



14 August 2018

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 Monday, 20 August 2018 at 6.00pm for consideration of the following business -

- (1) Acknowledgement of Country
- (2) Recording of Meeting Statement
- (3) Apologies for non-attendance
- (4) Disclosures of Interest
- (5) Public Forum
- (6) Mayoral Minute
- (7) Confirmation of Minutes - Ordinary Council Meeting held on 16.07.18
- (8) Matters arising from Minutes
- (9) Reports of Staff
  - (a) Executive Services
  - (b) Corporate Services
  - (c) Infrastructure Services
  - (d) Planning and Environmental Services

Yours faithfully

Rebecca Ryan  
**General Manager**

## Meeting Calendar 2018

### August

<b>Time</b>	<b>Date</b>	<b>Meeting</b>	<b>Location</b>
6.00pm	16 August 2018	Sports Council Meeting	Community Centre
10.00am	17 August 2018	Traffic Committee Meeting	Community Centre
6.00pm	20 August 2018	Council Meeting	Community Centre
9.30am	23 August 2018	Centroc Board Meeting	Canberra

### September

<b>Time</b>	<b>Date</b>	<b>Meeting</b>	<b>Location</b>
6.00pm	4 September 2018	Tourism, Towns and Village Committee Meeting	Community Centre
6.00pm	17 September 2018	Council Meeting	Community Centre
2.30pm	21 September 2018	Upper Macquarie Country Council Meeting	Kelso

### October

<b>Time</b>	<b>Date</b>	<b>Meeting</b>	<b>Location</b>
10.00am	10 October 2018	Central Tables Water Meeting	Blayney
6.00pm	15 October 2018	Council Meeting	Community Centre
10.00am	19 October 2018	Traffic Committee Meeting	Community Centre
5.00pm	25 October 2018	Cemetery Forum Meeting	Community Centre
6.00pm	25 October 2018	Access Advisory Committee Meeting	Community Centre

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**HELD ON MONDAY 20 AUGUST 2018**

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**01) PRESENTATION OF 'NEW SOUTH WALES AND THE GREAT WAR'**

**Author:** Mayor Scott Ferguson

**File No:** CR.MM.1

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**Recommendation:**

That Council accept the presentation of book entitled 'New South Wales and the Great War' and make available at the Blayney Library.

**Item:**

Minister for Veterans Affairs David Elliott and Member for Bathurst Paul Toole presented Council with a book entitled 'New South Wales and the Great War' on 17 July 2018. The presentation took place at the Lyndhurst Soldiers Memorial Hall where they presented a grant to the Village Committee for a new marble plaque listing all the other conflicts since the Second World War. The grant is part of a NSW Government investment in local war memorials to safeguard the legacy of servicemen and women beyond the Centenary of ANZAC.

The book will be available through the Blayney Library.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**02) MINUTES OF THE PREVIOUS MEETING HELD ON MONDAY 16 JULY 2018**

**Department:** Executive Services

**Author:** General Manager

**CSP Link:** 2. Local Governance and Finance

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

**Recommendation:**

That the Minutes of the Ordinary Council Meeting held on 16 July 2018, being minute numbers 1807/001 to 1807/015 be confirmed.

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY CENTRE, ON 16 JULY 2018, COMMENCING AT 6.00PM**

Present: Crs S Ferguson (Mayor), S Denton, A Ewin, D Kingham, J Newstead and B Reynolds

General Manager (Mrs R Ryan), Director Corporate Services (Mr A Franze), Acting Director Infrastructure Services (Mr N Skelly), Director Planning & Environmental Services (Mr M Dicker) and Executive Assistant to the General Manager (Mrs L Ferson)

**ACKNOWLEDGEMENT OF COUNTRY**

**RECORDING OF MEETING STATEMENT**

**APOLOGIES**

Cr David Somerville – Leave of Absence approved at the June 2018 Council Meeting (Resolution No. 1806/006).

**DISCLOSURES OF INTEREST**

The General Manager reported the following Disclosure of Interest forms had been submitted:

Councillor /Staff	Interest	Item	Pg	Report	Reason
Cr Ferguson	Pecuniary	14	67	Planning Proposal to Amend Blayney Local Environmental Plan 2012 – RU1 Primary Production to RU5 Village, 61 Forest Reefs Road, Millthorpe	Business relationship with applicant.

**MAYORAL MINUTE**

- 1807/001**      **NATIONAL AWARDS FOR LOCAL GOVERNMENT 2018**  
**RESOLVED:**  
That Council's Director Planning and Environmental Services be congratulated on receiving Highly Commended in the Next Gen Local Government Leader category at the National Awards for Local Government 2018.  
  
(Ferguson/Newstead)  
**CARRIED**

**CONFIRMATION OF MINUTES**

- 1807/002**      **MINUTES OF THE PREVIOUS MEETING HELD ON MONDAY**  
**25 JUNE 2018**  
**RESOLVED:**  
That the Minutes of the Ordinary Council Meeting held on 25 June 2018, being minute numbers 1806/001 to 1806/023 be confirmed.  
  
(Reynolds/Kingham)  
**CARRIED**

**MATTERS ARISING FROM THE MINUTES**

Nil

**EXECUTIVE SERVICES REPORTS**

- 1807/003**      **RISK, WORK HEALTH AND SAFETY QUARTERLY REPORT**  
**RESOLVED:**  
That the Risk, Work Health and Safety Report for the quarter April to June 2018 be received and noted.  
  
(Ewin/Newstead)  
**CARRIED**

- 1807/004**      **COUNCIL RESOLUTION REPORT**  
**RESOLVED:**  
That Council notes the Resolution Report to June 2018.  
  
(Reynolds/Denton)  
**CARRIED**

**CORPORATE SERVICES REPORTS**

- 1807/005**      **REPORT OF COUNCIL INVESTMENTS AS AT 30 JUNE 2018**  
**RESOLVED:**  
1. That the report indicating Council's investment position as at 30 June 2018 be received.  
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.  
  
(Newstead/Kingham)  
**CARRIED**

**COMPLIANCE AND REPORTING ACTIVITIES**

1807/006

**RESOLVED:**

That the report on Compliance and Reporting Activities for the six month period to June 2018 be received.

(Ewin/Reynolds)

**CARRIED****REVIEW OF AGENCY INFORMATION GUIDE**

1807/007

**RESOLVED:**

That Council adopt the Agency Information Guide and Proactive Release Program for the ensuing 12 months and make it available through Council's website.

(Denton/Newstead)

**CARRIED****REVIEW OF COUNCIL POLICIES**

1807/008

**RESOLVED:**

1. That the following policies be adopted as part of Council's policy review process and be included in Council's policy register:

No.	Policy Name
3I	Community Financial Assistance Policy
19Q	Enforcement Policy
25L	Street Tree Policy
25M	Fitness Instructors and Group Trainers Policy
27B	Liquid Trade Waste Policy

2. That the following policies be endorsed and placed on public exhibition for a period of not less than 28 days:

No.	Policy Name
26D	Signs as Remote Supervision
28A	Vandalism Policy

3. That the Community Financial Assistance Policy be amended to reflect the committee composition as:
  - 2 Councillors;
  - the General Manager of Newcrest Mining or their delegate; and
  - 4 Community representatives.

(Denton/Newstead)

**CARRIED**

**INFRASTRUCTURE SERVICES REPORTS****DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT**

1807/009

**RESOLVED:**

That the Director Infrastructure Services Monthly Report for July 2018 be received and noted.

(Ewin/Kingham)

**CARRIED****PROPOSED LEASE OF ROAD - GRAHAM LANE, MILLTHORPE**

1807/010

**RESOLVED:**

That Council:

- a. endorse the proposal to lease part of Graham Lane, as identified in the Director Infrastructure Services report, and
- b. the proposal be placed on public exhibition for a minimum 28 days, and Council seek input from adjoining owners, in accordance with the Roads Act 1993.
- c. upon closing of the public exhibition period and consideration of submissions, a further report be provided to Council for determination.

(Kingham/Newstead)

**CARRIED****MINUTES OF THE BLAYNEY SHIRE SPORTS COUNCIL MEETING HELD ON THURSDAY 17 MAY 2018**

1807/011

**RESOLVED:**

That the minutes of the Blayney Shire Sports Council Meeting, held on Thursday 17 May 2018, be received and noted.

(Kingham/Denton)

**CARRIED****MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE MEETING HELD ELECTRONICALLY - JULY 2018**

1807/012

**RESOLVED:**

That the recommendation of the Blayney Traffic Committee meeting held electronically in July 2018, relating to the approval for the undertaking of the Winter Fire Festival Night Market in Millthorpe be adopted.

(Reynolds/Ewin)

**CARRIED**



**PLANNING AND ENVIRONMENTAL SERVICES REPORTS**

**PLANNING PROPOSAL TO AMEND BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012 - RU1 PRIMARY PRODUCTION TO E2 ENVIRONMENTAL CONSERVATION - CADIA BIODIVERSITY OFFSET AREAS**

**1807/013**

**RESOLVED:**

That Council forward a Planning Proposal to the Minister for Planning and Environment seeking to amend the Blayney Local Environmental Plan 2012 by rezoning Lot 201 DP 1037198 and Lot 1422 DP 1168271 from RU1 Primary Production to E2 Environmental Conservation.

(Newstead/Reynolds)

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

<b>FOR</b>	<b>AGAINST</b>	
Councillor Ewin		
Councillor Ferguson		
Councillor Kingham		
Councillor Reynolds		
Councillor Newstead		
Councillor Denton		
<b>Total (6)</b>	<b>Total (0)</b>	<b>CARRIED</b>

Cr Ferguson having declared a pecuniary interest departed the Chair and left the Chambers.

The Deputy Mayor, Cr Kingham, assumed the Chair.

**PLANNING PROPOSAL TO AMEND BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012 - RU1 PRIMARY PRODUCTION TO RU5 VILLAGE, 61 FOREST REEFS ROAD MILLTHORPE**

**1807/014**

**RESOLVED:**

1. That Council, following consideration of the submissions received and the issues raised during community consultation, proceed to endorse the amendment to the Blayney Local Environmental Plan 2012,
2. That, Council, in exercising its delegation under Section 3.36 of the Environmental Planning and Assessment Act 1979, as endorsed by NSW Planning & Environment in the Gateway Determination, forward the relevant documents to Parliamentary Counsel for opinion, to amend the Blayney Local Environmental Plan 2012 by rezoning 61 Forest Reefs Road Millthorpe from Zone RU1 Primary Production to RU5 Village, and the making of the Local Environmental Plan.

(Newstead/Ewin)

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

<b>FOR</b>	<b>AGAINST</b>	
Councillor Ewin		
Councillor Kingham		
Councillor Reynolds		
Councillor Newstead		
Councillor Denton		
<b>Total (5)</b>	<b>Total (0)</b>	<b>CARRIED</b>

Cr Ferguson returned to the meeting and assumed the Chair.

### **LATE REPORTS**

<b>1807/015</b>	<b><u>APPLICATION FOR LEAVE OF ABSENCE</u></b> <b>RESOLVED:</b> That Council approve the Leave of Absence application submitted by Councillor Ewin for the August and September 2018 Council meetings.	(Denton/Newstead) <b>CARRIED</b>
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There being no further business, the meeting concluded at 6.29pm.

The Minute Numbers 1807/001 to 1807/015 were confirmed on 20 August 2018 and are a full and accurate record of proceedings of the Ordinary Meeting held on 16 July 2018.

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Cr S Ferguson  
**MAYOR**

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Mrs R Ryan  
**GENERAL MANAGER**

**03) LGNSW ANNUAL CONFERENCE 2018**

**Department:** Executive Services

**Author:** General Manager

**CSP Link:** 2. Local Governance and Finance

**File No:** GR.ME.2

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**Recommendation:**

That Council:

1. Nominates the Mayor as voting delegate to the LGNSW Annual Conference 2018.
2. Approve the registration and attendance of the Mayor, Deputy Mayor and General Manager as Blayney Shire Council Delegates to attend the LGNSW Annual Conference 2018.

**Reason for Report:**

To inform Council of the Local Government NSW (LGNSW) Annual Conference 2018 and appoint the voting delegate for Blayney Shire Council.

To seek Council approval for the registration and payment of expenses as per Council Policy for Council Delegates attending the LGNSW Annual Conference.

**Report:**

The LGNSW Annual Conference is to be held at the Entertainment Centre in Albury, from Sunday 21 October to Tuesday 23 October 2018.

Councils must register the names of their delegates for voting during formal business sessions by **Tuesday 2 October 2018**. Blayney Shire Council is entitled to 1 voting delegate, which has in the past been allocated to the Mayor.

Whilst motions are required to be submitted online by Sunday 26 August 2018 to allow printing and distribution of the Business Paper, the latest date motions can be accepted for inclusion in the Conference Business Paper is midnight on Sunday 23 September 2018.

**Risk/Policy/Legislation Considerations:**

Proposed motions should be strategic, affect members state-wide and introduce new or emerging policy issues and actions. The LGNSW Board will accept motions for inclusion in the Business Paper for the Conference only where they are consistent with the objects of the Association and relate to Local Government in NSW and/or across Australia. The issue must concern or are likely to concern Local Government as a sector, seek to advance the Local Government policy agenda of the Association and/or improve governance of the Association.

They must have a lawful purpose, be clearly worded and unambiguous in nature and cannot express preference for one or several members over one or several other members.

Should Councillors propose a motion it will require a title, adequate wording and background information with support evidenced by a Council Resolution. A motions Sub-Committee will review and group motions received and make the final decision on inclusion or not.

**Budget Implications:**

The 2018/19 budget includes an allocation for the Mayor, Deputy Mayor and General Manager to attend the LGNSW Conference.

As per Councils 'Payment of Expenses and the Provision of Facilities to the Mayor and Councillors Policy' Council will meet the Registration, Accommodation, Travel and Car Parking costs for Council Delegates attending the LGNSW Conference as authorised by Council Resolution.

Any additional accommodation costs incurred as a result of the attendance of partners shall be borne by the Councillor or Delegate.

Should a delegate be unable to attend once registered, a substitute delegate may attend in their place at no additional charge.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**04) ORANGE REGION TOURISM**

**Department:** Executive Services

**Author:** General Manager

**CSP Link:** 3. The Local and Visitor Economy

**File No:** CR.RP.4

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**Recommendation:**

That Council's initial 3 year Funding Agreement as approved by Council in November 2017 remains in place to facilitate the collaborative provision of Regional Tourism destination marketing services with Orange City and Cabonne Councils, and agree that TDO Limited remain trading as Orange360.

**Reason for Report:**

To provide an update to Councillors regarding the status of Orange Region Tourism Ltd.

**Report:**

Last November, Council accepted the proposed agreement with TDO Ltd trading as Orange Region Tourism Ltd to develop tourism focussed destination marketing and promotion strategies for the Cabonne, Orange and Blayney region for an initial period from 1 July 2017 to 30 June 2020. Council made an application jointly with Orange City and Cabonne Councils, seeking Ministerial approval to participate in the formation of this entity as per s358 of the Local Government Act (**Resolution No 1711/009**).

This request was formally submitted to the Office of Local Government (OLG) in December 2017. Following some communication seeking of clarification on the part of OLG, at the end of June 2018, Orange City Council has received advice contrary to the original recommendation. This correspondence is enclosed for Council information, which states they will not be seeking Ministerial consent given that Orange TDO Ltd have already established the new entity.

