which will be used to offset any unrestricted cash deficit reported in the financial statements.

(3) Unrestricted cash is forecast to be high as of 30 June 2024 as a result of Council substituting the funding from its current year capital works program with approved grant funded programs rather than funding from general revenue. It is not anticipated that Council will be eligible for future funding under these programs.

CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

I, Tiffany 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 s.625 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

09) QUARTERLY BUDGET REVIEW STATEMENT - SEPTEMBER 2023

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 30 September 2023 be received.
2. That the supplementary votes of \$684k nett proposed in the Quarterly Budget Review Statement be adopted, resulting in an increase to capital expenditure of \$755k, an increase to operating expenditure of \$306k and an increase in income of \$377k (which includes an increase of \$701k in capital income).

Reason for Report:

For Council to endorse the Quarterly Budget Review Statement (QBRS) for the quarter ending 30 September 2023.

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 2023/24 Budget Review covering the September 2023 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 (\$630k) will decrease the projected Net Operating Result before Capital Items to (\$1.86m) forecast deficit. For General Fund, net variations of (\$589k) will decrease the projected Net Operating Result before Capital Items to (\$1.99m) deficit. For Sewer Fund, net variations of (\$61k) will decrease the projected Net Operating Result before Capital Items to \$133k surplus.

Operational income variations of \$378k include the following significant variations:

- Reduction of forecast new mine rating income of (\$348k), due to likely delays to the application of a mining lease until 2024/25 which would trigger the change of rating category.
- Reduction in anticipated recycled water sales of (\$60k) due to delays in commission of the treatment plant.

- Increase to training and employment subsidies totalling \$100k
- Overall capital grants and contributions increase by \$701k including:
 - Resources for Regions Round 8 (R4R8) carryover works of \$253k under the active movement program
 - Natural disaster funding of \$264k for Errowanbang Rd storm damage carryover works
 - Additional funding of \$150k for completion of the Blayney RFS station.

Operational expenditure variations of \$306k include the following significant variations:

- Increased budget of \$40k to reflect costs associated with the environmental clean-up following an oil discharge incident into the Belubula River.
- Additional costs to undertake concrete crushing at the waste facility as a result of increased disposal activity.
- Budgeted depreciation expense of \$215k for RFS Red Fleet assets following Council resolution to rescind Operational Policy 05G – Recognition of Rural Fire Services Assets

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

Capital expenditure variations of \$755k include the following significant variations:

- Resources for Regions Round 8 (R4R8) carryover works of \$253k under the active movement program.
- Natural disaster funding of \$264k for Errowanbang Rd storm damage carryover works.
- Additional funding of \$150k for completion of the Blayney RFS station.
- Carryover works from 2022/23 of \$24k for finalisation of the recycled water treatment plant.
- Reallocation of \$93k from the heavy patching program to complete works on Garland Road.
- Reallocation of funding between Heritage and Carrington Park amenities projects funded under R4R8.

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

Enclosures (following report)

Nil

Attachments (separate document)

- 1 September 2023 Quarterly Budget Review Statement 26 Pages

10) 2022/23 AUDITED FINANCIAL STATEMENTS**Department:** Corporate Services**Author:** Chief Financial Officer**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** FM.FR.1**Recommendation:**

That Council adopt the 2022/23 Financial Statements and accept the Auditor's Report, as submitted by the NSW Audit Office.

Reason for Report:

For the 2022/23 audited financial statements to be presented to Council.

Report:

Council will receive a presentation on Council's 2022/23 Financial Statements for and on behalf of the NSW Audit Office by contract representative John Thompson, Principal, Intentus Chartered Accountants.

Pursuant to s.413(3) of the Local Government Act 1993, Council is required to prepare Financial Reports and refer those reports to audit within 4 months after the end of the financial year (s.416 (1)). On completion, s.419 of the Act requires Council to present its audited financial statements, together with the signed auditor's reports, at a meeting of the Council. The date of the above meeting must be no more than 5 weeks after signature of the auditor's report.

Income Statement

For the 2022/23 financial year Council has presented a net operating result of \$11.60m, with a net operating result before the inclusion of grants and contributions for capital purposes of \$1.16m.

After the exclusion of non-cash items incorporated into the income statement there is a cash surplus from operating activities of \$23.79m. This operating cash surplus contributed to funding Council's capital works program for the year, with the remainder of the required funding coming from the proceeds from borrowings, asset sales and Council's reserves. Council's unprecedented cash levels are reflective of the \$9.14m in prepaid capital grants and contributions and \$3.46m advance payment of the 2023-24 Financial Assistance Grant paid in June 2023.

Council completed over \$14.71m worth of capital works in 2022/23 as detailed in Note C1-7 Infrastructure, property, plant and equipment. Of that \$11.90m was on renewal of existing infrastructure. Significant capital works include:

- Completed works of \$7.24m on Council's road network.
 - \$1.34m on Forest Reefs Road

- \$1.30m on storm damage and natural disaster works
- \$321k on initial sealing works in Barry & Lyndhurst
- \$721k on Hobbys Yard Road
- \$681k on pavement repairs in South Blayney
- \$1.94m on gravel resheeting, resealing and heavy patching program throughout the Shire.
- Completed works of \$2.88m on Council's bridge network.
 - \$519k on Lucan Road Bridge
 - \$530k on Leabeater Street Bridge
 - \$433k on Boondaroo Bridge impaired in 2020
 - \$608k across the bridge network following storm damage in November 2022
 - \$440k for commencement of works on the Belubula Way Bridge
- Footpath construction works totalled \$1.75m
 - \$570k for construction of Stage 3 of the Belubula River Walk
 - \$229k for commencement Stage 4 of the Belubula River Walk
 - \$436k for commencement of parking and pedestrian integration at King George Oval
 - \$368k on construction of new footpaths in Millthorpe on Glenorie Road and Elliot Street.
- Plant replacements of \$908k including the replacement of a backhoe and 3 mowers.
- Building works of \$908k including finalisation of the roof replacement at CentrePoint, amenities upgrade at KGO and continuation of the Blayney RFS station.
- \$673k on other recreational assets including lighting upgrades at KGO, Lyndhurst Recreation Ground and Blayney Netball Courts, a floating pontoon at Carcoar Dam, new cricket nets at Redmond Oval and projects funded under the Village Enhancement Program.
- \$268k on works at the Sewerage Treatment Plant including finalisation of works at the recycled water treatment plant and relining of the sewer mains.

Audit opinion

At the 15 August 2023 Council meeting, Council endorsed a change of policy with recognition of Rural Fire Service assets and resolved:

RECOGNITION OF RURAL FIRE SERVICES ASSETS GUIDELINE 2308/005 RESOLVED:

That Council rescind and remove Policy 5G Recognition of Rural Fire Service Assets from Council's policy register.

(Somerville/Reynolds)

As a result, Council recognised the current fair value of the Red Fleet including depreciation expense of \$221k in the 2022/23 financial statements. Due to the material nature of this change in policy, a retrospective adjustment to the 2021/22 Financial Statements resulting in a prior period correction with depreciation expense of \$216k applied to the 2021/22 Financial Statements.

Recognition of the RFS fleet has lifted the qualified audit opinion that was received in 2021/22.

Table 1 – Income Statement

Blayney Shire Council

Income Statement

for the year ended 30 June 2023

Original unaudited budget 2023	\$ '000	Notes	Actual 2023	Restated Actual 2022
Income from continuing operations				
12,382	Rates and annual charges	B2-1	12,222	11,777
1,667	User charges and fees	B2-2	2,049	1,579
371	Other revenues	B2-3	316	480
4,255	Grants and contributions provided for operating purposes	B2-4	6,457	5,525
5,857	Grants and contributions provided for capital purposes	B2-4	10,443	9,788
189	Interest and investment income	B2-5	730	110
25	Other income	B2-6	544	196
78	Net gain from the disposal of assets	B4-1	–	54
<u>24,824</u>	Total income from continuing operations		<u>32,761</u>	<u>29,509</u>
Expenses from continuing operations				
7,209	Employee benefits and on-costs	B3-1	6,970	7,167
4,857	Materials and services	B3-2	5,329	5,135
223	Borrowing costs	B3-3	273	147
6,774	Depreciation, amortisation and impairment of non-financial assets	B3-4	7,514	6,738
944	Other expenses	B3-5	847	685
–	Net loss from the disposal of assets	B4-1	229	–
<u>19,807</u>	Total expenses from continuing operations		<u>21,162</u>	<u>19,872</u>
<u>5,017</u>	Operating result from continuing operations		<u>11,599</u>	<u>9,637</u>
<u>5,017</u>	Net operating result for the year attributable to Council		<u>11,599</u>	<u>9,637</u>
<u>(840)</u>	Net operating result for the year before grants and contributions provided for capital purposes		<u>1,156</u>	<u>(151)</u>

The above Income Statement should be read in conjunction with the accompanying notes.

Table 2 – Statement of Financial Position**Blayney Shire Council****Statement of Financial Position**
as at 30 June 2023

\$ '000	Notes	2023	Restated 2022	Restated 1 July 2021
ASSETS				
Current assets				
Cash and cash equivalents	C1-1	5,771	2,298	3,865
Investments	C1-2	23,500	17,500	16,500
Receivables	C1-4	1,026	1,267	587
Inventories	C1-5	1,350	1,377	1,528
Contract assets and contract cost assets	C1-6	3,755	2,345	550
Other	C1-11	73	128	63
Total current assets		35,475	24,915	22,893
Non-current assets				
Investments	C1-2	–	500	500
Receivables	C1-4	–	20	–
Infrastructure, property, plant and equipment (IPPE)	C1-7	379,271	338,320	297,964
Intangible assets	C1-8	62	54	83
Right of use assets	C2-1	42	21	40
Investments accounted for using the equity method	D2-2,D2-3	35,050	30,108	29,835
Total non-current assets		414,425	369,023	328,422
Total assets		449,900	393,938	351,315
LIABILITIES				
Current liabilities				
Payables	C3-1	2,051	1,522	1,533
Contract liabilities	C3-2	5,212	3,198	3,389
Lease liabilities	C2-1	10	19	20
Borrowings	C3-3	597	629	602
Employee benefit provisions	C3-4	2,165	2,330	2,356
Provisions	C3-5	70	–	–
Total current liabilities		10,105	7,698	7,880
Non-current liabilities				
Payables	C3-1	1	2	2
Contract liabilities	C3-2	3,924	–	–
Lease liabilities	C2-1	33	2	21
Borrowings	C3-3	5,376	5,972	6,801
Employee benefit provisions	C3-4	53	75	78
Provisions	C3-5	1,335	1,338	952
Total non-current liabilities		10,722	7,389	7,652
Total liabilities		20,827	15,087	15,532
Net assets		429,073	378,851	335,783
EQUITY				
Accumulated surplus	C4-1	184,666	188,522	158,675
IPPE revaluation reserve	C4-1	244,352	210,329	177,108
Other reserves	C4-1	55	–	–
Council equity interest		429,073	378,851	335,783
Total equity		429,073	378,851	335,783

The above Statement of Financial Position should be read in conjunction with the accompanying notes.

Restricted Cash

The external restrictions increased with nett transfers to of \$7.23m, largely as a result of upfront milestone payments for capital grant funding received from Resources for Regions Round 9, Stronger Country Communities Round 5 and Flood Recovery Grant to be expended in 2023/24 and 2024/25. The internal allocations (restrictions) increased with nett transfers to of \$1.63m largely as a result of advance payment of the 2023/24 Financial Assistance Grant.

The total Restricted Cash balance at 30 June 2023 was \$29.08m with unrestricted cash of \$191k.

A summary of Council's internal and external restrictions is detailed below.

Table 3 – Note C1-3 Restricted and allocated cash, cash equivalents and investments

C1-3 Restricted and allocated cash, cash equivalents and investments

\$ '000	2023	2022
(a) Externally restricted cash, cash equivalents and investments		
Total cash, cash equivalents and investments	29,271	20,298
Cash, cash equivalents and investments not subject to external restrictions	8,942	7,201
External restrictions		
External restrictions – included in liabilities		
External restrictions included in cash, cash equivalents and investments above comprise:		
Specific purpose unexpended grants – general fund	9,136	3,198
External restrictions – included in liabilities	9,136	3,198
External restrictions – other		
External restrictions included in cash, cash equivalents and investments above comprise:		
Developer contributions – General Fund	1,532	1,033
Developer contributions – sewer fund	1,628	1,196
Sewer fund	6,439	5,802
Voluntary planning agreements	524	284
Special variation rates - mining	403	753
Domestic waste management	667	831
External restrictions – other	11,193	9,899
Total external restrictions	20,329	13,097

Cash, cash equivalents and investments subject to external restrictions are those which are only available for specific use by Council due to a restriction placed by legislation or third-party contractual agreement.

C1-3 Restricted and allocated cash, cash equivalents and investments (continued)

\$ '000	2023	2022
(b) Internal allocations		
Cash, cash equivalents and investments not subject to external restrictions	8,942	7,201
Internal allocations		
At 30 June, Council has internally allocated funds to the following:		
Plant and vehicle replacement	1,731	1,137
Employees leave entitlement	1,068	1,088
Centrepoint	61	–
Election reserve	71	51
Environmental projects – Belubula River	27	27
Financial Assistance Grant	1,869	1,364
I.T reserve	359	324
Property account	1,525	1,462
Property account - borrowings	880	1,026
Quarry remediation	219	219
Village enhancement program	153	108
Security bonds, deposits & retentions	558	–
Carryover works	230	318
Total internal allocations	8,751	7,120

Cash, cash equivalents and investments not subject to external restrictions may be internally allocated by resolution or policy of the elected Council.