The TDO Board have met to discuss this matter and have confirmed the Board composition will be Blayney (1), Cabonne (1) and Orange (3) on a Board of (up to) 11. One change to the Constitution that has been flagged is that nominations would need to be approved by the Board. A nominations committee has been established to work through these suggestions.

Advice from TDO Ltd has been received following their Board meeting held on 31 July 2018 when they considered the constitution and governance issues for TDO Ltd, in particular the directive from OLG.

As noted in a report to the Board;

- *It was originally envisaged that TDO Limited would be wound up in favour of a new organisation, Orange Region Tourism Limited. This now seems unnecessary as TDO Limited can trade as Orange360, or any subsequent brand, providing the key stakeholders are agreed.*
- *TDO Limited now has clarity on the position of the NSW Office of Local Government, which similarly sees no necessity in creating a new structure.*
- *Orange Region Tourism Limited was established in November 2017 but has not yet traded.*
- *TDO Limited at its meeting of 8th May, 2017 agreed that the name of the new entity will be Orange Region Tourism Limited and it was noted the entity can trade under another name, if deemed necessary.*

The Board agreed that TDO Ltd will continue the current structure for administrative simplicity and prepare a paper to outline any changes to the constitution deemed necessary. Minutes of this meeting will be provided to Councillors under separate cover as soon as approved by the Board Chair.

Advice from Orange 350 General Manager is that the Board have agreed that the entity moving forward will be TDO Ltd and are now preparing a Board Membership Policy which will include a Skills Based Matrix for the Board Directors Nomination process which is currently in draft. It is proposed that this policy document will sit beside the TDO Ltd Board Constitution.

A Nominations Committee comprising of Chair Peter Robson, General Manager Orange City Council Garry Styles and Tony Cheney will advise the Board.

**Risk/Policy/Legislation Considerations:**

Irrespective of the OLG deeming the need for consent not required is a debatable point or not, their intention is clearly not to proceed any further.

The Mayor is the current representative of Blayney Shire Council on the TDO Ltd Board.

**Budget Implications:**

Council has committed to an initial 3 years funding of the collaborative sharing of Tourism promotion for the region, branded Orange360, to 30 June 2020 and the Funding Agreement is current.

Council's \$50,000 contribution is allocated in the 2018/19 adopted Operational Plan.

**Enclosures (following report)**

1 Office of Local Government Letter

2 Pages

**Attachments (separate document)**

Nil



**Office of  
Local Government**

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Our Reference: A591879  
Your Reference: D18/23918  
Contact: David Rolls  
Phone: 02 4428 4210

Orange City Council  
Scanned

Mr Garry Styles  
General Manager  
Orange City Council  
PO Box 35  
ORANGE NSW 2800

- 1 JUN 2018

CONTAINER No.

F227

Strengthening local government

Dear Mr Styles

Thank you for your letter of 14 May 2018 about the applications by Blayney Shire, Cabonne and Orange City Councils to the Minister for Local Government for consent under section 358 of the *Local Government Act 1993* to participate in the formation of Orange Region Tourism Limited, a company limited by guarantee (ORT Limited).

You will appreciate that the Councils carry the onus to '*demonstrate, to the Minister's satisfaction*' that the formation of the corporation or other entity or that participation in the formation of such "*is in the public interest*" (section 358(3)). Importantly, in determining whether or not the granting of consent is in the public interest the Minister may:

- take into account matters, other than the criteria, which the Minister considers are relevant to the application; and
- disregard any of the criteria where the Minister considers there is good reason why they should not apply in the circumstances of that application.

I understand that presently the work promoting tourism in the Orange Region is being undertaken by TDO Limited registered as a public company limited by guarantee on 28 November 2016. Notably, its directors include officials of Blayney Shire Council and Orange City Council. I understand that the desire of the councils is to 'transfer' this function to ORT Limited which is the subject of the applications to the Minister.

I also note that ORT Limited was registered as a public company limited by guarantee on 4 October 2017, shortly after the Office of Local Government (OLG) wrote to Orange City Council in August 2017 drawing to its attention a number of matters that needed to be addressed by the Councils before the application submitted to OLG in July 2017 could be properly assessed.

T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
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As ORT Limited is already registered, the three applications are otiose. As to your question as to whether or not OLG supports the transfer of functions currently undertaken by TDO Limited to ORT Limited it is noted that is a matter for the respective companies to determine. Provided no council would be acquiring a controlling interest, there would be no need to obtain the Minister's consent were each of the councils to become members of TDO Limited and/or ORT Limited to pursue this intent. Such an outcome would be preferable to the formation of another new company limited by guarantee (for what appears to be essentially the same purpose).

In light of the information now to hand it is not proposed to submit the applications to the Minister. Subject to any further representations from the Councils, OLG intends to take no further action on the applications.

Should you require any further information please feel free to contact Mr David Rolls, Senior Lawyer on (02) 4428 4210.

Yours sincerely



**Tim Hurst**  
**Acting Chief Executive**  
**Office of Local Government**

25/5/18



**05) REPORT OF COUNCIL INVESTMENTS AS AT 31 JULY 2018**

**Department:** Corporate Services

**Author:** Chief Financial Officer

**CSP Link:** 2. Local Governance and Finance

**File No:** FM.IN.1

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**Recommendation:**

1. That the report indicating Council's investment position as at 31 July 2018 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

**Reason for Report:**

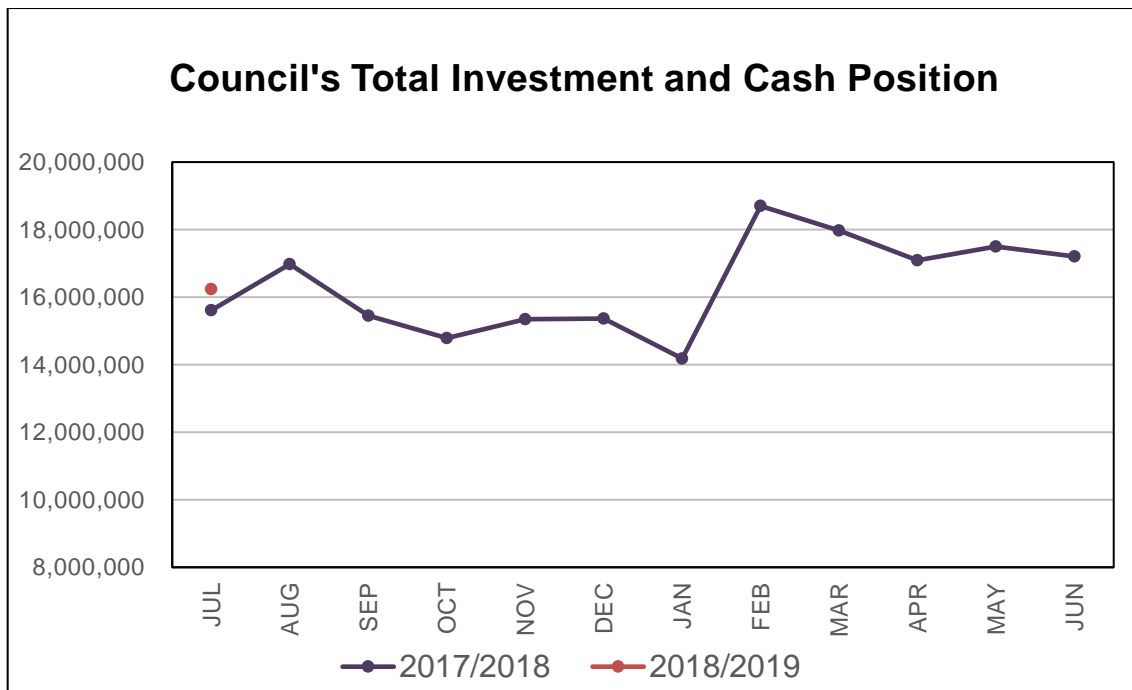
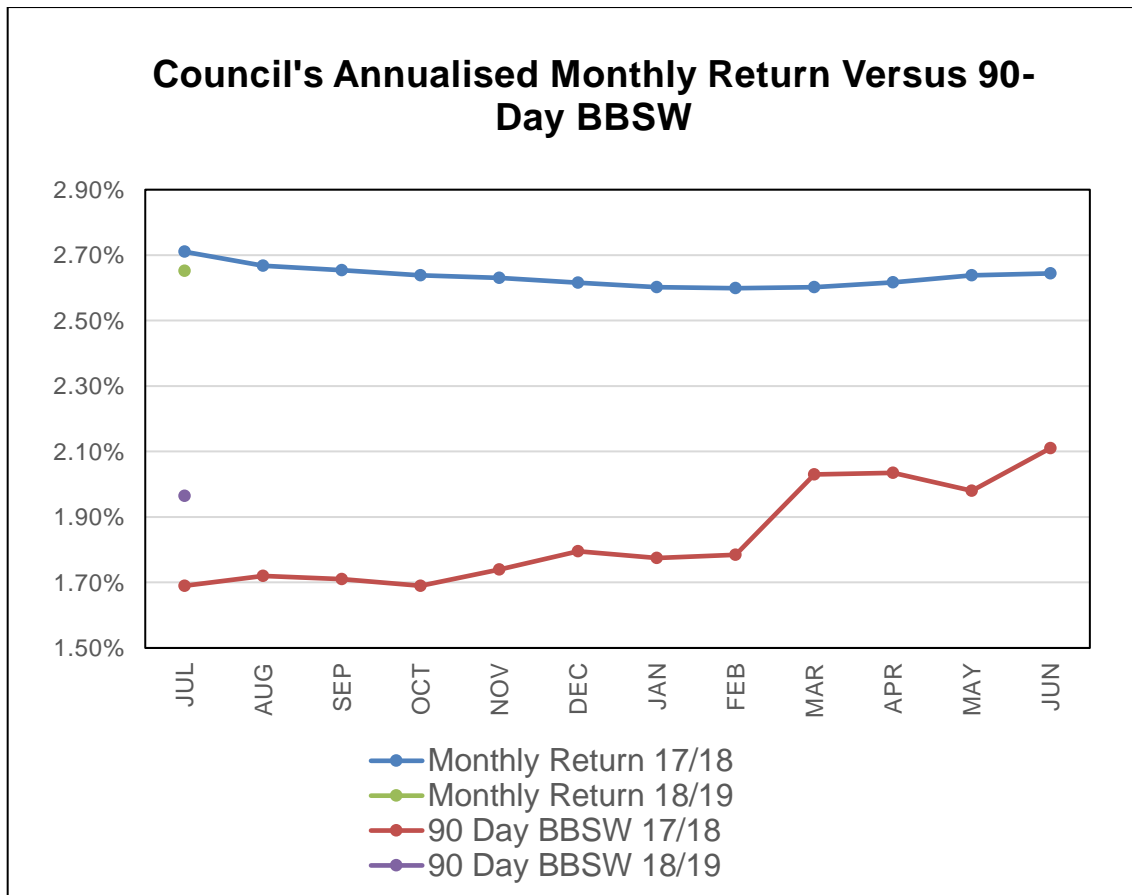
For Council to endorse the Report of Council Investments as at 31 July 2018.

**Report:**

This report provides details of Council's Investment Portfolio as at 31 July 2018.

Council's total investment and cash position as at 31 July 2018 is \$16,233,658. Investments earned interest of \$37,393 for the month of July 2018.

Council's monthly net return on Term Deposits annualised for July of 2.65% outperformed the 90 day Bank Bill Swap Rate of 1.96%.



<b>REGISTER OF INVESTMENTS AND CASH AS AT 31 JULY 2018</b>				
<b>Institution</b>	<b>Rating</b>	<b>Maturity</b>	<b>Amount \$</b>	<b>Interest Rate</b>
AMP Bank	A1/A	14/08/2018	500,000	2.600%
AMP Bank	A1/A	28/08/2018	500,000	2.600%
Bendigo/AdelaideBank	A2/BBB+	04/09/2018	1,000,000	2.500%
ING Bank	A1/A	04/09/2018	500,000	2.600%
ING Bank	A1/A	18/09/2018	500,000	2.590%
Bankwest	A1+/AA-	02/10/2018	500,000	2.550%
Bankwest	A1+/AA-	16/10/2018	500,000	2.550%
Bankwest	A1+/AA-	30/10/2018	500,000	2.550%
Bankwest	A1+/AA-	13/11/2018	500,000	2.550%
AMP Bank	A1/A	20/11/2018	500,000	2.650%
Bendigo/Adelaide Bank	A2/BBB+	20/11/2018	500,000	2.550%
MyState Bank Ltd	A2/BBB	04/12/2018	500,000	2.650%
Auswide Bank Ltd	A2/BBB	11/12/2018	500,000	2.600%
Bankwest	A1+/AA-	08/01/2019	500,000	2.550%
NAB	A1+/AA-	22/01/2019	500,000	2.600%
MyState Bank Ltd	A2/BBB	05/02/2019	500,000	2.700%
MyState Bank Ltd	A2/BBB	19/02/2019	500,000	2.700%
MyState Bank Ltd	A2/BBB	05/03/2019	500,000	2.700%
AMP Bank	A1/A	19/03/2019	500,000	2.750%
ANZ	A1+/AA-	02/04/2019	500,000	2.770%
ANZ	A1+/AA-	16/04/2019	500,000	2.790%
AMP Bank	A1/A	30/04/2019	500,000	2.800%
AMP Bank	A1/A	14/05/2019	500,000	2.750%
ME Bank	A2/BBB	21/05/2019	500,000	2.750%
Auswide Bank Ltd	A2/BBB	04/06/2019	500,000	2.830%
Bankwest	A1+/AA-	02/07/2019	500,000	2.800%
ME Bank	A2/BBB	30/07/2019	500,000	2.830%
<b>Total Investments</b>			<b>14,000,000</b>	<b>2.661%</b>
Commonwealth Bank - At Call Account*			-	1.400%
Commonwealth Bank Balance – General*			634,360	1.350%
Tcorp IM Cash Fund			1,599,298	1.990%
<b>TOTAL INVESTMENTS &amp; CASH</b>			<b>16,233,658</b>	
Benchmarks: BBSW 90 Day Index*		1.965%		
RBA Cash Rate*		1.500%		
*% Interest rates as at 31/07/2018				

<b>Summary of Investment Movements - July 2018</b>		
<b>Financial Institution</b>	<b>Invst/(Recall) Amount \$</b>	<b>Commentary</b>
Bankwest	(509,990)	Term Deposit Matured 03/07/2018
Bankwest	500,000	Term Deposit Reinvested 03/07/2018
ME Bank	(508,344)	Term Deposit Redeemed 17/07/2018
ME Bank	(508,625)	Term Deposit Matured 31/07/2018
ME Bank	500,000	Term Deposit Reinvested 31/07/2018

<b>Short Term Credit Rating**</b>	<b>Policy Maximum</b>	<b>Current Holding %</b>	<b>Current Holding \$</b>
A-1+	100%	32%	4,500,000
A-1	80%	29%	4,000,000
A-2	60%	39%	5,500,000
A-3	40%	0%	-
			14,000,000

\*\*Councils current investment portfolio contains only short term investments and has therefore been rated accordingly.

<b>Individual Institution Limit</b>	<b>Rating</b>	<b>Policy Maximum</b>	<b>Actual Maximum</b>
AMP Bank	A1/A	3,000,000	3,000,000
ANZ	A1+/AA-	3,000,000	1,000,000
Auswide Bank	A2/BBB	3,000,000	1,000,000
Bankwest	A1+/AA-	3,000,000	3,000,000
Bendigo & Adelaide Bank	A2/BBB+	3,000,000	1,500,000
ING Bank	A1/A	3,000,000	1,000,000
ME Bank	A2/BBB	3,000,000	1,000,000
MyState Bank Limited	A2/BBB	3,000,000	2,000,000
NAB	A1+/AA-	3,000,000	500,000

<b><u>RESTRICTED CASH, CASH EQUIVALENTS &amp; INVESTMENTS</u></b>	
	<b>\$ 000's</b>
External Restrictions - Sewer***	5,342
External Restrictions – Unexpended Grants	132
External Restrictions - Other***	2,591
	<b>8,065</b>
Internal Cash Restrictions***	6,543
Unrestricted	1,625
	<b>8,168</b>
<b>TOTAL CASH &amp; INVESTMENTS</b>	<b>16,234</b>

\*\*\* Cash restrictions represent the audited balance as at 30 June 2017, adjusted for known changes to restrictions to the end of the current month. Figures are incomplete and exclude year adjustments and accruals and will be updated following audit finalisation of the 2017/18 Statement of Accounts.

#### CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

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

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

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

#### **Budget Implications:**

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

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

Nil

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

Nil

**06) DRAFT STATEMENT OF FINANCIAL REPORTS BY COUNCIL  
2017/18****Department:** Corporate Services**Author:** Chief Financial Officer**CSP Link:** 2. Local Governance and Finance**File No:** FM.FR.1

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**Recommendation:**

1. That the statement in accordance with Section 413(2)(c) of the Local Government Act 1993, and Clause 215 of the Local Government (General) Regulation (2005) for the General Purpose Financial Statements for the year ending 30 June 2018 be made.
2. That the certification of the Responsible Accounting Officer be received.
3. That the statement in accordance with the requirements of the Code of Accounting Practice in relation to the Special Purpose Financial Statements for the year ending 30 June 2018 be made.
4. That the statements be signed by the Mayor, Deputy Mayor, the General Manager and the Responsible Accounting Officer.
5. That the General Purpose Financial Statements and Special Purpose Financial Statements be referred to audit and Intentus Chartered Accountants, as the contracted agent for the NSW Audit Office, be invited to complete the audit as per the requirements of Section 413(1) of the Local Government Act (1993) and Local Government (General) Regulation (2005).
6. That the transfers in of \$1.117m and transfers out of \$1.107m, being a net transfer in of \$10k, to Council's external cash restrictions be approved.
7. That the transfers in of \$4.096m and transfers out of \$3.619m, being a net transfer in of \$477k, to Council's internal cash restrictions be approved for the purposes as detailed in Schedule 1.
8. That the 2018/19 supplementary expenditure votes for carryover works from 2017/18 to 2018/19 totalling \$3.29m funded from Internal Cash Restrictions of \$1.45m and External Cash Restrictions of \$1.84m as per the attached schedule be approved.

**Reason for Report:**

To approve the referral to audit of Council's Draft General Purpose Financial Statements (GPFS) and Draft Special Purpose Financial Statements (SPFS), and to seek Council approval by resolution for both the GPFS and SPFS. To seek endorsement of Council for Restricted Cash transfers in 2017/18 and expenditure votes for carryover works from 2017/18 to 2018/19.

**Report:**

Section 413(3) of the Local Government Act (1993), requires Council to prepare Financial Reports and to refer those reports for audit within 4 months after the end of the financial year (s416 (1)).

Council is required to present a statement on its opinion on the reports under Local Government s413 (2)(c). Copies of the Statements required are enclosed.

Whilst the Financial Statements are in the final phases of preparation, it is a requirement that these statements be signed prior to completion in order for the audit to occur. The timing for audit is proposed for 24-26 September 2018.

Once the auditor has completed the audit and has submitted their report, Council must fix a date for a meeting at which the auditor's report will be presented, and give public notice of the date. This date must be at least 7 days after the date on which notice is given, but not more than 5 weeks after the auditor's reports are given to Council.

The statutory deadline for finalisation, audit and lodgement of financial reporting is 31 October 2018.

It is anticipated that the NSW Audit Office appointed auditor, Intentus, will present their report to the Meeting of Council on 19 November 2018.

The draft financial statements before the revaluation of Building assets currently have Council in a strong position. Council has presented a draft net operating result of \$6.44m, with a net operating result before the inclusion of grants and contributions for capital purposes of \$376k.

Council's Operating Performance Ratio measures the ability of Council to contain operating expenditure within its operating revenue. In 2017/18 the consolidated draft ratio is 0.5% being above the Office of Local Government benchmark of 0%. By fund, 0.69% for the General Fund and -1.46% for the Sewer Fund. This figure will be affected positively or negatively once the current revaluation of abovementioned assets is finalised as it will impact upon the depreciation expense of these assets.

Council's financial position remains stable with the ability to pay current obligations above the industry benchmark. Council's consolidated unrestricted current ratio is 3.19x with the Office of Local Government benchmark at 1.5x.

Enclosed is a summary of draft 2017/18 key performance indicators by fund.

Council completed over \$14m worth of capital works in 2017/18. Significant capital works include:

- Completed works of \$10.6m on Council's road network.
  - \$5.49m on construction on the Southern Cadia Access Route along Errowanbang Road
  - \$1.13m of construction on Browns Creek Road

- \$404k on Belubula Way
- \$219k on Barry Road
- \$763k on resealing and heavy patching program throughout the Shire.
- \$2.01m on bridge renewals with works completed on Newbridge Rd, Gallymont Rd, Felltimber Rd, Coombing Ck, Dowsetts Ln & Dirt Hole Ck.
- Footpath construction works totalled \$453k. \$109k completed works on the shared pathways in south Adelaide Street Blayney, \$112k on Tucker St Blayney and \$79k in Olive St Mandurama as part of Council's Active Movement Strategy.
- Plant replacement of \$1.93m including the purchase of 2 Watercarts, 2 Rollers, 8 tonne truck and 4 light vehicles as part of a temporary fleet to complete works on Errowanbang Road. 5 trucks, an excavator, a tractor and a number of light vehicles were also replaced as part of Council's ongoing plant replacement program.
- Building works of \$678k included \$212k on improvements at CentrePoint to replace the roof on the Scout Hall and commence works to replace the mechanical heating duct. \$239k to complete replacement of RFS Bushfire shed replacements and \$190k to install solar panels and energy efficient lighting as part of the innovations funding.
- \$310k on other structures including \$46k on seating at the Blayney Showground, \$106k on Shire improvements funded through the VEP program.
- \$183k was spent on works at the Sewerage Treatment Plant including \$135k on pump station and electrical improvements.

A number of adjustments have been made to Council's Restricted Cash since the schedule adopted with the third Quarterly Budget Review. A number of amendments to cash restrictions have been based on actual results for the financial year.

The following is a summary of proposed movements in cash restrictions following a robust review of funds held and their associated purpose. The recommended changes to Internal Restrictions together with actual activity for the financial year will result in unrestricted cash balance of \$0k. The internal cash restrictions show \$4.096m transfers in and \$3.6198m transfers out (nett \$477k). The external cash restrictions show \$1.117m transfers in and \$1.107m transfers out (nett \$10k).

### **Recommendation of Changes to Internal Cash Restrictions**

Remove existing Internal Cash Restrictions:

Inala Units (sold December 2017)	\$94,049*
<i>*(Balance transferred to the Property Account)</i>	

The enclosed schedule of Restricted Cash Movements provides an outline of movements for the 2017/18 year. The movements in cash restrictions are subject to change as a result of any audit adjustments and will require endorsement of Council in the event that there are audit amendments.



Enclosed for information of Councillors are the Statements for Signature by the Mayor and Deputy Mayor, General Manager and Responsible Accounting Officer, 2017/18 Draft Primary Financial Reports for referral to Council's Auditor.

Also enclosed for endorsement by Council is a schedule of supplementary budget votes for carryover works from 2017/18 to 2018/19. This is required to ensure expenditure incurred for works in progress or proposed works is authorised by Council. Approval in the amount of \$3.29m is sought. These works are funded by external cash restrictions of \$1.45m and internal cash restrictions of \$1.84m

**Risk/Policy/Legislation Considerations:**

This year Council undertook a revaluation of Operational Land, Specialised and Non Specialised Buildings. Identified through this review was a significant error in the revaluation of CentrePoint due to the previous valuation being based on the incorrect building size (1,113m<sup>2</sup> vs 3,713m<sup>2</sup>).

As a result a prior period adjustment of approximately \$5.4m will be corrected through the asset revaluation reserve.

The review also identified a number of building assets that were duplicated under both Specialised Buildings and Other Structures asset categories. Whilst not a material adjustment on its own, the error will be offset against the valuation error for CentrePoint as a consolidated prior period error.

A more rigorous review has since been undertaken by Council staff across all asset categories to minimise errors in the future and in particular to buildings to ensure that there is consistency in the new and previously valued data.

**CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER**

I, Tiffaney Irlam, certify that to the best of my knowledge that:

- The draft General Purpose Financial Statements attached have been prepared in accordance with the requirements of the:
  - the *Local Government Act 1993 (NSW)* (as amended) and the regulations made thereunder
  - the Australian Accounting Standards and professional pronouncements, and
  - Local Government Code of Accounting Practice and Financial Reporting.
- The draft Special Purpose Financial Statements attached have been prepared in accordance with the requirements of the:
  - NSW Office of Water Best-Practice Management of Water and Sewer Guidelines, and
  - Local Government Code of Accounting Practice and Financial Reporting.
- To the best of my knowledge and belief, these financial statements:
  - present fairly the Council's operating result and financial position for the year,

- present fairly the operating result and financial position for each of Council's declared business activities for the year, and
- accord with Council's accounting and other records .

**Budget Implications:**

The income statement reports Council's original budget against actuals. As at 30 June 2018 the Income from Continuing Operations was \$23.42m compared to \$26.01m budgeted. This was due to a number of forecast capital grants being unsuccessful and a delay in recognition of funding for capital works that are running behind schedule. Profit on sale of assets was also less than anticipated due to the disposal of 6 timber bridges that were replaced during the financial year with a loss on disposal of \$266k.

Operating expenditure of \$16.98m tracked well compared to \$16.94m budgeted. Resulting in a net operating result before grants and contributions provided for capital purposes of \$378k compared to \$226k budgeted.

Council's original budget for capital expenditure for 2017/18 was \$19.26m before the inclusion of carryover works from 2016/17. Significant works completed are detailed above.

**Enclosures (following report)**

1	Draft 2017/18 General Purpose Financial Statements	7 Pages
2	Draft 2017/18 Special Purpose Financial Statements	3 Pages
3	Draft Note 6c - Restricted Cash, Cash Equivalents & Investments	2 Pages
4	Draft 2017/18 Statement of Performance Measures	1 Page
5	Draft 2017/18 Note 6c Summary of Restricted Movement	2 Pages
6	Schedule of Carryover Works Funded from Restricted Cash	2 Pages

**Attachments (separate document)**

Nil

# Blayney Shire Council

GENERAL PURPOSE FINANCIAL STATEMENTS  
for the year ended 30 June 2018



*"an innovative, inspirational  
and enjoyable environment..."*

## Blayney Shire Council

## Income Statement

for the year ended 30 June 2018

Original unaudited budget 2018	\$ '000	Notes	Actual 2018	Actual 2017
<b>Income from continuing operations</b>				
<i>Revenue:</i>				
10,555	Rates and annual charges	3a	10,618	10,479
1,846	User charges and fees	3b	2,106	2,399
375	Interest and investment revenue	3c	413	514
227	Other revenues	3d	375	221
3,450	Grants and contributions provided for operating purposes	3e,f	3,552	6,419
8,924	Grants and contributions provided for capital purposes	3e,f	6,061	2,314
<i>Other income:</i>				
713	Net gains from the disposal of assets	5	292	159
	Net share of interests in joint ventures and associates using the equity method	17	–	144
26,090	<b>Total income from continuing operations</b>		<b>23,417</b>	<b>22,649</b>
<b>Expenses from continuing operations</b>				
6,516	Employee benefits and on-costs	4a	6,486	6,545
202	Borrowing costs	4b	171	157
2,224	Materials and contracts	4c	2,394	3,476
5,400	Depreciation and amortisation	4d	5,354	4,973
	Impairment of investments	4d	–	–
2,598	Other expenses	4e	2,573	2,674
	Net losses from the disposal of assets	5	–	–
	Net share of interests in joint ventures and associates using the equity method	17	–	–
16,940	<b>Total expenses from continuing operations</b>		<b>16,978</b>	<b>17,825</b>
<b>9,150</b>	<b>Operating result from continuing operations</b>		<b>6,439</b>	<b>4,824</b>
	<b>Operating result from discontinued operations</b>	22	–	–
<b>9,150</b>	<b>Net operating result for the year</b>		<b>6,439</b>	<b>4,824</b>
9,150	Net operating result attributable to Council		6,439	4,824
	Net operating result attributable to non-controlling interests		–	–
226	Net operating result for the year before grants and contributions provided for capital purposes		<b>378</b>	<b>2,510</b>

## Blayney Shire Council

Statement of Comprehensive Income  
for the year ended 30 June 2018

\$ '000	Notes	2018	2017
<b>Net operating result for the year (as per Income Statement)</b>		<b>6,439</b>	<b>4,824</b>
<b>Other comprehensive income:</b>			
Amounts that will not be reclassified subsequently to the operating result			
Gain (loss) on revaluation of IPP&E	10a	113	693
Adjustment to correct prior period errors		–	–
Impairment (loss) reversal relating to IPP&E	10a	–	–
Other comprehensive income – joint ventures and associates	17b	–	286
Other movements		–	–
<b>Total items which will not be reclassified subsequently to the operating result</b>		<b>113</b>	<b>979</b>
Amounts that will be reclassified subsequently to the operating result when specific conditions are met			
Nil			
Realised (gain) loss on available for sale investments recognised in operating result		–	–
Gain (loss) on revaluation of available for sale investments		–	–
Realised (gain) loss from other reserves recognised in operating result		–	–
Gain (loss) on revaluation of other reserves		–	–
Other movements		–	–
<b>Total items which will be reclassified subsequently to the operating result when specific conditions are met</b>		<b>–</b>	<b>–</b>
<b>Total other comprehensive income for the year</b>		<b>113</b>	<b>979</b>
<b>Total comprehensive income for the year</b>		<b>6,552</b>	<b>5,803</b>
Total comprehensive income attributable to Council		6,552	5,803
Total comprehensive income attributable to non-controlling interests		–	–