Council's unrestricted cash and balance of internal allocations is lower than anticipated, impacted by a substantial increase in contract assets as disclosed in Note C1-6. Council has unrestricted funds from the following internal allocations until the relevant payment milestones for grant funded projects is received in 2023/24:

- * Financial Assistance Grant

Performance Indicators

These indicators are intended to be indicative of the financial health and presence of good business management practices being conducted at Council.

Table 4 – Note G5-1 Statement of performance measures

G5-1 Statement of performance measures – consolidated results

	Amounts	Indicator	Indicators		Benchmark
	2023	2023	Restated 2022	2021	
\$ '000					
1. Operating performance ratio					
Total continuing operating revenue excluding capital grants and contributions less operating expenses ^{1,2}	988	4.51%	(1.96)%	(3.74)%	> 0.00%
Total continuing operating revenue excluding capital grants and contributions ¹	21,921				
2. Own source operating revenue ratio					
Total continuing operating revenue excluding all grants and contributions ¹	15,464	47.78%	47.90%	57.54%	> 60.00%
Total continuing operating revenue ¹	32,364				
3. Unrestricted current ratio					
Current assets less all external restrictions	14,687	5.68x	4.67x	3.86x	> 1.50x
Current liabilities less specific purpose liabilities	2,588				
4. Debt service cover ratio					
Operating result before capital excluding interest and depreciation/impairment/amortisation ¹	8,775	9.55x	8.44x	7.26x	> 2.00x
Principal repayments (Statement of Cash Flows) plus borrowing costs (Income Statement)	919				
5. Rates and annual charges outstanding percentage					
Rates and annual charges outstanding	154	1.24%	1.58%	1.46%	< 10.00%
Rates and annual charges collectable	12,420				
6. Cash expense cover ratio					
Current year's cash and cash equivalents plus all term deposits	29,271	22.65	15.97	17.23	> 3.00
Monthly payments from cash flow of operating and financing activities	1,293	months	months	months	months

(1) Excludes fair value increments on investment properties, reversal of revaluation decrements, reversal of impairment losses on receivables, net gain on sale of assets and net share of interests in joint ventures and associates using the equity method and includes pensioner rate subsidies

(2) Excludes impairment/revaluation decrements of IPPE, fair value decrements on investment properties, net loss on disposal of assets and net loss on share of interests in joint ventures and associates using the equity method

Table 5 – Report on infrastructure assets

Report on infrastructure assets as at 30 June 2023

Infrastructure asset performance indicators (consolidated) *

\$ '000	Amounts	Indicator	Indicators		Benchmark
	2023	2023	Restated 2022	2021	
Buildings and infrastructure renewals ratio					
Asset renewals ¹	11,898	205.14%	212.83%	113.41%	> 100.00%
Depreciation, amortisation and impairment	5,800				
Infrastructure backlog ratio					
Estimated cost to bring assets to a satisfactory standard	19,347	5.52%	3.28%	4.02%	< 2.00%
Net carrying amount of infrastructure assets	350,773				
Asset maintenance ratio					
Actual asset maintenance	4,321	104.88%	116.96%	113.82%	> 100.00%
Required asset maintenance	4,120				
Cost to bring assets to agreed service level					
Estimated cost to bring assets to an agreed service level set by Council	5,191	1.20%	0.75%	0.84%	
Gross replacement cost	434,180				

(*) All asset performance indicators are calculated using classes identified in the previous table.

(1) Asset renewals represent the replacement and/or refurbishment of existing assets to an equivalent capacity/performance as opposed to the acquisition of new assets (or the refurbishment of old assets) that increases capacity/performance.

A copy of the 2022/23 Financial Statements can be found appended to the 2022/23 Annual Report (commencing from page 129 of the attachments) which is the subject of a separate report.

Risk/Policy/Legislation Considerations:

The Local Government Act (1993) s.416 states that Council's financial statements must be prepared and audited by 31 October 2023. Council's audited financial statements were lodged with the Office of Local Government on 31 October 2023.

The Local Government Act (1993) s.418 requires Council to give notice to the public on presentation of the financial statements at least 7 days prior to the meeting and invite submissions to be received. Submissions close 28 November 2023.

Budget Implications:

The income statement reports Council's original budget against actual results. As at 30 June 2023 the Income from Continuing Operations was \$32.76m compared to \$24.82m budgeted.

Actual operating expenditure was \$21.16m compared to \$19.81m budgeted. This resulted in a net operating result from continuing operations of \$11.56m compared to \$5.01m budgeted. Net operating result from continuing operations before grants and contributions provided for capital purposes of \$1.16m surplus compared to (\$840k) deficit budgeted.

Capital expenditure was \$14.71m compared to Council's original budget of \$11.51m before the inclusion of carryover works from 2022/23.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

11) 2022/23 ANNUAL REPORT**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** GO.RP.1

Recommendation:

That the Council endorse the 2022/23 Annual Report for lodgement with the Office of Local Government.

Reason for Report:

For Council to endorse the 2022/23 Annual Report for lodgement with the Office of Local Government.

Report:

Council is required to prepare an Annual Report on its activities annually, lodge it with the Office of Local Government (OLG) and place it on Council's website by the prescribed due date of 30 November 2023.

The primary purpose of the 2022/23 Annual Report is to demonstrate Council's achievements during the year based on the actions identified in the 2022/23 – 2025/26 Delivery Program and 2022/23 Operational Plan (and therefore, what Council has accomplished towards achieving the objectives in the Community Strategic Plan). The Annual Report also includes statutory reporting under the Local Government Act 1993, the Local Government (General) Regulation 2005 and other legislation.

The 2022/23 Annual Report has been prepared and upon endorsement by Council will be lodged with the OLG.

Risk/Policy/Legislation Considerations:

Council is required under the Local Government Act s.428 to complete the Annual Report within 5 months after the end of financial year, post it on Council's website and furnish a copy to the Minister.

The Integrated Planning & Reporting Guidelines for Local Government in NSW - Essential Element 5.1 states that Council must prepare and endorse an Annual Report within 5 months of the end of the financial year.

Budget Implications:

Preparation and compilation of the Annual Report is coordinated by Council staff within existing budget allocations.

Enclosures (following report)

Nil

Attachments (separate document)

1 2022/23 Annual Report

203 Pages

12) CABONNE AFTER SCHOOL CARE**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 4. Enhance facilities and networks that support Health and Wellbeing of the Community, Sport, Heritage and Cultural interests**File No:** CS.AG.1**Recommendation:**

That Council decline the request from Cabonne Council to increase the contribution for After School Care in Blayney from \$5,000 to \$10,000.

Reason for Report:

For Council to consider a request from Cabonne Council for an increase to the contribution for After School Care in Blayney from \$5,000 to \$10,000.

Report:

Cabonne Council has provided After School Care services in the Blayney Shire since 2013. The service, now only existent in Blayney, is delivered weekdays during school terms with sessions 6am – 9am and 3pm – 6pm. They operate from the Blayney Public School and have 20 approved places.

Council is in receipt of correspondence from Cabonne Council requesting an increase to funding for the Blayney Service from \$5,000 p.a. to \$10,000 p.a. to assist the defraying of costs associated with delivery of this service. Such costs include acquisition of resources and toys, licencing fees, and employee costs. Council's current contribution of \$5,000 has been fixed since service inception.

The request also coincides with a reduction of Council's contribution from \$10,000 to \$5,000 in 2021/22 following the discontinuance of the Millthorpe After School Care service, now delivered through a private operator at a new location. The Millthorpe arrangement encompassed a contribution of \$5,000 p.a. per service.

The Blayney service has had a 30% uptake since October 2022 however remains within their maximum capacity. Cabonne After School Care services has also obtained approval for expansion of its service to encompass vacation care, in response to requests from schools and families. With this expansion it is anticipated that there will be additional costs associated with increased staffing and resources required.

Cabonne Council have indicated that they are committed to the Blayney operation and are bound through their approval with the NSW Department of Education.

There are other Out of School Hours Care programs approved in the Blayney local government area provided through a private operator, Aspire OSHC. Approvals in place are in the following locations:

Location	Approvals			Approved Places	Approval Grant Date
	Before School	After School	Vacation Care		
Millthorpe	Yes	Yes	Yes	31	30 June 2023
Carcoar*	Yes	No	Yes	10	7 August 2023
Lyndhurst*	No	Yes	No	10	8 August 2023

*Approvals in place however no service established due to the dual or shared service status requiring dual administrative and compliance processes.

The Millthorpe service operates without any financial contribution from Council. This is not uncommon for Out of School Care programs that operate around the state. Such services rely on government funding supplemented by user fees.

In light of the existence of another provider in the Blayney Shire and that other services that operate in NSW without Council assistance, an increase to the contribution is not recommended.

Risk/Policy/Legislation Considerations:

While Cabonne have indicated their commitment to the Blayney operation, in the event of service withdrawal an approval process for a replacement service by a new provider can take anywhere from 42 days, for a simple service transfer, to 90+ days, for a new service. The approval process depends on the ease (or difficulty) of service transfer and site availability including negotiation with School Infrastructure NSW if required.

Budget Implications:

Council has allocated in the 2023/24 Operational Plan an amount of \$5,000. Approval of an additional contribution of \$5,000 will require an additional vote of funds in the 2023/24 Operational Plan. An additional provision of \$5,000 p.a. would also be required in future years of Council's Long Term Financial Plan.

A financial summary of the Blayney operation of the Cabonne After School Care program has been furnished to Council. This information outlines operating performance and excludes attribution of supervision and administrative overheads.

Enclosures (following report)

- 1 Letter Cabonne After School Care Services Blayney 2 Pages

Attachments (separate document)

- 2 Blayney Operations Financial Summary 1 Page

This matter is considered to be confidential under Section 10A(2) (di) of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it.



Phone: 02 6392 3241

Fax: 02 6392 3260

Contact: Stacy Whiley

THE GENERAL MANAGER
POST OFFICE BOX 17
MOLONG 2866

Website: www.cabonne.nsw.gov.au

Email: council@cabonne.nsw.gov.au

Doc ID: 1603884

Your Ref:

ABN: 41992 919 200

29 September 2023

General Manager
Blayney Shire Council
PO Box 62
BLAYNEY NSW 2799
council@blayney.nsw.gov.au

Dear Mark,

CABONNE AFTER-SCHOOL CARE SERVICES BLAYNEY

To the General Manager,

Cabonne Council is writing to request that Blayney Shire Council consider increasing their current contribution of \$5,000 to \$10,000 per annum to support the ongoing provision of out-of-hours school care services in Blayney.

Cabonne has been providing before and after-school care services to the Blayney community since 2013, with sessions operating from 6am-9am and 3pm – 6pm week days. Blayney Council has been providing a contribution of \$5,000 per annum to support the operational costs of the service over that time.

Cabonne Council's children's services are grant-funded with session fees received from child care subsidies and gap payments from families. Operating costs associated with the service, including wages and staff training, resources and food have continued to increase over the past few years and as after school enrolment numbers grow, overall costs will continue to escalate. We value the importance of employing local people and shopping locally for our day-to-day menu requirements.

Blayney service is licenced for 20 places per session, we are operating out of a small room within the school and since October 2022 the average uptake has been 30%. The Department of Education is in the process of installing a purpose placed facility for our service which will provide a larger space to accommodate growing demand.

Requests have been received from the school and families in both Blayney & Millthorpe regarding the need for vacation care in Blayney. After successful discussions with the Department of Education, Cabonne council has signed a licence variation enabling them to also offer vacation care at Blayney which is planned to commence at the start of the December summer holiday period.

Cabonne values its relationship with Blayney and is dedicated to the ongoing provision of this valuable service in your LGA, we ask that Blayney Shire Council consider this request for an increased contribution favourably.

Please contact the Department Leader Community Services on 6392 [REDACTED] or email [REDACTED] should you wish to discuss this matter further.

Yours faithfully,

[REDACTED]

General Manager

13) MINUTES OF THE FINANCIAL ASSISTANCE COMMITTEE MEETING HELD 6 NOVEMBER 2023

Department: Corporate Services

Author: Director Corporate Services

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

File No: CR.SD.2

Recommendation:

That Council;

1. Receive the minutes of the meeting held 6 November 2023.
2. Approve the recommendations for 2023/24 – Additional Round 1A of the Community Financial Assistance Program by the Financial Assistance Committee, in the amount of \$92,795, represented by \$28,411 for 2023/24 Round 1A General funding and \$64,384 Flagship funding, per the funding schedule.
3. Approve the supplementary (budget) vote of \$50,722 in the 2023/24 Operational Plan from the unexpended Financial Assistance Program funds held from prior years in the Special variation rates – mining cash restriction.
4. Call for Financial Assistance Program applications for Round 2 of 2023/24 in early 2024, closing in March 2024, for consideration by Council no later than the April 2024 Council meeting.