## Blayney Shire Council

## Statement of Financial Position

as at 30 June 2018

\$ '000	Notes	2018	2017
<b>ASSETS</b>			
<b>Current assets</b>			
Cash and cash equivalents	6a	7,215	9,743
Investments	6b	10,000	7,500
Receivables	7	1,976	1,288
Inventories	8	1,025	1,063
Other	8	67	63
Non-current assets classified as 'held for sale'	9	391	650
<b>Total current assets</b>		<b>20,674</b>	<b>20,307</b>
<b>Non-current assets</b>			
Investments	6b	–	–
Receivables	7	–	126
Inventories	8	–	–
Infrastructure, property, plant and equipment	10	203,324	195,034
Investments accounted for using the equity method	17	20,975	20,975
Investment property	11	–	–
Intangible assets	12	132	173
Non-current assets classified as 'held for sale'	9	–	–
Other	8	–	–
<b>Total non-current assets</b>		<b>224,431</b>	<b>216,308</b>
<b>TOTAL ASSETS</b>		<b>245,105</b>	<b>236,615</b>
<b>LIABILITIES</b>			
<b>Current liabilities</b>			
Payables	13	1,148	2,143
Income received in advance	13	260	221
Borrowings	13	317	202
Provisions	14	1,851	1,753
Liabilities associated with assets classified as 'held for sale'	9	–	–
<b>Total current liabilities</b>		<b>3,576</b>	<b>4,319</b>
<b>Non-current liabilities</b>			
Payables	13	2	2
Income received in advance	13	–	–
Borrowings	13	4,439	1,780
Provisions	14	801	779
Investments accounted for using the equity method	17	–	–
Liabilities associated with assets classified as 'held for sale'	9	–	–
<b>Total non-current liabilities</b>		<b>5,242</b>	<b>2,561</b>
<b>TOTAL LIABILITIES</b>		<b>8,818</b>	<b>6,880</b>
<b>Net assets</b>		<b>236,287</b>	<b>229,735</b>
<b>EQUITY</b>			
Accumulated surplus	15	100,336	93,897
Revaluation reserves	15	135,951	135,838
Other reserves	15	–	–
<b>Council equity interest</b>		<b>236,287</b>	<b>229,735</b>
Non-controlling equity interests		–	–
<b>Total equity</b>		<b>236,287</b>	<b>229,735</b>

Blayney Shire Council

Statement of Changes in Equity  
for the year ended 30 June 2018

	Notes	2018				2017									
\$ '000		Accumulated surplus	IPP&E revaluation reserve	Available for sale reserve	Other reserves (specify)	Council interest	Non-controlling interest	Total equity	Accumulated surplus	IPP&E revaluation reserve	Available for sale reserve	Other reserves (specify)	Council interest	Non-controlling interest	Total equity
<b>Opening balance</b>		93,887	135,838	-	-	229,735	-	229,735	88,787	135,145	-	-	223,932	-	223,932
Correction of prior period errors	15 (b)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Changes in accounting policies	15 (c)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Restated opening balance</b>		<b>93,887</b>	<b>135,838</b>	<b>-</b>	<b>-</b>	<b>229,735</b>	<b>-</b>	<b>229,735</b>	<b>88,787</b>	<b>135,145</b>	<b>-</b>	<b>-</b>	<b>223,932</b>	<b>-</b>	<b>223,932</b>
Net operating result for the year prior to correction of errors and changes in accounting policies															
Correction of prior period errors	15 (b)	6,439	-	-	-	6,439	-	6,439	4,824	-	-	-	4,824	-	4,824
Changes in accounting policies	15 (c)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Net operating result for the year</b>		<b>6,439</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>6,439</b>	<b>-</b>	<b>6,439</b>	<b>4,824</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4,824</b>	<b>-</b>	<b>4,824</b>
<b>Other comprehensive income</b>															
- Correction of prior period errors	15 (b)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
- Changes in accounting policies	15 (c)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
- Gain (loss) on revaluation of IPP&E	10a	-	113	-	-	113	-	113	-	693	-	-	693	-	693
- Gain (loss) on revaluation of available for sale investments		-	-	-	-	-	-	-	-	-	-	-	-	-	-
- Realised (gain) loss on available for sale investments recognised in operating result		-	-	-	-	-	-	-	-	-	-	-	-	-	-
- Gain (loss) on revaluation of other reserves		-	-	-	-	-	-	-	-	-	-	-	-	-	-
- Realised (gain) loss from other reserves recognised in operating result		-	-	-	-	-	-	-	-	-	-	-	-	-	-
- Transfers to Income Statement		-	-	-	-	-	-	-	-	-	-	-	-	-	-
- Impairment (loss) reversal relating to IPP&E	10a	-	-	-	-	-	-	-	-	-	-	-	-	-	-
- Impairment (reversal) of available for sale investments to (from) operating result		-	-	-	-	-	-	-	-	-	-	-	-	-	-
- Joint ventures and associates	17b	-	-	-	-	-	-	-	286	-	-	-	286	-	286
- Other reserves movements		-	-	-	-	-	-	-	-	-	-	-	-	-	-
- Other reserves movements (enter details here)		-	-	-	-	-	-	-	-	-	-	-	-	-	-
- Other reserves movements (enter details here)		-	-	-	-	-	-	-	-	-	-	-	-	-	-
- Other reserves movements (enter details here)		-	-	-	-	-	-	-	-	-	-	-	-	-	-
- Other movements (enter details here)		-	-	-	-	-	-	-	-	-	-	-	-	-	-
- Other movements (enter details here)		-	-	-	-	-	-	-	-	-	-	-	-	-	-
- Other movements (enter details here)		-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Other comprehensive income</b>		<b>-</b>	<b>113</b>	<b>-</b>	<b>-</b>	<b>113</b>	<b>-</b>	<b>113</b>	<b>286</b>	<b>693</b>	<b>-</b>	<b>-</b>	<b>979</b>	<b>-</b>	<b>979</b>
<b>Total comprehensive income (c&amp;d)</b>		<b>6,439</b>	<b>113</b>	<b>-</b>	<b>-</b>	<b>6,552</b>	<b>-</b>	<b>6,552</b>	<b>5,110</b>	<b>693</b>	<b>-</b>	<b>-</b>	<b>5,803</b>	<b>-</b>	<b>5,803</b>
Distributions to/(contributions from) non-controlling interests		-	-	-	-	-	-	-	-	-	-	-	-	-	-
Transfers between equity items		-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Equity – balance at end of the reporting period</b>		<b>100,336</b>	<b>135,951</b>	<b>-</b>	<b>-</b>	<b>236,287</b>	<b>-</b>	<b>236,287</b>	<b>93,897</b>	<b>135,838</b>	<b>-</b>	<b>-</b>	<b>229,735</b>	<b>-</b>	<b>229,735</b>

Blayney Shire Council

Statement of Cash Flows  
for the year ended 30 June 2018

Original unaudited budget 2018	\$ '000	Notes	Actual 2018	Actual 2017
<b>Cash flows from operating activities</b>				
<b>Receipts:</b>				
Rates and annual charges			10,622	10,494
User charges and fees			1,548	2,239
Investment and interest revenue received			430	475
Grants and contributions			9,614	8,740
Bonds, deposits and retention amounts received			12	9
Other			258	1,370
<b>Payments:</b>				
Employee benefits and on-costs			(6,366)	(6,393)
Materials and contracts			(3,379)	(3,614)
Borrowing costs			(157)	(141)
Bonds, deposits and retention amounts refunded			-	-
Other			(2,575)	(2,867)
Net cash from boundary adjustments			-	-
-	<b>Net cash provided (or used in) operating activities</b>		<b>10,007</b>	<b>10,312</b>
<b>Cash flows from investing activities</b>				
<b>Receipts:</b>				
Sale of investment securities			-	-
Sale of investment property			-	-
Sale of real estate assets			-	45
Sale of infrastructure, property, plant and equipment			1,346	341
Sale of shares in companies			-	-
Sale of interests in joint ventures and associates			-	-
Sale of disposal groups			-	-
Deferred debtors receipts			130	8
Distributions received from joint ventures and associates			-	-
Other investing activity receipts			-	-
<b>Payments:</b>				
Purchase of investment securities			(2,500)	8,500
Purchase of investment property			-	-
Purchase of infrastructure, property, plant and equipment			(14,285)	(10,268)
Purchase of real estate assets			-	-
Purchase of shares in companies			-	-
Purchase of interests in joint ventures and associates			-	-
Deferred debtors and advances made			-	(80)
Contributions paid to joint ventures and associates			-	-
Other investing activity payments			-	-
-	<b>Net cash provided (or used in) investing activities</b>		<b>(15,309)</b>	<b>(1,454)</b>



Blayney Shire Council

Statement of Cash Flows  
for the year ended 30 June 2018

<b>Cash flows from financing activities</b>			
<b>Receipts:</b>			
Nil			
Proceeds from borrowings and advances		-	-
Proceeds from finance leases		-	-
Other financing activity receipts		-	-
<b>Payments:</b>			
Repayment of borrowings and advances		2,774	(190)
Repayment of finance lease liabilities		-	-
Distributions to non-controlling interests		-	-
Other financing activity payments		-	-
<b>-</b>	<b>Net cash flow provided (used in) financing activities</b>	<b>2,774</b>	<b>(190)</b>
<b>-</b>	<b>Net increase/(decrease) in cash and cash equivalents</b>	<b>(2,528)</b>	<b>8,668</b>
Plus: cash and cash equivalents – beginning of year	16a	9,743	1,075
<b>-</b>	<b>Cash and cash equivalents – end of the year</b>	<b>7,215</b>	<b>9,743</b>
Additional Information:			
plus: Investments on hand – end of year	6b	10,000	7,500
	<b>Total cash, cash equivalents and investments</b>	<b>17,215</b>	<b>17,243</b>

# Blayney Shire Council

SPECIAL PURPOSE FINANCIAL STATEMENTS  
for the year ended 30 June 2018



*"an innovative, inspirational  
and enjoyable environment..."*

## Blayney Shire Council

Income Statement of Council's Sewerage Business Activity  
for the year ended 30 June 2018

\$ '000	2018	2017
<b>Income from continuing operations</b>		
Access charges	1,125	1,061
User charges	173	133
Liquid trade waste charges	68	74
Fees	–	–
Interest	133	153
Grants and contributions provided for non-capital purposes	3	20
Profit from the sale of assets	–	–
Share of profit from equity accounted investment	–	–
Other income	7	9
<b>Total income from continuing operations</b>	<b>1,509</b>	<b>1,450</b>
<b>Expenses from continuing operations</b>		
Employee benefits and on-costs	259	299
Borrowing costs	51	54
Materials and contracts	564	601
Depreciation, amortisation and impairment	558	566
Loss on sale of assets	1	–
Calculated taxation equivalents	–	–
Debt guarantee fee (if applicable)	–	–
Share of loss from equity accounted investment	–	–
Other expenses	98	103
<b>Total expenses from continuing operations</b>	<b>1,531</b>	<b>1,623</b>
<b>Surplus (deficit) from continuing operations before capital amounts</b>	<b>(22)</b>	<b>(173)</b>
Grants and contributions provided for capital purposes	6	38
<b>Surplus (deficit) from continuing operations after capital amounts</b>	<b>(16)</b>	<b>(135)</b>
Surplus (deficit) from discontinued operations	–	–
<b>Surplus (deficit) from all operations before tax</b>	<b>(16)</b>	<b>(135)</b>
Less: corporate taxation equivalent (30%) [based on result before capital]	–	–
<b>SURPLUS (DEFICIT) AFTER TAX</b>	<b>(16)</b>	<b>(135)</b>
Plus opening retained profits	9,308	9,443
Plus/less: prior period adjustments	–	–
Plus/less: other adjustments (details here...)	–	–
Plus adjustments for amounts unpaid:		
– Taxation equivalent payments	–	–
– Debt guarantee fees	–	–
– Corporate taxation equivalent	–	–
Less:		
– Tax equivalent dividend paid	–	–
– Surplus dividend paid	–	–
<b>Closing retained profits</b>	<b>9,292</b>	<b>9,308</b>
Return on capital %	0.1%	-0.6%
Subsidy from Council	528	608
Calculation of dividend payable:		
Surplus (deficit) after tax	(16)	(135)
Less: capital grants and contributions (excluding developer contributions)	–	–
<b>Surplus for dividend calculation purposes</b>	<b>–</b>	<b>–</b>
Potential dividend calculated from surplus	–	–

## Blayney Shire Council

Statement of Financial Position – Council's Sewerage Business Activity  
as at 30 June 2018

\$ '000	2018	2017
<b>ASSETS</b>		
<b>Current assets</b>		
Cash and cash equivalents	5,208	695
Investments	500	4,647
Receivables	43	39
Inventories	–	–
Other	–	–
Non-current assets classified as held for sale	–	–
<b>Total current Assets</b>	<b>5,751</b>	<b>5,381</b>
<b>Non-current assets</b>		
Investments	–	–
Receivables	–	–
Inventories	–	–
Infrastructure, property, plant and equipment	20,146	20,548
Investments accounted for using equity method	–	–
Investment property	–	–
Intangible assets	–	–
Other	–	–
<b>Total non-current assets</b>	<b>20,146</b>	<b>20,548</b>
<b>TOTAL ASSETS</b>	<b>25,897</b>	<b>25,929</b>
<b>LIABILITIES</b>		
<b>Current liabilities</b>		
Bank overdraft	–	–
Payables	45	22
Income received in advance	–	–
Borrowings	43	40
Provisions	–	–
<b>Total current liabilities</b>	<b>88</b>	<b>62</b>
<b>Non-current liabilities</b>		
Payables	–	–
Income received in advance	–	–
Borrowings	567	610
Provisions	–	–
<b>Total non-current liabilities</b>	<b>567</b>	<b>610</b>
<b>TOTAL LIABILITIES</b>	<b>655</b>	<b>672</b>
<b>NET ASSETS</b>	<b>25,242</b>	<b>25,257</b>
<b>EQUITY</b>		
Accumulated surplus	9,292	9,307
Revaluation reserves	15,950	15,950
Other reserves	–	–
Council equity interest	25,242	25,257
Non-controlling equity interest	–	–
<b>TOTAL EQUITY</b>	<b>25,242</b>	<b>25,257</b>

Blayney Shire Council

Notes to the Financial Statements

for the year ended 30 June 2018

Note 6(c). Restricted cash, cash equivalents and investments – details

\$ '000	2018		2017	
	Current	Non-current	Current	Non-current
Total cash, cash equivalents and investments	17,215	–	17,243	–
<b>attributable to:</b>				
External restrictions (refer below)	9,122	–	9,112	–
Internal restrictions (refer below)	8,093	–	7,616	–
Unrestricted	0	–	515	–
	<b>17,215</b>	<b>–</b>	<b>17,243</b>	<b>–</b>

\$ '000	2018	2017
---------	------	------

Details of restrictions

External restrictions – other

Developer contributions – general	815	813
Developer contributions – sewer fund	888	860
RMS contributions		–
Specific purpose unexpended grants	477	179
Sewerage services	4,820	4,482
Domestic waste management	987	848
Voluntary planning agreement – mining	217	1,217
Rates – special variation mining	918	713
Other		–
<b>External restrictions – other</b>	<b>9,122</b>	<b>9,112</b>
<b>Total external restrictions</b>	<b>9,122</b>	<b>9,112</b>

## Blayney Shire Council

## Notes to the Financial Statements

for the year ended 30 June 2018

## Note 6(c). Restricted cash, cash equivalents and investments – details (continued)

\$ '000	2018	2017
<b>Internal restrictions</b>		
Plant and vehicle replacement	766	219
Employees leave entitlement	764	661
Asset reserve – buildings	149	157
Asset reserve – parks and recreation	322	347
Asset reserve – stormwater	105	51
Asset reserve – transport	1,907	2,454
Blayney sports facility master plans	126	153
Blayney town works	5	5
Cemeteries	49	41
Centrepont reserve	866	997
Election reserve	40	78
Environmental projects – Belubula river	53	54
Financial assistance grant	1,290	1,229
Inala units	–	96
I.T reserve	96	96
King George Oval	161	170
Land fill remediations and assets		–
Property account	1,145	545
Quarry	174	174
Village enhancement program	75	89
Other		–
<b>Total internal restrictions</b>	<b>8,093</b>	<b>7,616</b>
<b>TOTAL RESTRICTIONS</b>	<b>17,215</b>	<b>16,728</b>

Blayney Shire Council

Notes to the Financial Statements  
for the year ended 30 June 2018

Note 28(a). Statement of performance measures – consolidated results

\$ '000	Amounts 2018	Indicator 2018	Prior periods		Benchmark
			2017	2016	
<b>Local government industry indicators – consolidated</b>					
<b>1. Operating performance ratio</b>					
Total continuing operating revenue (1) excluding capital grants and contributions less operating expenses	<u>86</u>	0.50%	11.02%	7.12%	> 0.00%
Total continuing operating revenue (1) excluding capital grants and contributions	17,064				
<b>2. Own source operating revenue ratio</b>					
Total continuing operating revenue (1) excluding all grants and contributions	<u>13,512</u>	58.43%	60.92%	64.24%	> 60.00%
Total continuing operating revenue (1)	23,125				
<b>3. Unrestricted current ratio</b>					
Current assets less all external restrictions (2)	<u>11,130</u>	3.19x	3.93x	7.23x	> 1.5x
Current liabilities less specific purpose liabilities (3, 4)	3,488				
<b>4. Debt service cover ratio</b>					
Operating result (1) before capital excluding interest and depreciation/impairment/amortisation	<u>5,611</u>	14.13x	21.14x	19.39x	> 2x
Principal repayments (Statement of Cash Flows) plus borrowing costs (Income Statement)	397				
<b>5. Rates, annual charges, interest and extra charges outstanding percentage</b>					
Rates, annual and extra charges outstanding	<u>222</u>	2.04%	2.20%	2.23%	5%
Rates, annual and extra charges collectible	10,866				
<b>6. Cash expense cover ratio</b>					
Current year's cash and cash equivalents plus all term deposits	<u>17,215</u>	16.26 mths	15.7 mths	17.3 mths	> 3 mths
Payments from cash flow of operating and financing activities	1,059				

Notes

(1) Excludes fair value adjustments and reversal of revaluation decrements, net gain/(loss) on sale of assets and the net share of interests in joint ventures and associates.

(2) Refer Notes 6-8 inclusive.

Also excludes any real estate and land for resale not expected to be sold in the next 12 months.

(3) Refer to Notes 13 and 14.

(4) Refer to Note 13(b) and 14(b) – excludes all payables and provisions not expected to be paid in the next 12 months (incl. ELE).

## Blayney Shire Council

## Notes to the Financial Statements

for the year ended 30 June 2018

## Note 6c. Restricted cash, cash equivalents and investments – details

\$ '000	2018	2018	2017	2017
	Actual Current	Actual Non-current	Actual Current	Actual Non-current
Total cash, cash equivalents and investments	17,215		17,243	
<b>attributable to:</b>				
External restrictions (refer below)	9,122		9,112	–
Internal restrictions (refer below)	8,093		7,616	–
Unrestricted	–		515	–
	<b>17,215</b>	<b>–</b>	<b>17,243</b>	<b>–</b>

2018	Opening	Transfers to	Transfers from	Closing
\$ '000	balance	restrictions	restrictions	balance

## Details of restrictions

## External restrictions – included in liabilities

Nil

## External restrictions – other

Nil

Developer contributions – general	813	109	(107)	815
Developer contributions – sewer fund	860	28		888
Specific purpose unexpended grants	179	298		477
Sewerage services	4,482	338		4,820
Domestic waste management	848	139		987
Rates – special variation mining	713	205		918
Voluntary Planning Agreement - Mining	1,217		(1,000)	217
<b>External restrictions – other</b>	<b>9,112</b>	<b>1,117</b>	<b>(1,107)</b>	<b>9,122</b>
<b>Total external restrictions</b>	<b>9,112</b>	<b>1,117</b>	<b>(1,107)</b>	<b>9,122</b>



## Blayney Shire Council

## Notes to the Financial Statements

for the year ended 30 June 2018

## Note 6c. Restricted cash, cash equivalents and investments – details (continued)

2018 \$ '000	Opening balance	Transfers to restrictions	Transfers from restrictions	Closing balance
<b>Internal restrictions</b>				
Nil				
Plant and vehicle replacement	219	547		766
Employees leave entitlement	661	103		764
Transport Reserve	2,454	920	(1,467)	1,907
Buildings Reserve	157		(8)	149
Parks & Recreation Reserve	347	7	(32)	322
Stormwater Reserve	51	54		105
Blayney Sports Facility Master Plan	153		(27)	126
Blayney town works	5			5
Cemeteries	41	48	(40)	49
CentrePoint Sport & Leisure Centre	997		(131)	866
Election reserve	78		(38)	40
Environmental projects – Belubula river	54		(1)	53
Financial Assistance Grant	1,229	1,290	(1,229)	1,290
Inala units	96		(96)	–
I.T reserve	96			96
King George Oval	170		(9)	161
Property account	545	1,052	(452)	1,145
Quarry	174			174
Village enhancement program	89	75	(89)	75
Other				
<b>Total internal restrictions</b>	<b>7,616</b>	<b>4,096</b>	<b>(3,619)</b>	<b>8,093</b>
<b>TOTAL RESTRICTIONS</b>	<b>16,728</b>	<b>5,213</b>	<b>(4,726)</b>	<b>17,215</b>

**Carryover works 2017-18 to 2018/19**

	Total Expenditure Vote	Internal Restriction					External Restriction				
		Asset Reserve - Transport	Asset Reserve - Stormwater	Plant Reserve	CentrePoint	VEP	Cemeteries	Transfer to unexpended grants	Developer Contributions	Special Variation Mining	Sewerage Services
<b>BUILDINGS</b>											
SCCF - Public Conveniences Upgrade - Barry	9,320							9,320			
SCCF - Public Conveniences Upgrade - Neville	17,607							17,607			
SCCF - Public Conveniences Upgrade - Lyndhurst	18,414							18,414			
Library Building Entrance & Internal Improvements	20,000							20,000			
Library Painting	8,000							8,000			
CentrePoint - Mechanical Heating Unit and Ducting to Pool Hall	497,145				248,573				248,573		
Renewable Energy Project											
<b>TOTAL BUILDINGS</b>	<b>570,486</b>				<b>248,573</b>			<b>73,340</b>	<b>248,573</b>		
<b>OTHER STRUCTURES</b>											
Public Cemeteries - Fencing	47,984										47,984
SCCF - Mandurama Rec Ground - Shelter	11,273							11,273			
SCCF - Heritage Park - Blayney Skate Park	89,965							89,965			
VEP Blayney	16,343										16,343
VEP Carcoar	9,601										9,601
VEP Lyndhurst	7,555										7,555
VEP Millthorpe	23,514										23,514
VEP Mandurama	-										-
VEP Neville	7,660										7,660
VEP Barry & Hobbys Yards	458										458
VEP Newbridge	7,102										7,102
Town Challenge - Exercise Equipment	5,986							5,986			
<b>TOTAL OTHER STRUCTURES</b>	<b>227,439</b>							<b>107,223</b>			<b>47,984</b>
<b>INFRASTRUCTURE</b>											
<b>Local Roads - Construction</b>											
Browns Creek Road	210,990	210,990									
Resources for Regions - Southern Cadia Access Route	706,286										706,286
Mandurama Road	380,398	380,398									
<b>TOTAL LOCAL ROADS CONSTRUCTION</b>	<b>1,297,674</b>	<b>591,388</b>									<b>706,286</b>
<b>Bridges</b>											
Browns Creek Road Cowriga Creek	44,698	44,698									
Hines Lane, Grubbenbun Creek	110,000	110,000									
Kinds Lane, Grubbenbun Creek	160,000	160,000									
Lucan Road, Limestone Creek	140,000	140,000									
Winterbottoms Lane, Unkown	140,000	140,000									
Leabeater St Grubbenbun Creek	120,000	120,000									
Carcoar Road - Cowriga Creek	37,891	37,891									
<b>TOTAL BRIDGES</b>	<b>752,589</b>	<b>752,589</b>									

		Internal Restriction				External Restriction					
		Asset Reserve - Transport	Asset Reserve - Stormwater	Plant Reserve	CentrePoint	VEP	Cemeteries	Transfer to unexpended grants	Developer Contributions	Special Variation Mining	Sewerage Services
<b>Carryover works 2017-18 to 2018/19</b>											
<b>Footpaths</b>											
	SCCF - Village Link Lyndhurst Village Link Stage 1	64,237									
	SCCF - Belubula River Walk Stage 1	102,317									
	<b>TOTAL FOOTPATHS</b>	<b>166,554</b>									
<b>Stormwater</b>											
	Naylor Street Stability Works	52,831	52,831								
	<b>TOTAL STORMWATER</b>	<b>52,831</b>	<b>52,831</b>								
<b>Major Plant</b>											
	Isuzu NPR65 Truck	82,000		82,000							
	<b>TOTAL MAJOR PLANT</b>	<b>82,000</b>		<b>82,000</b>							
<b>Sewerage Services</b>											
	Renewable Energy Project	64,717									64,717
	Pump Station Improvements - Internal Improvements	53,396									53,396
	Electrical replacements	30,250									30,250
	<b>TOTAL SEWERAGE SERVICES</b>	<b>148,362</b>									<b>148,362</b>
<b>Total Carryover Works to 2018-19</b>		<b>3,297,935</b>	<b>1,343,977</b>	<b>52,831</b>	<b>82,000</b>	<b>248,573</b>	<b>72,232</b>	<b>47,964</b>	<b>347,117</b>	<b>248,573</b>	<b>148,362</b>
									<b>Transfer from Internal Restriction</b>	<b>Transfer from External Restriction</b>	
		<b>3,297,935</b>							<b>1,847,597</b>	<b>1,450,338</b>	

**07) SIX MONTHLY DELIVERY PLAN REVIEW - JUNE 2018****Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Local Governance and Finance**File No:** GS.LI.1

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**Recommendation:**

That the six-monthly review, as at 30 June 2018, of Council's 2017/18 – 2020/21 Delivery Plan be received.

**Reason for Report:**

To review progress of Council's 2017/18 – 2020/21 Delivery Plan.

**Report:**

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

The Delivery Plan was originally adopted in 2013 following consultation surrounding the Blayney Shire Council Community Strategic Plan 2025 involving the community, Councillors and Council staff. The Delivery Plan is a document that outlines what will be delivered to the community during the 4 year term of Council using the Blayney Shire Council Community Strategic Plan 2025 as an overarching guide. This plan has been superseded with the adoption of the 2018-2028 Community Strategic Plan and the 2018/19 – 2021/22 Delivery Program.

It is a further requirement of the OLG that progress reports are provided to Council and the community every 6 months.

This 6 monthly progress report is presented in a format which summarises the activities across the organisation using qualitative and quantitative information sourced from Managers and Directors.

**Risk/Policy/Legislation Considerations:**

Nil

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

1 2017/18 - 2020/21 Delivery Plan Status Report 11 Pages

**08) ADOPTION OF CODE OF CONDUCT****Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Local Governance and Finance**File No:** GO.PO.1**Recommendation:**

That the Council Code of Conduct be adopted and included in Council's policy register.

**Reason for Report:**

For Council to review and adopt the Code of Conduct pursuant to Local Government Act section 440(7).

**Report:**

Council is required under the Local Government Act to review its adopted code and make such adjustments as it considers appropriate and as are consistent with section 440(7), within 12 months after the Council election.

Council has adopted the Model Code of Conduct as its own in the past. While the Office of Local Government commenced a review of the Model Code of Conduct in October 2017, finalisation of this review has not yet occurred. Council's current Code of Conduct has been reviewed and is recommended for adoption with no amendment.

A copy of the draft Code of Conduct draft Code of Conduct is provided as an attachment to this report.

**Risk/Policy/Legislation Considerations:**

Nil

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

1 Policy 1B Code of Conduct

26 Pages

**09) ADOPTION OF COUNCIL POLICIES**

**Department:** Corporate Services

**Author:** Director Corporate Services

**CSP Link:** 2. Local Governance and Finance

**File No:** PM.TN.8

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**Recommendation:**

That the Vandalism policy and Signs as Remote Supervision policy, as amended, be adopted and included in Council's policy register

**Reason for Report:**

For Council to adopt the Vandalism policy and Signs as Remote Supervision policy.

**Report:**

Council at its meeting held 16 July 2018 resolved to place the Vandalism policy and Signs as Remote Supervision policy on public exhibition.

The purpose of the Vandalism policy is to minimise the unsightliness and cost of graffiti and intentional damage to Council and the community and to engage community support in the prompt reporting of graffiti and intentional damage as soon as practicably possible, after identification of an offence.

The purpose of the Signs as Remote Supervision policy is to bring Blayney Shire Council's signs up to best practice.

The closing date for public exhibition of policies was 16 August 2018 and at the time of report preparation, Council had received only 1 submission on the draft Signs as Remote Supervision policy. Statewide Mutual's Risk Manager recommended amendment of the standard reference in paragraph 5 to "ISO31000 – 2018 Risk Management Standard" and additional wording in paragraph 6 "Blayney Shire Council will consider the on-going maintenance and replacement of damaged or vandalised signs in annual budget allocations."

Should any further public submissions be received after preparation of this report they will be tabled at the Council meeting.

A copy of the policies for adoption are provided as an attachment to this report.

**Risk/Policy/Legislation Considerations:**

Adoption of these policies will assist to establish a framework for dealing with Vandalism and Signage.

**Budget Implications:**

Nil

**Enclosures (following report)**

- |   |  |         |
|---|--|---------|
| 1 | 26D Signs as Remote Supervision Policy | 3 Pages |
| 2 | 28A Vandalism Policy                   | 3 Pages |

**Attachments (separate document)**

Nil





## Signs as Remote Supervision Policy

<b>Policy</b>	26D
<b>Officer Responsible</b>	Manager Infrastructure
<b>Last Review Date</b>	20/08/2018

**Strategic Policy**

### Policy

1. Users of Blayney Shire Council's owned, operated or controlled land are exposed to varying degrees of risk associated with the use of the land. The risk comes from the hazards which exist on the land: both natural hazards, and hazards related to developed facilities. The law says that if it is "reasonably foreseeable" that a person might suffer some sort of loss or harm because of something someone else does, then that person is owed a Duty of Care. It is desirable for Blayney Shire Council to provide a warning to users of the land about the nature of any hazards, to exercise its Duty of Care.

The Blayney Shire Council supports this methodology through Community Consultation Committees and through the development of the strategic plan of the Blayney Shire Community. Signs as remote supervision are supported through other operational related policies.

2. Council has adopted the Blayney Best Practice Guide for Signs as Remote Supervision as the process for the assessment, selection and placement of signs at Blayney Shire Council facilities. Such signage shall be used to direct, advise or warn the public of inherent dangers in the environment in which they are operating.

The implementation of this policy is set out in the Blayney Best Practice Guide for Signs as Remote Supervision.

3. The Blayney Best Practice Guide for Signs as Remote Supervision will identify Blayney Shire Council's facilities. The Manager Infrastructure will site risk audit Pools, Parks/Reserves, Skate parks and BMX facilities once a year. The information from the site risk audits will be entered into Council's asset management system with the condition and appropriateness of each sign.
4. The Blayney Best Practice Guide for Signs as Remote Supervision will apply to Blayney Shire Council's facilities, Pools, Parks/Reserves, Skate/BMX parks or elsewhere that it is identified that the Council is in control of the asset. Blayney Shire Council's Infrastructure will conduct site risk audits on these facilities for appropriateness of using Signs as Remote Supervision. The information from the site risk audits will be entered into Council's asset management system describing the location, condition and appropriateness of each sign.
5. This Policy has been developed taking into account the principles of ISO31000 – 2018 Risk Management Standard and Statewide Mutual's Best Practice Manual, Signs As Remote Supervision with a view to limiting Council's (i.e. the community's) exposure to potential litigation claims.
6. To bring Blayney Shire Council's signs up to best practice, signs in existence not meeting the current Blayney Best Practice Guide for Signs as Remote Supervision and/or Australian Standards shall be replaced as funds permit based on a priority order. Blayney Shire Council will consider the on-going maintenance and replacement of damaged or vandalised signs in annual budget allocations.