Reason for Report:

For Council to endorse the minutes of the Financial Assistance committee meeting held 6 November 2023 and associated allocations of funding under the Community Financial Assistance Program.

Report:

The Financial Assistance Committee at its meeting held November 2023 and considered applications for the additional round 1A of the Community Financial Assistance Program for 2023/24.

An amount of \$25,000 was available for Flagship project funding and \$10,435 in unexpended funds available. An amount of \$17,073, after allowance for Round 1 and GM Delegation approvals, in General Funding was available distribution in the additional Round 1A and \$83,834 in unexpended funds from prior periods was also available.

The Additional Round saw a substantial number of general funding applications and flagship funding applications. The committee has recommended an allocation in excess of that available and has also recommended additional funds required be drawn from the unexpended Financial Assistance Program funds held from previous years.

Council received 9 General applications for the Additional Round 1A of 2023/24 Program seeking \$30,338 in financial assistance. Of these the Financial Assistance Committee has recommended \$28,411 be allocated. Council received 4 Flagship applications seeking \$74,384 in financial assistance. Of these the Financial Assistance Committee has recommended \$64,384 in Flagship Funding. Recommendations are pursuant to the criteria stipulated in the Community Financial Assistance Program guidelines.

The committee has recommended an amount of \$50,722 be drawn from the unexpended Financial Assistance Program funds held from prior years. This will leave a balance of unexpended funds from previous years in the amount of \$43,547 from prior years. There will also be \$27,500 (50% of full year allocation approved in the 2023/24 Operational Plan) available for Round 2 of the Community Financial Assistance Program for 2023/24.

Following the success of this additional funding round and otherwise imminent call for Round 2 applications, that is scheduled to close early February, the committee has recommended that Round 2 be deferred with a closing date in March and consideration by Council in April 2023.

MINUTES OF THE MEETING OF BLAYNEY SHIRE COUNCIL FINANCIAL ASSISTANCE PROGRAM COMMITTEE HELD 6 NOVEMBER 2023 AT BLAYNEY SHIRE COMMUNITY CENTRE

The meeting commenced at 5pm.

1. PRESENT

Councillor David Somervaille (Chair); Councillor Bruce Reynolds; David Kennedy; Elizabeth Russ; Graeme Summerson; Miles Hedge; Tamara Miller; David Kingham; David Coe (Cadia); Gavin Paul (Iberdrola); Mark Dicker (General Manager); Anton Franze (Director Corporate Services) – via Teams.

2. APOLOGIES

Nil.

3. DECLARATIONS OF INTEREST

Name	Item	Nature	Interest		
			Pecuniary		Non-Pecuniary
			S	S	LTS
Tamara Miller	7.6	Secretary, Hobbys Yards Community Association		X	
David Somervaille	7.F4	Member of Blayney Golf Club			X
David Kennedy	7.F4	Member of Blayney Golf Club			X
Graeme Summerson	7.F4	Member of Blayney Golf Club			X
Elizabeth Russ	7.1	Parishioner at Anglican Parish of Blayney			X
Miles Hedge	7.F4	Member of Blayney Golf Club			X

S: significant

LTS: Less than significant

4. MINUTES FROM PREVIOUS MEETING – 8 AUGUST 2023**RECOMMENDATION:**

That the minutes of the previous meeting held on 8 August 2023 be noted.

M. Hedge / D.Kennedy

5. BUSINESS ARISING

Extra funding round has occurred as foreshadowed in the previous minutes.

David Kingham entered meeting at 5.06pm.

6. REQUESTS APPROVED BY GENERAL MANAGER UNDER DELEGATION**Recommendation:**

That the approvals of fee waivers and sporting related financial assistance, under delegation by the General Manager, in the amount of \$1,277 be noted.

Tamara Miller / Graeme Summerson

David Coe entered meeting at 5.22pm.

7. CONSIDERATION OF (ADDITIONAL) ROUND 1A:2023/24 COMMUNITY FINANCIAL ASSISTANCE PROGRAM APPLICATIONS

Request by Miles Hedge for clarification on the Flagship application by Blayney Rotary referred from Round 1 of 2022/23.

The General Manager advised that the proposal was not supported by the YMCA in light of two other YMCA facilities, with equivalent equipment, having closed or removed them. It was also advised expertise in its operation was deficient in the sport and recreation section of the YMCA and posed a risk. There was also concern around ongoing cost and viability for Council.

Gavin Paul entered meeting at 6pm.

SUMMARY OF AVAILABLE FUNDS:	
Annual budget 2023/24	\$ 145,000
Less: Flagship funding	-\$ 25,000
LESS 2023/24 Operational Plan Approved Donations (Rates, insurance and events)	-\$ 65,000
Total Available for Distribution 2023/24	\$ 55,000
Funds for Distribution in Round 1 and Round 1A	\$ 27,500
Less Funds distributed for Round 1	-\$ 9,150
Less Funds approved under GM Delegation – Round 1A	-\$ 1,277
Funds Available for Distribution in Round 1A:	\$ 17,073
Funds Available for Distribution in Round 2: \$27,500	
NOTE: Unspent from prior years is an amount of \$83,834.	

SUMMARY OF FLAGSHIP FUNDING AVAILABLE:	
Annual budget 2023/24	\$ 25,000
Less: Flagship funding approved - Round 1	\$ 0
Total Available for Distribution in Round 1A:	\$ 25,000
NOTE: Unspent from prior year is an amount of \$10,435.	

Recommendation:

1. That given the Flagship Funding applications received and large amount of unexpended funds from previous years held, that funding in excess of the available amount be recommended and funded from unexpended funds held from prior years.
2. That an amount of \$92,795 from the Community Financial Assistance Program, represented by \$28,411 for 2023/24 Round 1A General funding and \$64,384 Flagship funding, be recommended for approval by Council as per the attached schedule.
3. That \$50,722 be drawn down from prior period unexpended program funds held.

D.Kennedy / M.Hedge

8. Timeframe for Round 2 2023/24 Community Financial Assistance Program

Round 2 was due to be promoted in the last week of November 2023 closing early February 2024. With Round 1A having been called it was considered that there is a risk that there would be minimal applications. It was agreed amongst the committee that invitations for applications should be deferred until early in 2024.

Recommendation:

That commencement of Round 2 be deferred until early in 2024 with recommendations from the committee to the April Council meeting.

9. NEXT MEETING

To be confirmed.

There being no further business the meeting closed at 6:41pm.

FINANCIAL ASSISTANCE APPLICATIONS: ADDITIONAL ROUND 1 - 2023/24

No	Applicant	Project	Grant sought	Grant recommended	Comments and feedback
1	Anglican Parish of Blayney	Engage Expert for Moisture Issues	3,000	3,000	Approved at 50% up to \$3,000 subject to furnishing of quotation for works.

2	Carcoar PA&H Society	Replace power pole and electrical outlet at flagpole at Carcoar Showground	6,928	5,000	Approved subject to co-contribution, recommended at \$1,928, by applicant.
3	Carcoar Community Association	River Yarn Fibre Festival	1,200	1,200	Successful event in prior year. Funding for banners / promotion.
4	Millthorpe CWA Branch	Building of a new front fence including double gates	3,000	3,000	Thorough application that will improve streetscape.
5	Lyndhurst Village Committee	Replacement of Battery in Defibrillator in hall foyer	415	415	Original unit approved through program and request approved without precedence, expect for similar applications for other Council funded defibrillators in due course.
6	Hobbys Yards Community Association	Outdoor seating for the hall	2,246	2,246	Worthwhile enhancement to great work being undertaken by committee at hall.
7	Bakers Shaft Reserve	Purchase of BBQ's and installation at Bakers Shaft and Junction Reefs Reserve	4,510	4,510	New BBQ's will assist with mitigation of fire risk. Approval recommended.
8	Blayney Junior Soccer Club	Upgrade to facilities within the Napier Oval canteen	4,040	4,040	Much needed upgrade. Project approval recommended.
9	Country Education Foundation Orange & District	Assistance with students living in Blayney Shire to pursue higher education	5,000	5,000	Approved subject to demonstration of funding allocation to Blayney LGA students and acquittal and acknowledgement of Council in its publicity.

\$30,338 \$28,411

FINANCIAL ASSISTANCE APPLICATIONS: FLAGSHIP - 2023/24

No	Applicant	Project	Grant sought	Grant recommended	Comments and feedback
1	Millthorpe & District Historical Society	Kitchen renovations at the Millthorpe Museum	25,000	25,000	Substantial matching contribution through private benefactor. Project approved Subject to DA approval.
2	Orange Regional Vignerons Association	Orange Wine Festival	10,000	-	Request does not meet guidelines as funding sought for funding event running costs and does not appear to demonstrate a broader community benefit.
3	Blayney Golf Club	Machinery Shed extension	14,520	14,520	Committee proactive with improvement program over a number of years. Project fits guidelines and considered worthwhile to support.
4	Newbridge Progress Association	Covered walkway at Newbridge Showground	24,864	24,864	Thorough application and project supported. Approved subject to DA approval.

\$74,384 \$64,384

Risk/Policy/Legislation Considerations:

The recommendations for funding are as recommended by the Financial Assistance Committee and are assessed against the Community Financial Assistance Program guidelines.

Budget Implications:

Council has an amount of \$145,000, encompassing \$25,000 Flagship project funding and \$55,000 for General funding (Rounds 1 and 2), allocated in the 2023/24 Operational Plan for this purpose. This also includes an amount of \$65,000 approved in advance for assistance to groups, schools and organisations for events, rates and charges and public liability insurance.

Approvals beyond the funds available for distribution reported above at \$50,722, will require a supplementary (budget) vote of funds in Council's 2023/24 Operational Plan.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

14) 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 Council note the Infrastructure Services Monthly Report for November 2023.

Reason for Report:

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

Report:**Major Contracts****Belubula Way Bridge (REPAIR, R4R9)**

All bridgeworks, including barriers, are completed. Removal of bypass and re-establishment of boundary fencing have been delayed by the contractor and anticipated to be complete by early December.

Four Mile Creek Road Bridge (FCB2A)

The contract for this project has been awarded. The contractor is currently preparing the project timelines and management plans for review.

Boundary acquisition fencing has been substantially completed as stock proof, with a section (floodgate) remaining over the creek pending roadworks completion after the bridge works are completed.

Major Works**Garland Road Repair (RLRRP)**

The scoped section of works is underway, with trimming and sealing occurring this week ending 19 November. Practical completion of this project is on track for November.

Neville Road Rehabilitation (FLR4)

The culvert replacement was completed on 27 October. Stabilising works are completed, with gravel overlay scheduled to start week commencing 20 November. Sealing is scheduled for 7 December. It is anticipated the project will be complete in early December.

Forest Reefs/Tallwood Road Intersection (R4R8)

At close of tender, Council received 5 submissions. The tender panel are currently reviewing and performing the evaluation. Issued for construction drawings are being assembled with the intention of having them ready for issue upon award of contract.

Barry Road Heavy Patching (R4R9)

Base course works are completed, with final trimming and sealing occurring in the week ending 19 November. This project is still on track for practical completion in December 2023.

Tallwood Road Heavy Patching (R4R9)

Scoping for drainage improvements and heavy patching is currently underway. Council is still awaiting receipt of a geotechnical investigation report prior to further scoping. Tentative commencement date of this project is February 2024.

Unwin & Stabback Street (LRCI)

Physical works are progressing steadily on Unwin Street, with stormwater pipe work complete and the kerb constructed on the western side of the road. Pit and kerb inlet works, pavement work, and house stormwater connections.

Minor Road WorksMaintenance works

Since the previous Council meeting, pothole patching has been performed on segments of the following roads: Forest Reefs Road, Hobbys Yards Road, Newbridge Road, Belubula Way, Wimbleton Road.

Maintenance grading has been undertaken on Jones Lane and Village Road.

Gravel resheeting has been undertaken using crushed Council gravel on Gallymont Road and Bradene Road.

Roadside vegetation management has been undertaken on Belubula Way, Vittoria Road in the past four weeks.

FootpathsElliot Street/Park Street, Millthorpe (R4R8)

Works are now fully completed, with line marking reinstatement completed week ending 15 October 2023.

Trunkey Street, Newbridge (R4R8)

Works are completed up to Stringybark Craft Shop. Driveway concreting and bollard placement are completed. Planning, design and scoping is currently underway for the stage 2 works affronting the Gladstone Hotel.

Belubula River Walk – Stage 4 (SCCF4)

A preliminary design for the Stillingfleet cul-de-sac has been completed and needs to be setout on site prior to the design being finalised. Construction works have been deferred to commence early 2024.

Open Spaces & Facilities

Smart Hub Lighting & Access Control

CWELC lighting, Dakers Oval amenities, Redmond Oval and KGO now have their control sites online. The Smart Hub has given a strong framework which Council can now build upon, expand and add functionality.

Now that staff have access to the system, upskilling is currently underway to ensure regular operation and use. Once this is maintained it will enable better levels of reporting and user management.

During the handover with AMPED staff, there were some recommendations how the Hub can be expanded or better implemented. These may form a scope of works for future grant funding and Council consideration, should the opportunity arise.

Recycled Water Treatment Plant

The recycled water treatment plant control has been resolved however the automated reporting server is still having integration problems and has been referred to the manufacturer (Schneider) for support. Manual reporting extraction is able to be used in the interim until this is resolved.