7. Council may refer to other documents for style, layout and regulatory requirements relating to the use of signs in specific circumstances, for example: Roads Maritime Service for roadside signage.
8. A regular inspection program of Blayney Shire Council's remote supervision signage shall be included in risk inspections by Council staff.
9. When Blayney Shire Council becomes aware of a potential risk, it will endeavor to follow the hierarchal order of risk control principals ie:
  - Eliminate the risk
  - Reduce the risk
  - Accept the risk, using signs as remote supervision where possible.

End of Policy

	<b>Date</b>	<b>Minute No.</b>
<b>Adopted:</b>	<b>17/06/2013</b>	<b>1306/011</b>
<b>Last Reviewed:</b>	<b>17/06/2013</b>	<b>1306/011</b>
	<b>20/08/2018</b>	
<b>Next Reviewed:</b>	<b>19/04/2021</b>	



## Vandalism Policy

<b>Policy</b>	28A
<b>Officer Responsible</b>	Director Infrastructure Services
<b>Last Review Date</b>	20/08/2018

**Strategic Policy**

**Purpose**

To minimise the unsightliness and cost of graffiti and intentional damage to Council and the community.

To engage community support in the prompt reporting of graffiti and intentional damage as soon as practicably possible, after identification of an offence.

The policy provides for a reward where information regarding an offence results in the conviction of an offender.

**Objectives**

The objectives of this policy are to:-

- Reduce acts of vandalism and intentional damage to public and commercial/retail property in the Blayney Shire local government area.
- Encourage the public to report acts of vandalism and intentional damage.
- Provide for a reward where information regarding an offence results in the conviction of an offender.

**Policy****Principles**

Any person who witnesses, or has information regarding an act of graffiti or intentional damage should in the first instance report the matter through the NSW Police Force Community Portal or other NSW Police Force Channel or contact the Police Assistance Line (13 14 44).

Any person who witnesses graffiti or intentional damage to Blayney Shire Council property should also report the matter to Council Customer Service staff, either by attending Council offices, via email, or phone.

Information provided shall be in accordance with NSW Police Force requirements, and as a minimum include:-

- Time of incident
- Place of incident
- Description of damage
- Possible offender's details
- Photographs

The NSW Police Force will examine the information and may investigate the offence. Should an offender be identified, and either admit guilt or be found guilty, the informant should then write to Council seeking payment of the reward.

Council will, where appropriate, seek compensation for graffiti and intentional damage offences where an offender has been identified and admitted, or been found guilty.

Rewards

Council will offer a reward on a graduated scale, for information provided by the public leading to the conviction of a person or persons involved in graffiti or intentional damage to Council property. The scale is as follows:-

Category	Damage Amount	Reward
1	Up to \$2,500	\$500
2	\$2,500 - \$10,000	\$1,000
3	\$10,000 and above	\$2,000

Responsibilities

Determination of the reward will be at the absolute discretion of the General Manager.

Persons providing information may be required to appear in a Court to provide evidence where required.

Related LegislationGraffiti Control Act 2008

The Graffiti Control Act 2008 deals directly with graffiti specific offences, which encompasses intentional damage to property and the possession and sale of spray cans. Powers granted to LGAs to manage graffiti vandalism is detailed at Part 4 of the Act.

Blayney Shire Council Community Strategic Plan 2018/2028

The Blayney Shire Community Strategic Plan 2018/2028 is the community's 10-year vision for the Shire. It aims to protect the features and qualities that make the Blayney Shire a great place to live, as well to enable communities which are strong and well connected. Graffiti and intentional damage has the potential to impact its strategic priorities of: Maintain and Improve Public Infrastructure and Services, Build the Capacity and Capability of Local Governance and Finance, Promote Blayney Shire to grow the Local and Visitor Economy, Enhance facilities and networks that supports Community, Sport, Heritage and Culture and Protect our Natural Environment.

End of Policy

	Date	Minute
<b>Adopted:</b>	<b>13/03/1997</b>	<b>134</b>
<b>Lasted Reviewed:</b>	<b>13/11/2006</b>	<b>06/281</b>
	<b>14/05/2007</b>	<b>07/094</b>
	<b>12/11/2012</b>	<b>1211/014</b>
	<b>20/08/2018</b>	
<b>Next Reviewed:</b>	<b>19/04/2021</b>	

**10) REVIEW OF DELEGATIONS REGISTER****Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Local Governance and Finance**File No:** PE.AT.1

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**Recommendation:**

That Council adopt the Delegations Register as tabled.

**Reason for Report:**

For Council to review and approve the Delegations Register.

**Report:**

Council is obligated under the Local Government Act to review all its delegations within 12 months of election to office.

As part of this obligation Council must maintain a Register of Delegations that outlines powers conferred by Council upon the Mayor, General Manager and those powers sub-delegated by the General Manager. Pursuant to the Local Government Act it must be available for review at any time upon request. To this end a copy is available from Council's website or office.

A review of the Register of Delegations has occurred with no amendments proposed. The delegations conferred upon the General Manager assist in the seamless operation of Council and effective provision of service.

A copy of the Delegations Register is provided as an attachment to the report.

**Risk/Policy/Legislation Considerations:**

The Local Government Act (1993) outlines requirements pertaining to delegation of authority.

- S.377 outlines Councils' power to delegate to the General Manager and functions that cannot be delegated.
- S.378 outlines functions that may be delegated by the General Manager.
- S.380 requires Council to review all its delegations within 12 months of election to office.

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

- |   |   |          |
|---|---|----------|
| 1 | Blayney Shire Council Register of Delegations | 44 Pages |
|---|---|----------|



**11) MINUTES OF THE BLAYNEY SHIRE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 12 JULY 2018**

**Department:** Corporate Services

**Author:** Director Corporate Services

**CSP Link:** 2. Local Governance and Finance

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

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**Recommendation:**

That the minutes of the Blayney Shire Audit, Risk and Improvement Committee held 12 July 2018 be received.

**Reason for Report:**

For Council to endorse the minutes of the Blayney Shire Audit committee meeting held 12 July 2018.

**Report:**

The minutes of the Audit, Risk and Improvement Committee meeting held 12 July 2018 are tabled as follows.

**MINUTES OF THE MEETING OF BLAYNEY SHIRE COUNCIL AUDIT, RISK AND IMPROVEMENT COMMITTEE HELD IN THE COMMUNITY CENTRE THURSDAY 12 JULY 2018**

The meeting commenced at 9:02am

**1. Present**

Steve Kent	(Chair – Independent)
Phil Burgett	(Independent)
Cr. Scott Ferguson	(Mayor)
Rebecca Ryan	(General Manager)
Ross Wilkinson	(Risk Officer)
Tiffany Irlam	(Chief Financial Officer)
Anton Franze	(Director Corporate Services – Secretariat)

**2. Apologies**

Cr. David Somerville, Karen Taylor (NSW Audit Office), Leanne Smith (Intentus - NSW Audit Office Contract Auditor).

**3. Declarations of Interest**

Nil

**4. Adoption of Previous Minutes**

Minutes of the meeting held 27 April 2018 were adopted.

Amendment: Meeting day should read as Friday for 27 April 2018.

**5. Risk Management Update including Risk Register**

A verbal report was provided by the Risk Officer covering the following:

- WHS
- Corporate Risk Register
  - Updated on ongoing basis;
  - High risks to be reported quarterly to Manex;
  - Review undertaken of CentrePoint:
    - Cashless trial to be introduced;
    - Looking at low patronage pool practices including formalised deployment strategies;
  - Cashless trial to be introduced at Blayney Waste Facility;
  - Reports to future meetings to include 10 top risks for Council;
  - Most up to date Risk Register and Project management risk template is to be circulated to Committee out of session.

**6. Review of Audit, Risk and Improvement Committee Charter**

Changes to the Blayney Shire Council Audit, Risk and Improvement Committee Charter were noted. Expanded responsibilities of Committees proposed in the Local Government Amendment (Governance and Planning) Act 2016 legislation have been included.

**Recommended:** That the Blayney Shire Council Audit, Risk and Improvement Committee Charter be referred to Council for adoption.  
(Burgett/Kent)

**7. Committee 2017/18 Annual Report and Review**

Chair to prepare a report for the 2017/18 period.

**8. Internal Audit Plan 2018/19 update**

Identified reviews are as follows:

1. Project Management / Procurement – Errowanbang Project
  - Scope of works to be distributed for review
2. Fraud risk self-assessment
  - Self-assessment to be undertaken using the Audit Office NSW Fraud Control Improvement Kit.

It was expressed by Independent Member (Phil Burgett) that such reviews undertaken by Council staff can be beneficial but can't be classified as internal audits as the level of independent assurance is likely to be lower than if the reviews were undertaken by independent third parties. To this end, the Committee was advised that Council has a budget allocated within the 2018/19 Operational Plan for these purposes.

A 3 year Strategic Audit plan with linkages to the Enterprise Risk Register is to be developed and be circulated to the Committee before next meeting.

**9. Status of Prior Report Recommendations**

VPA procedure adoption to be addressed before next meeting.

**10. Any Major Developments/Issues Since Last Meeting**

- Joint Organisation for Central West Region approved.
- Land Development Project for residential land at 32 Plumb Street.

**11. Future Agenda Items**

- Report of industry issues identified by Audit Office – High Level Assessment e.g. Botany Bay ICAC Report and Audit Office Performance Audit Reports.
- Standing agenda item – Business Improvement Activities.

There being no further business the meeting closed at 10.47am

**Risk/Policy/Legislation Considerations:**

The Audit, Risk and Improvement Committee (the Committee) has been established to promote good corporate governance in Council. Good corporate governance of the Council ensures that the people of Blayney Shire receive the services that they need in an effective and efficient manner, delivered with honesty and integrity.

The objective of the Committee is to provide independent assurance and assistance to Council with respect to the following key areas as per Section 428A of the *Local Government Amendment (Governance and Planning) Bill 2016*. Such areas include compliance; risk management; fraud control; internal control; financial management; governance; service reviews; other matters prescribed by the regulations, and execution of Council functions.

**Budget Implications:**

Costs associated with holding of Committee meetings, sitting fees for independent members and associated service reviews and audits are provided for in Council's 2018/19 Operational Plan for this purpose.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**12) MINTUES OF THE FINANCIAL ASSISTANCE COMMITTEE MEETING HELD 7 AUGUST 2018**

**Department:** Corporate Services

**Author:** Director Corporate Services

**CSP Link:** 2. Local Governance and Finance

**File No:** CR.SD.2

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**Recommendation:**

1. That the minutes of the meeting held 7 August 2018 be received.
2. That the recommendations for 2018/19 - Round 1 of the Community Financial Assistance Program by the Financial Assistance Committee, in the amount of \$7,244 be approved.
3. That the GM approvals of fee waivers and sporting financial assistance in the amount of \$1,845 be endorsed.
4. That the resignation from the Blayney Shire Council Financial Assistance Committee by Delanie Sky be noted and that Council take steps to fill the casual vacancy.
5. That Council raise the awareness in the community of the availability of financial assistance for community groups for improvement to community infrastructure and support for community events through a community forum and promotional flyer.
6. That Council amend the Community Financial Assistance policy to encompass annual donations for community groups that enter into medium to long term agreements with Council for a lease or Licence of Crown Land.

**Reason for Report:**

For Council to approve the minutes of the Financial Assistance committee meeting held 7 August 2018.

**Report:**

The Financial Assistance Committee at its meeting held 7 August 2018 considered the first round of the Community Financial Assistance Program applications for 2018/19.

An amount of \$7,244 in financial assistance was available for Round 1. There were 6 applications with a total value of \$132,948 in works or programs seeking \$48,244 in financial assistance.

The Financial Assistance Committee recommended \$7,244 be allocated to projects. Recommendations are pursuant to the criteria stipulated in the Community Financial Assistance Program guidelines.

**MINUTES OF THE MEETING OF BLAYNEY SHIRE COUNCIL FINANCIAL  
ASSISTANCE COMMITTEE  
HELD 7 AUGUST 2018  
AT BLAYNEY SHIRE COMMUNITY CENTRE**

The meeting commenced at 5:04pm.

**Present**

Clr. D. Somerville (Chair); M. Hedge; R. Price;  
N. Burns (Cadia); D. Kennedy; A. Franze (Ex-officio).

**Apologies**

Clr. S. Denton; G. Summerson;

**1. Declarations of Interest**

Nil.

**2. Minutes from Previous Meeting – 6 March 2018**

The minutes of the previous meeting held on 6 March 2018 were confirmed to be a true and accurate record of that meeting.

**3. Business Arising**

Nil.

**4. Requests approved by General Manager under delegation**

That the approvals of fee waivers and sporting related Financial Assistance by General Manager in the amount of \$1,845 be noted.

**5. Consideration of Round 1 2018/19 Financial Assistance Program**

That an amount of \$7,244 for 2018/19 Round 1 Financial Assistance Program be approved per the attached schedule.

**6. Resignation of Committee member**

**Recommendation:** That the resignation from the Blayney Shire Council Financial Assistance Committee by Delanie Sky be noted and that Council take steps to fill the casual vacancy.

**7. General Business**

**1. Raising community awareness of the Financial Assistance Program**

The committee noted the substantial reduction in this round in the number of applications qualifying for funding under the Community Financial Assistance Program.

It was suggested that Council raises the awareness in the community of the availability of financial assistance for community groups for

improvement to community infrastructure and support for community events. In particular the committee would like council to consider:

- a community forum in November 2018 targeting community organisations in which the availability of funds is highlighted and guidance and assistance is given in making applications, perhaps using past successful applications as a guide; and
- a simple flyer to be sent to all community groups and available at council offices drawing attention to the program and the funds available

**Recommendation:** That Council raises the awareness in the community of the availability of financial assistance for community groups for improvement to community infrastructure and support for community events through a community forum and promotional flyer.

## 2. **Crown Land licence and lease fees**

- The secretariat reported how Council has approved a number of long term licences and leases of Crown Land to community groups. Such arrangements now require payment of a minimum annual fee (\$483 for year ended 30 June 2018), discounted from a market determined fee. Previously, such arrangements would be a “peppercorn rental” of \$1.00. The committee agreed that consideration should be given to amendment of the policy to incorporate the annual donations aspect of the program to be extended to cover, perhaps on a case by case basis, licence fees payable by community groups who occupy crown land.

**Recommendation:** That Council consider amendment to the policy to encompass annual donations for community groups that enter into medium to long term agreements with Council for lease of Crown Land.

## 3. **Schedule of Projects and Recipients over life of Program**

- It was requested that the secretariat provide a schedule of all recipients and projects to enable committee members to research nature of project and recipients approved in previous rounds.

## 8. **Future Agenda Items**

Nil

## 9. **Next Meeting**

5 March 2019 (subject to confirmation)

There being no further business the meeting closed at 5.57pm.