Now Council can demonstrate reliable reporting, final permits and approvals are being undertaken. The development of internal process to discharge recycled water off-site is also underway. This includes an assessment by an independent consultant to ensure the system meets all regulatory requirements.

King George Oval Upgrades (R4R8, SCCF4, SCCF5)

Sealing works of carparks 1 and 2 are now complete.

Further design work and scoping for carpark 1, based upon revised geotechnical and budgetary requirements.

Carrington Park Toilet Refurbishments (R4R8)

This project is now complete and open to the public. A timer lock has been fitted which automatically opens the facility 8:00am to 5:30pm, 7 days a week.

The accessible carpark is currently awaiting feedback from the Disability Inclusion Working Group prior to scheduling construction.

Heritage Park New Toilets (R4R8)

A package was released through the Local Government Procurement tendering process, closing 17 November 2023.

Risk/Policy/Legislation Considerations:

Information report only.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

15) ROAD CLOSURE - GLENORIE ROAD**Department:** Infrastructure Services**Author:** Director Infrastructure Services**CSP Link:** 1. Maintain and Improve Public Infrastructure and Services**File No:** RD.RC.23**Recommendation:**

That Council;

1. Take into consideration all submissions lodged during the notification period.
2. Approve the closure of part of Glenorie Road, Millthorpe being ~476m² adjacent to 59 Glenorie Road in accordance with s.38 Roads Act 1993.
3. Give public notice for a period of 28 days of Council's intention to classify the land as Operational Land.
4. Endorse the land be exchanged as compensation for other land acquired for the purposes of the Roads Act 1993.
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.

Reason for Report:

Council approval is required as part of the road closure process.

Report:

Council was approached by a landowner in November 2022 with the proposition of a "land swap" to tidy up irregular boundaries in the interest of a mutually positive outcome.

The objective of the land acquisition would be to resolve the current constraints as well as consider the future of Glenorie Road and provision for future widening or realignment.

In the February 2023 Confidential Council Meeting, Council resolved the following;

That Council:

1. Endorse the closure of part of Glenorie Road, Millthorpe being ~476m² adjacent to 59 Glenorie Road, Millthorpe in accordance with s.38 Roads Act 1993.
2. That a further report be presented to Council to consider any submissions lodged during the notification period and formally resolve a decision on the road closure.
3. Approve the acquisition of land for the purpose of road widening being ~663m² part of Lot 287 DP 1018875 as required and the land be classified as Public Road.

4. Delegate Authority to the General Manager to negotiate the terms of the acquisition with the landowner of Lot 287 DP1018875 and execute any document necessary to facilitate the acquisition. **(Resolution 2302/018)**

Following this resolution, Council provided notification to relevant authorities in accordance with s.38B of the Roads Act 1993. The following authorities and adjoining landowners were notified on the 24 April 2023 and were to provide response to the notification within 28 days;

Authority

Adjoining Landowner

- | | |
|--|------------------------|
| - Essential Energy | - 59 Glenorie Road |
| - Transgrid | - 1187 Millthorpe Road |
| - APA Group | - 61 Forest Reefs Road |
| - Jemena Asset Management Pty Ltd | |
| - NSW Department of Planning and Environment | |
| - NSW Department of Planning and Environment: Resources & Energy | |
| - NSW Department of Industry | |
| - NSW Department of Industry: Crown Lands | |
| - NSW Department of Industry: Fisheries | |
| - Transport for NSW – Land Use Planning and Development | |
| - Transport for NSW – Western Region | |
| - The State Transit Authority | |
| - Fire and Rescue NSW | |
| - NSW Rural Fire Service | |
| - Central Tablelands Water | |
| - Forestry Corporation | |
| - Local Land Services | |
| - Office of Environment and Heritage | |
| - UGL Regional Linx | |

Additionally, notification was placed in the Blayney Chronicle on the 27 April 2023.

Following the notification period, Council received ten (10) submissions.

Nine (9) submissions detailing no objection to the proposed closure were received from;

- Department of Planning and Environment
- Essential Energy
- NSW Department of Industry: Crown Lands

- Transport for NSW
- Transgrid
- Forestry Corporation
- NSW Department of Industry: Fisheries
- Central Tablelands Water
- NSW National Parks & Wildlife Services

One (1) submission in favour of the road closure was received from the owner of 59 Glenorie Road.

As there are no objections to the road closure of part Glenorie Road, it is recommended that Council approve the closure of part of Glenorie Road, Millthorpe being ~476m² adjacent to 59 Glenorie Road in accordance with s.38 Roads Act 1993 and the land be classified as Operational Land.

Risk/Policy/Legislation Considerations:

This road closure is being undertaken in accordance with Division 3, section 38 of the Roads Act 1993.

Budget Implications:

All associated costs are within existing budget allocations.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

16) ROAD CLOSURE - MID WESTERN HIGHWAY**Department:** Infrastructure Services**Author:** Director Infrastructure Services**CSP Link:** 1. Maintain and Improve Public Infrastructure and Services**File No:** RD.RC.18**Recommendation:**

That Council;

1. Take into consideration all submissions lodged during the notification period.
2. Approve the closure of part of Mid Western Highway, Kings Plains being 2.613 ha adjacent to 3399 Mid Western Highway in accordance with s.38 Roads Act 1993.
3. Give public notice for a period of 28 days of Council's intention to classify the land as Operational Land.
4. 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.

Reason for Report:

Council approval is required as part of the road closure process.

Report:

At the July 2022 Ordinary Council Meeting, Council resolved the following;

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.*
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.*

(Resolution 2207/11)

Following this resolution, Council provided notification to relevant authorities in accordance with s.38B of the Roads Act 1993. The following authorities and adjoining landowners were notified on 19 July 2023 and were to provide response to the notification within 28 days;

Authority

- Essential Energy
- Transgrid
- APA Group
- Jemena Asset Management Pty

Adjoining Landowner

- 3481 Mid Western Highway
- 3293 Mid Western Highway
- 3399 Mid Western Highway

- Ltd
- NSW Department of Planning and Environment
 - NSW Department of Planning and Environment: Resources & Energy
 - NSW Department of Industry: Crown Lands
 - NSW Department of Industry: Fisheries
 - Transport for NSW – Land Use Planning and Development
 - Transport for NSW – Western Region
 - The State Transit Authority
 - Fire and Rescue NSW
 - NSW Rural Fire Service
 - Central Tablelands Water
 - Forestry Corporation
 - Local Land Services
 - Office of Environment and Heritage
 - UGL Regional Linx

Additionally, notification was placed in the Blayney Chronicle on 27 July 2023.

During the notification period, Council received ten (10) submissions.

Eight (8) submissions detailing no objection to the proposed closure were received from;

- Department of Planning and Environment
- Essential Energy
- NSW Department of Industry: Crown Lands
- Transport for NSW
- Transgrid
- NSW Department of Industry: Fisheries
- NSW National Parks & Wildlife Services
- UGL Regional Linx

One (1) submission in favour of the road closure was received from the owner of 3399 Midwestern Hwy.

One (1) objection was received from the owner at 3481 Mid Western Highway and noted they would be in favour if a right-of-way over the subject land was placed to enable future development.

Following some preliminary planning advice, it has been identified that the objector has not provided a valid reason to contest this proposal. The land is only currently able to be subdivided into two lots. There is no current application for a subdivision, however if this did go ahead the applicant would be required to utilise their existing access off Mid Western Highway. The applicant would not be able to utilise an access from the subject land proposed to be closed.

It is recommended that Council approve the closure of the section of road.

Risk/Policy/Legislation Considerations:

This road closure is being undertaken in accordance with Division 3, section 38 of the Roads Act 1993.

Budget Implications:

All costs associated with the road closure is to form the cost for the sale of land to the applicant.

Enclosures (following report)

Nil

Attachments (separate document)

- | | | |
|----------|---|--------|
| 1 | Submission | 1 Page |
| | <i>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.</i> | |
| 2 | Legal Correspondence | 1 Page |
| | <i>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.</i> | |

17) MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 24 OCTOBER 2023

Department: Infrastructure Services

Author: Director Infrastructure Services

CSP Link: 1. Maintain and Improve Public Infrastructure and Services

File No: TT.ME.1

Recommendation:

That Council;

1. Receive and note the minutes of the Blayney Traffic Committee Meeting, held on Tuesday 24 October 2023.
2. That Council endorse the Traffic Management Plan for the Millthorpe Market event, to be staged on 3 December 2023 on Redmond Oval as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report.
3. That Council endorse the Traffic Guidance Scheme for the Orange Running Festival, to be held on 9 & 10 March 2024 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.
4. That Council note the traffic analysis of data captured at Marshalls Lane.
5. That Council:
 - a. Establish an axle-based Load Limit across a bridge on Barry Road located at Chainage 900 from Barry.
 - b. Install R6-17 signs with load limits as per recommendations of Council's structural engineer.
 - c. Perform immediate temporary works to reduce the bridge to single lane as per the Traffic Guidance Scheme.

Reason for Report:

For Council to endorse the minutes of the Blayney Shire Council Traffic Committee meeting held 24 October 2023.

Report:

The Blayney Shire Council Traffic Committee held its meeting on 24 October 2023.

MINUTES OF THE BLAYNEY SHIRE COUNCIL TRAFFIC COMMITTEE MEETING HELD IN MEETNG ROOM 2, BLAYNEY SHIRE COUNCIL, ON 24 OCTOBER 2023, COMMENCING AT 10:00AM

PRESENT

Members: Cr John Newstead (Blayney Shire Council-Chair), Reg Rendall (State Member for Bathurst Representative), Nathan Murphy (TfNSW),

Present: Jacob Hogan (Director Infrastructure Services), Nikki Smith (Administration Officer).

APOLOGIES

Jackie Barry (TfNSW), Jason Marks (NSW Police).

DECLARATION OF INTEREST

That the following Declaration of Interest be noted.

Number	Member/Officer	Interest	Report	Reason
10	Reg Rendall	Non-Pecuniary	Remembrance Day Commemoration Service – 11 November 2023	President of the Blayney RSL Sub-Branch

CONFIRMATION OF MINUTES

MINUTES OF THE PREVIOUS MEETING BLAYNEY SHIRE COUNCIL TRAFFIC COMMITTEE MEETING HELD 4 AUGUST 2023

Recommendation:

That the Minutes of the Blayney Shire Council Traffic Committee Meeting held on 4 August 2023, be confirmed to be a true and accurate record of that meeting.

(Reg Rendall / Cr John Newstead)

MATTERS ARISING FROM THE MINUTES

Nil.

CORRESPONDENCE

Nil.

REPORTS

20231024:01 **STREET EVENT - MILLTHORPE MARKET - 3 DECEMBER 2023**

Recommendation:

That Council endorse the Traffic Management Plan for the Millthorpe Market event, to be staged on 3 December 2023 on Redmond Oval as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report.

(Reg Rendall / Nathan Murphy)

20231024:02 **STREET EVENT - ORANGE RUNNING FESTIVAL - 9 AND 10 MARCH 2024**

Recommendation:

That Council endorse the Traffic Guidance Scheme for the Orange Running Festival, to be held on 9 & 10 March 2024 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.

(Cr John Newstead / Nathan Murphy)

20231024:03 **STREET EVENT - DUNBAR DEBUTANTS PTY LTD - 16 TO 28 OCTOBER 2023**

For noting only.

Action: Council to write to Dunbar Debutants Pty Ltd advising that NSW Police did not receive an application as per conditions issued from the BSC Traffic Committee on 29/08/2023.

20231024:04 **TRAFFIC DATA - MARSHALLS LANE**

Recommendation:

That Council note the traffic analysis of data captured at Marshalls Lane.

(Reg Rendall / Nathan Murphy)

20231024:05 **LOAD LIMIT - BARRY ROAD, BARRY**

Recommendation:

That Council:

1. Establish an axle-based Load Limit across a bridge on Barry Road located at Chainage 900 from Barry.
2. Install R6-17 signs with load limits as per recommendations of Council's structural engineer.
3. Perform immediate temporary works to reduce the bridge to single lane as per the Traffic Guidance Scheme.

(Reg Rendall / Cr John Newstead)

TRAFFIC REGISTER

TRAFFIC REGISTER

Noted.

GENERAL BUSINESS

MILLTHORPE GARDEN RAMBLE - 4 AND 5 NOVEMBER 2023

Actions

For noting.

CAN4CANCER 2023 TOUR (TOUR DE CURE) - 5 TO 7 NOVEMBER 2023

Actions

For noting.

REMEMBRANCE DAY COMMEMORATION SERVICE - 11 NOVEMBER 2023

Actions

For noting.

INFORMAL MATTERS

GENERAL BUSINESS WITHOUT NOTICE

Neville Road – Temporary Bypass and Road Closure

Works are in progress with completion anticipated by the end of this week.

FUTURE MEETING DATES - 2023

8 December 2023

There being no further business, the meeting concluded at 10.36am.

Risk/Policy/Legislation Considerations:

Nil

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

Matters to be dealt with in closed committee

In accordance with the Local Government Act (1993) and the Local Government (General) Regulation 2021, 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.

18) SALE OF PART DUNGEON ROAD, KINGS PLAINS

This matter is considered to be confidential under Section 10A(2) (di) of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it.