No.	Applicant	Project	Total Cost	Grant Sought	Grant Approved	Comments and feedback
1	Blayney Shire Community Men's Shed	Insurance (\$504) and Crown Lands Licence fee (\$483)	\$987	\$987	\$504	Insurance within policy and should be added to annual donations list next year. Crown Land licence fee not covered by donations policy (see minutes).
2	St Pauls Presbyterian Church	Rectify tuckpointing and repair decaying stonework	\$22,385	\$22,385	-	Refurbishment of non community infrastructure not generally covered. No quote provided. Should apply for grant under council's Heritage Assistance Fund (\$1,000). Some aspects may be covered under FAP, breakdown of costs and more details of co-contribution needed.
3	St Pauls Presbyterian Church	Re-paint the external areas of the Manse	\$9,388	\$9,388	-	Repairs and maintenance of privately owned income producing properties not covered by policy.
4	Blayney Community Baptist Church	Purchase portable stage	\$7,665	\$6,665	-	The case for the stage to be generally available to the community is difficult to make out when it is stored in the Church building.
5	Newbridge Winter Solstice Festival	Gate Sales, Sponsorship, Stalls and Raffles	\$8,390	\$4,000	\$1,740	A growing and very successful community event. Only some aspects qualify under FAP (port-a-loo hire and road closure costs). Road closure approved in 2018/19 OP. Balance are event overheads to be covered by event receipts.

6	Millthorpe & District Historical Society	Digitisation of the Golden Memories Museum Collection - Regional Cultural Funding	\$84,133	\$5,000	\$5,000	Very worthwhile project which has already attracted State government funding (\$45,883) and co-contribution from Museum funds (\$10,000) as well as substantial volunteer time.
			<b>\$132,948</b>	<b>\$48,425</b>	<b>\$7,244</b>	

**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 \$100,000 allocated in its 2018/19 Operations Plan for this purpose including amount of \$53,000 approved in advance for assistance to groups, schools and organisations for events; rates and charges and public liability. An amount of \$40,055 is unspent from Community Financial Assistance Programs in prior periods.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil



### 13) **LIBRARY FUNDING**

**Department:** Corporate Services

**Author:** Director Corporate Services

**CSP Link:** 4. Community, Sport, Heritage and Culture

**File No:** CS.LP.1

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**Recommendation:**

That Council endorse the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative, *Renew Our Libraries*.

**Reason for Report:**

For Council to consider support of the NSW Public Libraries Association and Local Government NSW in their advocacy to State Government for additional funds for Public Libraries.

**Report:**

The following report was provided for consideration of Council by the NSW Public Libraries Association and Local Government NSW as part of their advocacy to the State Government for additional funds for Public Libraries.

*Whilst Council receives funds from State Government, these have gradually declined. In 2015/16, State funding for Public Libraries covered only 7.5% of the total costs of operating the 368 libraries across NSW. The level of State Government funding for NSW public libraries has reached crisis point. This is an historic issue that has been ignored by successive NSW governments. The key issues are that:*

- *NSW public libraries receive the lowest per-capita funding from their State Government compared to all other states in Australia.*
- *NSW councils are currently paying 92.5% of the costs to operate public libraries, up from 77% in 1980.*
- *In 2015-16, NSW State Government funding for public libraries was only \$26.5m compared to a contribution of \$341.1m from Local Government. NSW councils are paying 12 times more than the State Government to provide library services to their communities.*
- *The total funding available through the NSW Public Library Funding Strategy is not indexed to population growth or consumer price index (CPI), thereby contributing to the ongoing attrition of State Government funding.*
- *The 2018-2019 State Budget delivered a 5% cut to current funding and cut access to all infrastructure funding for metropolitan areas*
- *Physical and virtual visitation, library borrowing and participation in library programs continue to increase year on year.*
- *Libraries play a major part in supporting the achievement of government literacy targets. They also provide collections, programs*

*and spaces for marginalised groups including older people, refugee and multicultural communities, and people who are digitally disadvantaged.*

*In 2011, the NSW State Government made a pre-election commitment to comprehensively review the level and allocation of funding for NSW public libraries. The Library Council of NSW worked with the NSW Public Libraries Association and the State Library of NSW to develop an evidence-based submission.*

*The resulting submission Reforming Public Library Funding, recommending a fairer, simpler and more transparent method for the distribution of funds, was presented to the State Government in October 2012. Despite the undertaking of the State Government to comprehensively review funding for its public libraries, the recommendations of Reforming Public Library Funding were ignored and the funding model was neither reviewed nor improved.*

*In 2016, the then Minister for the Arts, the Hon. Troy Grant, undertook to review the matter of State Government funding for NSW libraries at the conclusion of the Fit For the Future program. It can be reasonably assumed that Fit For the Future has concluded, yet there has been no review of library funding nor any mention of libraries in the Government's pre-election undertakings. At the 2016 LGNSW Conference, the Premier Mike Baird committed to reviewing library funding.*

*The NSW Public Libraries Association has joined forces with Local Government NSW to establish a library funding advocacy initiative in the lead up to the 2019 NSW State election. The Renew Our Libraries strategy will be rolled out over the next 8 months to persuade the Government that its network of 368 public libraries has reached a funding flashpoint that, without significantly increased and sustainable funding, is at risk of imminent service reduction. The success of this approach relies heavily on the support of NSW councils, their libraries and their communities.*

*It should be noted that the following motion (submitted by the Blue Mountains City Council) was unanimously endorsed at the Local Government NSW 2017 Conference:*

*That Local Government NSW works with the NSW Public Libraries Association (NSWPLA) to develop a strategic partnership to:*

- a) increase public awareness of the multiple roles that Local Government Public Libraries play in supporting the educational, social, cultural and economic outcomes in local communities*
- b) advocate, in the lead up to the March 2019 State election, for improved State Government funding for Local Government Public Libraries in NSW to enable public libraries to meet the growing needs of our local communities.*

*As previously noted, this is not a party-political issue as every government since 1980 shares the blame for the current funding situation. Nevertheless, it is worth noting that the NSW Opposition released its Library Funding Policy on 26 March 2018 with an undertaking to increase overall funding to all suburban and regional NSW public libraries by \$50m in the first term of government. This is a very significant pledge insofar as it is the first policy from any political party in recent history that undertakes to provide a significant and specified increase in state funding for public libraries.*

*NSW public libraries are governed by the Library Act 1939, a legislative instrument that was initially introduced to ensure the provision and ongoing sustainability of libraries through State Government and Local Government collaboration, and providing up to 50% of the funding required to establish and operate libraries. Since then local government has increasingly carried the funding burden with the situation deteriorating significantly since the 1980s. As a result, there are examples of attrition in library staffing, opening hours, collections, services and programs in a number of councils across the state.*

*Disappointingly, the 2018-19 NSW state budget delivered a 5% cut to current library funding and cut access to all infrastructure funding for metropolitan areas. The State Government has completely ignored the recommendation of its own expert panel, the Library Council of NSW which, in consultation with the State Library of NSW and the NSW Public Libraries Consultative Committee, recommended an increase in public library funding to \$30m in 2018-19. The public library grant funding component, which has been a budget inclusion for many years, has been scrapped entirely. This component financed a competitive grant program which has part-funded countless library infrastructure and service projects over many years.*

*The NSW public library network is at serious risk. Neither this Council nor the broader NSW Local Government sector can continue with the high degree of uncertainty about the level of ongoing State Government funding for public libraries.*

**Risk/Policy/Legislation Considerations:**

Nil.

**Budget Implications:**

Costs for Council associated with participation in the campaign is negligible. NSW Public Libraries Association and Local Government NSW have provided Council with a Partner Pack to support and raise awareness of the initiative to Renew Our Libraries.

The 5% reduction to Council's library subsidies would equate to around \$2,000.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**14) ADOPTION OF AUDIT, RISK AND IMPROVEMENT COMMITTEE CHARTER**

**Department:** Corporate Services

**Author:** Director Corporate Services

**CSP Link:** 2. Local Governance and Finance

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

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**Recommendation:**

1. That Council adopt the Blayney Shire Audit, Risk and Improvement Committee Charter.
2. That Council commence recruitment of Independent Members of the Audit, Risk and Improvement Committee in collaboration with Cabonne and Central Tablelands County Council.

**Reason for Report:**

For Council to adopt the Blayney Shire Audit, Risk and Improvement Committee Charter.

**Report:**

The Audit, Risk and Improvement Committee has undertaken a review of the Committee Charter. The Charter was last reviewed and adopted in 2016 and was reviewed following the appointment of the new Council and new legislation introduced governing Audit, Risk and Improvement Committees.

The Audit, Risk and Improvement Committee outlines the objective of the Audit Committee is to provide independent oversight and assistance to the Blayney Shire Council on risk management, control, governance, and external accountability responsibilities. The Committee is an independent advisory Committee that assists the Council to fulfil its oversight responsibilities.

The Audit Committee endorsed the tabling of this charter at its meeting held 12 July 2018.

The most significant changes to the Charter are:

- Expansion of the roles and responsibilities of the Committee to cover off the areas listed in the Local Government Amendment (Governance and Planning) Act 2016. The list of responsibilities is now quite extensive.
- The maximum term of the committee membership by an independent member has now been capped at 2 Council election terms.

After adoption of the revised charter, Council in conjunction with Cabonne and Central Tablelands Water Councils will seek expressions of interest for the

appointment of new independent members for the committee. Council shares the independent members with Cabonne and Central Tablelands Water Councils with meetings for each Council held on the same day in the same venue at different times.

A copy of the charter is attached for reference.

**Risk/Policy/Legislation Considerations:**

The Audit, Risk and Improvement Committee (the Committee) has been established to promote good corporate governance in Council. Good corporate governance of the Council ensures that the people of Blayney Shire receive the services that they need in an effective and efficient manner, delivered with honesty and integrity.

The Committee role is to provide independent assurance and assistance to Council with respect to the following key areas as per Section 428A of the *Local Government Amendment (Governance and Planning) Bill 2016*. Such areas include compliance; risk management; fraud control; internal control; financial management; governance; service reviews; other matters prescribed by the regulations, and execution of Council functions.

**Budget Implications:**

Costs associated with Audit Committee meetings and associated service reviews are provided for in Council's budget.

Council has paid a fee of \$400 per meeting for each independent member since 2011. The recruitment process is likely to see an increase to the fee commanded, in light of the age of the fee negotiated and increased responsibilities of the committee. A further report to Council on the outcome of the recruitment process will be tabled at conclusion of the process.

**Enclosures (following report)**

1     Audit, Risk and Improvement Committee Charter                    9 Pages

**Attachments (separate document)**

Nil



## **BLAYNEY SHIRE AUDIT, RISK AND IMPROVEMENT COMMITTEE CHARTER**

### **Objective**

The objective of the Audit, Risk and Improvement Committee (Committee) is to function as an independent and objective assurance activity that provides independent oversight and assistance to improvement of the Blayney Shire Council on risk management, control, governance, and external accountability responsibilities.

### **Selection and Appointment**

All appointments to the Committee shall be made by Council.

Selection of independent external members should be taken in a transparent and unbiased basis. This will encompass call for expressions of interest from interested persons.

The members of the Committee, taken collectively, will have a broad range of skills and experience relevant to the operations of Blayney Shire Council. At least one member of the Committee shall have accounting or related financial management experience, with understanding of accounting and auditing standards in a public sector environment.

### **Authority**

The Council authorises the Committee, within the scope of its role and responsibilities, to:

- Obtain any information it needs from any employee or external party (subject to their legal obligations to protect information).
- Discuss any matters with the external auditor or other external parties (subject to confidentiality considerations).
- Request the attendance of any employee or councillor at Committee meetings.
- Obtain external legal or other professional advice considered necessary to meet its responsibilities.

**Composition and Tenure**Members (voting)

- One Councillor (excluding the Mayor)
- Two independent external members, being community representatives, with demonstrated knowledge / experience in the field of Internal Audit.

Attendee (non-voting)

- General Manager
- Director Corporate Services as the appointed Secretariat of the Audit Committee
- Risk Officer
- Chief Financial Officer
- Internal Auditor

Invitees (non-voting) for specific agenda items

- Representatives of the External Auditor.
- Other officers may attend by invitation as requested by the Committee.

The independent external members will be appointed for the term of Council, after which they will be eligible for extension or re-appointment following a formal review of their performance. The term of office of independent external members shall extend until 90 days following a Local Government Election. An independent external member is not eligible for re-appointment after serving for 2 Council terms (a maximum of 8 years).

The Chair shall be an independent member of the Audit Committee.

**Role and Responsibilities**

The Committee has no executive powers, except those expressly provided by the Council. In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of Council rests with the Council and the General Manager as defined by the Local Government Act 1993, as amended.



The responsibilities of the Committee may be revised or expanded by the Council from time to time. The Committee's responsibilities are:

#### Risk Management

- Review whether management has in place a current and comprehensive risk management framework, and associated procedures for effective identification and management of business and financial risks, including fraud.
- Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings;
- Review the impact of the risk management framework on its control environment and insurance arrangements; and
- Review whether a sound and effective approach has been followed in establishing business continuity planning arrangements, including whether plans have been tested periodically.

#### Internal Control framework

- Review whether management has adequate internal controls in place, including over external parties such as contractors and advisors;
- Review whether management has in place relevant policies and procedures, and that these are periodically reviewed and updated;
- Progressively review whether appropriate processes are in place to assess whether policies and procedures are complied with;
- Review whether appropriate policies and procedures are in place for the management and exercise of delegations; and
- Review whether management has taken steps to embed a culture which is committed to ethical and lawful behaviour.

#### External Accountability

- Satisfy itself the annual financial reports comply with applicable Australian Accounting Standards and the Local Government Code of Accounting Practice and Reporting, including all relative legislative requirements and supported by appropriate management sign-off on the financial statements and the adequacy of internal controls.
- Review the external audit opinion, including whether appropriate action has been taken in response to audit recommendations and adjustments.
- To consider contentious financial reporting matters in conjunction with Council's management and external auditors.

- Review the processes in place designed to ensure financial information included in the annual report is consistent with the signed financial statements.
- Satisfy itself there are appropriate mechanisms in place to review and implement, where appropriate, relevant State Government reports and recommendations.
- Satisfy itself there is a performance management framework linked to organisational objectives and outcomes.

#### Legislative Compliance

- Determine whether management has appropriately considered legal and compliance risks as part of risk assessment and management arrangements.
- Review the effectiveness of the system for monitoring compliance with relevant laws, regulations and associated government policies.

#### Internal Audit

- Act as a forum for communication between Council, General Manager, senior management, internal audit and external audit.
- Review the internal audit coverage and internal audit plan, including consideration of the risk management plan to inform internal audit priorities, and approve the plan.
- Consider the adequacy of internal audit resources to carry out its responsibilities, including completion of the approved internal audit plan.
- Review all audit reports and consider significant issues identified in audit reports and action taken on issues raised, including identification and dissemination of better practices.
- Monitor the implementation of internal audit recommendations by management.
- Periodically review the Internal Audit Charter to ensure appropriate organisational structures, authority, access and reporting arrangements are in place.
- Periodically review the performance of internal audit.

#### External Audit

- Act as a forum for communication between the Council, General Manager, senior management, internal audit and external audit.
- Provide input and feedback on the external audit coverage proposed by the External Auditor, and provide feedback on the external audit services provided.

- Review all external plans and reports in respect of planned or completed external audits, and monitor the implementation of audit recommendations by management.
- Consider significant issues raised in relevant external audit reports and better practice guides, and ensure appropriate action is taken.

#### Compliance

- Oversee Council's compliance arrangements and:
- Determine if management has appropriately considered legal and compliance risks as part of risk assessment and management arrangements.
- Review the effectiveness of the system for monitoring compliance with relevant laws, regulations and associated government policies.

#### Fraud and corruption prevention

- Oversee Council 's fraud and corruption prevention arrangements and:
- Review and discuss with management their philosophy with respect to business ethics and corporate conduct, its written Code of Conduct and the programme it has in place to monitor compliance with that code.
- Monitor the level of and issues raised in relation to Public Interest Disclosures, customer complaints, and internal and external conduct investigations (for example by the Independent Commission Against Corruption).
- Review Council's assessment of the level of exposure to fraud and corruption.
- Review management's strategies and controls to manage fraud and corruption risks.

#### Business Improvement

Oversee Council's business improvement activities by:

- Reviewing the overall approach and arrangements in place that support management implementing a successful culture of continuous improvement to drive productivity and efficiency gains;
- Monitoring business improvement initiatives, programmes, projects etc., including :
  - Organisational reviews.
  - Service delivery reviews.
  - Strategic plans.
  - Development of performance criteria / data requirements and the collection of data for performance reporting against such criteria.
- Reviewing the annual performance of Council against its documented key performance criteria and providing advice to the General Manager on the adequacy of Council's performance against the documented criteria;

- Reviewing Council's community survey results and providing advice to the General Manager on the adequacy of Council's performance in terms of community satisfaction; and
- Identifying and recommending to the General Manager Council activities, services, business processes, systems etc. that may benefit from a review, through the Committee's exercise of its functions.

#### Accountability

The key requirements are:

- The Committee is accountable for ensuring that it meets the requirements as set out in this Charter;
- All members are accountable to ensure that they abide by the Council Code of Conduct at all times;
- All members are accountable to ensure that they act in accordance with the conflicts of interest section of this Charter;
- All members of the Committee are individually accountable for:
  - Understanding the relevant legislative and regulatory requirements appropriate to Council;
  - Contributing the time needed to study and understand the papers provided;
  - Applying good analytical skills, objectivity and good judgment;
  - Expressing opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry.
  - Acting honestly and in good faith;
  - Actively participating in the work of the Committee;
  - Performing their duties in a manner that engenders public trust in the integrity, objectivity, and impartiality of the Committee;
  - Conducting the business of the Committee with the care, diligence and skill appropriate to the role;
  - Declaring any change in employment status; and
  - Complying with the Committee's Charter.

#### Transparency

- The Committee will provide advice to Management on the public disclosure of records relating to the internal audit function, consistent with relevant legislation (such as The Privacy and Personal Information Protection Act 1998 and the Government Information (Public Access) Act 2009), including the redaction of any sensitive information;
- Due to the inherent risks associated with the disclosure of potentially sensitive and/or confidential information, the Committee will give due consideration to each item presented at a Committee meeting on a merit (case by case) basis;
- In some instances, the Committee may recommend the non-release, or delayed release, of a particular report, at least until such time as the

findings contained within it are sufficiently managed so as not to jeopardise Council's financial, legal, safety or other risks;

- The Committee may seek input or advice from Council's nominated GIPA and PPIPA specialists in relation to any public disclosures; and
- The Committee will ensure that generally, all agendas and minutes of Committee meetings will be made publicly available subject to privacy and confidentiality considerations.

### **Reporting**

At the first Committee meeting after 30 June each year, the Committee will provide a report of:

- A summary of the work of the Committee performed to discharge its responsibilities;
- The approved Internal Audit Plan of work for the previous financial year showing the current status of each audit.
- Details of meetings, including number of meetings held during the relevant period, and the number of meetings each member attended.
- An overall assessment of the risk, control and compliance framework including details of any significant emerging risks or legislative changes impacting Council.
- The Committee may, at any time, report to Council any other matter it deems of sufficient importance to do so.

### **Meetings**

The Committee should meet with sufficient frequency to meet its responsibilities (or as required by Council), for the following reasons:

- Create and adopt an internal and external audit schedule for the following 12 months.
- Review the progress of the annual Internal Audit Plan
- Review completed internal and external audit reports.
- Consider management responses to audit issues reported including monitoring and reviewing the implementation of agreed remedial actions.

The need for any additional meetings will be determined by the Chair of the Committee, though other Committee members may make requests to the Chair for additional meetings.

A forward meeting plan, including meeting dates and agenda items, will be agreed by the Committee each year. The forward meeting plan will cover all Committee responsibilities as detailed in this Committee Charter.

**Attendance at Meetings and Quorums**

A quorum will consist of a majority of Committee members, including at least one independent member. Meetings can be held in person, by telephone, video or web conference.

A person/ team conducting the internal audit will be invited to attend each meeting unless requested not to do so by the Chair of the Committee. The Committee may also request the Director of Corporate Services or the Secretariat of the Audit Committee as appointed or any other employees to participate for certain agenda items, as well as the external auditor.

**Decision Making and Voting**

The Committee is expected to make decisions by consensus, however if voting becomes necessary then the vote will be by a majority of votes by members present and the details of the vote recorded in the minutes.

**Secretariat**

The Secretariat is the link between the Committee and the staff of the Council. The Secretariat will ensure the agenda for each meeting and supporting papers are circulated, at least one week before the meeting, and ensure minutes of the meetings are prepared and maintained. Minutes shall be approved by the Chair and circulated to each member within three weeks of the meeting being held.

**Conflicts of Interest**

Committee members must declare any conflicts of interest at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.

Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist. The final arbiter of such a decision is the Chair of the Committee.

**Induction**

New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

**Assessment Arrangements**

The Chair of the Committee will initiate a review of the performance of the Committee at least once every two years. The review will be conducted on a self-assessment basis (unless otherwise determined by the Chair), with appropriate input from management and any other relevant stakeholders, as determined by the Chair.

**Review of Audit, Risk and Improvement Committee Charter**

At least once every two years the Audit Committee will review this Audit Committee Charter. The Committee will recommend to Council any changes to this Committee Charter.

<b>Adopted:</b>	<b>Date: 09/05/2011</b>	<b>Minute: 1105/008</b>
<b>Lasted Reviewed:</b>	<b>Date: 14/11/2011</b>	<b>Minute: 1111/026</b>
	<b>Date: 21/03/2016</b>	<b>1603/005</b>
	<b>Date: xx/xx/2018</b>	
<b>Next Reviewed:</b>	<b>Date: 17/02/2021</b>	

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

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**Recommendation:**

That the Director Infrastructure Services Monthly Report for August 2018 be received and noted.

**Reason for Report:**

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

**Report:****Topical Issues**Naming of Bridges

Councillors may recall a report to the June 2017 Council meeting, with regard the naming of those bridges constructed in 2017, where Council resolved to source names for the bridges from the Roads and Street Names Policy, and to seek local community input, including via schools and the Blayney and Lyndhurst RSL sub-branches.

Council sourced advice from the Blayney Shire Local & Family History Group, with a report prepared by Gwenda Stanbridge identifying young servicemen who lived as close as possible to the bridge locations. Some locations had multiple names identified.

Further to this, an additional request has been made to the group to source possible names for consideration for the previously constructed bridge over Cowriga Creek on Forest Reefs Road approximately 5 years ago, for the soon to be constructed bridge over Cowriga Creek on Browns Creek Road, and the proposed bridge over Cowriga Creek on Carcoar Road. Council expects to receive this information in coming weeks.

I attended a joint meeting of School Principals from the Blayney LGA and Trunkey Creek in the past week, following initial discussions earlier this year. The Principals were appreciative of the engagement, especially considering, 2018 is the final year of the Centenary of Anzac celebrations, remembering the end of The Great War. Recognising the excellent information already provided, they collectively felt their best opportunity was to become involved when Council considers a report to place recommended names on public exhibition.



Further advice and a report on recommended names will be presented upon receipt of further information from the Family History Group.

### **Major Works**

#### Southern Cadia Access Route

Council has completed 2km of base layer material, and is progressing with sub-base material through the quarry and further along Cadia Road. Sealing of the first 2km of Cadia Road is scheduled for 30-31 August.

#### Road Rehabilitation Works

Council is nearing completion of the Browns Creek Road base layer, with the majority of material placed by 10 August. The bridge replacement over Sugarloaf Creek is commencing 12 August with pile driving being undertaken with a road closure between 8am and 3pm.

This closure aligns with Council's need to replace a culvert on Browns Creek Road, so Council staff will be replacing a culvert during this closure.

The bridge replacement closure is scheduled for 17-20 August, pending weather.

#### Road Maintenance Works.

Council's drainage crew has been focussing on table drains and other earthworks in recent weeks, with the improvement of significant cuttings along Three Brothers and Wimbledon Roads. These 2 locations have previously presented poor sight distance for motorists on curves and crests. Improvements will support road safety and help protect the road pavement from the ingress of moisture.

Council has undertaken maintenance grading on its worst rated roads being Beneree Road, Dicksons Lane, Burtons Lane, Springhill Road, and Showground Lane.

#### Footpath Works

Council's concrete crew has commenced site works for the NSW Government funded Lyndhurst Village Link shared path. Stage 1 will result in a 2.5m shared path extending from the existing footpath at Capital Park, to the footpath on the bridge over Grubbenbun Creek on the Mid- Western Highway.

Council is currently waiting on advice from the NSW Government on the outcomes of its application for funding to complete the shared path to Lyndhurst Recreation Ground.

### **Major Contracts**

#### Early Contractor Involvement (ECI) – Browns Creek Road Bridges

90% design plans have been received for Cowriga Creek Bridge, with works scheduled to start late August.

## **Parks and Recreation**

### Routine Maintenance

Staff have been undertaking tree maintenance works with canopy raising and pruning along public thoroughfares, to provide improved sight distances for motorists, as well as pathway trimming.

As part of the training requirements of some staff, works have also been undertaken to refurbish garden beds around the Blayney Tennis Courts and along Orange Road. This has helped support staff attaining Certificate III in Horticulture. Staff continue to address weed matters and other general clean-up works, in preparation for future cemetery fencing renewal.

### Johnston Crescent Pine Trees

Works have been completed on the removal of trees behind Johnston Crescent. Woodchip has been stockpiled on site in preparation for future plantings. Plantings are proposed to be undertaken in approximately 12 months, to enable materials to break down and help improve soil conditions due to the nutrient removal that occurs as a result of pine trees.

General feedback from the community has been positive, with many experiencing an improved general outlook, and light levels in and around their homes. Unfortunately we received one negative response from a resident of Raphael Street, not receiving our mail out and now being impacted by views of the old abattoir site.

### Revive 2 Belubula River

Works have been completed on the removal of introduced tree species and noxious weeds from the section of the Belubula, immediately upstream of the Mid-Western Highway overpass to the eastern boundary of the Carcoar Showground.

Council staff and community members have commenced the planting of local provenance trees, shrubs and grasses more suited to the riverine environment, with further harvesting of rushes from the Revive 1 project site to occur in conjunction with the community and Carcoar Urban Landcare Group.

Existing deciduous trees that form the backdrop from the Carcoar Showground site have been retained in respect of the historical part they play in the village. This was identified as an important factor to the Carcoar PA&H Society when Council initially scoped the project with the community.

As part of the project scope, funding is available for the purchasing of fencing materials to renew fencing between the river and show ground. Council staff will then provide support to the PA&H Society to undertake these works.

The opening up of the stream bed to sunlight is expected to result in an early improvement in the growth of rushes that lie dormant in the stream bed due to lack of light previously. Council has already noted the existence of native water rats moving about within the stream, that is a sign of good water health.

The project is jointly funded by the NSW Government Environmental Trust and Council, with support from the Carcoar Urban Landcare Group and Carcoar Public School.

#### Blayney Skate Park

Tender documents have been completed and will be advertised on 16 August. It is intended to complete the tender process and undertake the assessment process in time to report to the October Council meeting.

#### **Wastewater**

Henry St sewerage pump station upgrade is all but complete. The remaining works include minor PLC and SCADA programming. The project has been relatively successful considering the initial issues with existing pumps failing prior to the intended start date of the upgrades. The new pumps and variable speed drives are proving to be a great combination. The system now has additional benefits in variable speed operation, smoother start up and shut down function, the ability to vary the start levels, snoring function to help clean out the well and more pump and motor monitoring functions.

Millthorpe MHL trial has had a set back with the product freezing in the extreme cold weather we have experienced. Unfortunately the manufacturer of the product has not used this product in our cold weather and mainly along the east coast. We are currently considering the options to rectify this to get through the trial period.

#### **Assets**

End of year financials for assets are currently being finalised between assets and finance staff. This involves transitioning the financial Asset Registers to the AssetFinda Asset Management System. The Buildings, Parks and Recreation and Sewer registers have all been transitioned and the Transport Asset class will transition with the revaluation of this class over the 2018/19 and 2019/20 financial years.

The Australian Local Government Association (ALGA) National State of the Assets Report submission has been completed.

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

Information report only

#### **Budget Implications:**

Information report only

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

Nil

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

Nil

**16) CONTAMINATED LAND POLICY**

**Department:** Planning and Environmental Services

**Author:** Director Planning and Environmental Services

**CSP Link:** 2. Local Governance and Finance

**File No:** LP.PO.2

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**Recommendation:**

That Council ceases the development of a contaminated land policy until the NSW Department of Planning and Environment have finalised a review of State Environmental Planning Policy No 55 – Remediation of Land.

**Reason for Report:**

To seek Council resolution to not proceed to develop a contaminated land policy.

**Report:**

In 2016, Blayney Shire Council joined a regional group of councils which had been successful in obtaining funding from the NSW State Government to prepare a contaminated land policy that is generally consistent between all of the member councils in the Central West.

The draft policy was prepared by a steering group, and also a Regional Contamination Officer, which was fully funded by a NSW Government program. The policy reflected the requirements of various pieces of NSW legislation at the time.

At this Ordinary Meeting of 19 December 2016 **Resolution Number (1612/022)**, Council resolved to place the draft Contaminated Land Policy on public exhibition for a period of 28 days.

Council proceeded to undertake the public exhibition in mid-2017 and no submissions were received.

The policy has never been finalised for the following reasons;

- The Regional Contamination Officer resigned early in 2017, meaning the program lost its key driver,
- Only some Councils proceeded with the policy,
- In 2017, the NSW Department of Planning and Environment (DPE) announced they were reviewing SEPP 55.

It is recommended Council does not proceed any further with the draft contaminated Lands policy until the NSW Department of Planning and Environment (DPE) announced they were reviewing SEPP 55.

DPE completed public exhibition in April 2018, however no date is nominated for completion of the review at this stage.

**Risk/Policy/Legislation Considerations:**

Whilst council will not have a contaminated lands policy in place, it must still consider contamination in its planning functions.

The most common planning functions Council regularly undertakes is the determination of development applications and the provision of information on Section 149 (planning certificates) under the EP&A Act.

State Environmental Planning Policy 55 Remediation of Land (SEPP 55) requires that land contamination must be considered on every development application (clause 7 SEPP 55).

The current Planning Guideline also recommends that Council check its records on land contamination for every section 10.7 planning certificate.

Council has responsibility to ensure that when exercising its statutory planning functions in relation to the development of contaminated land, all relevant information is considered.

To do this Council must:

- Consider the likelihood of land contamination as early as possible in the planning and development control process;
- Link decisions about the development of land with the information available about contamination possibilities;
- Adopt a policy approach which will provide strategic and statutory planning options based on the information about contamination; and
- Exercise statutory planning functions with a reasonable standard of care.

Council staff will continue to utilise a register, which was formulated during preparation of the draft policy, which identified approximately 124 properties within the Blayney Shire that potentially could be contaminated.

Should these properties request a section 10.7 planning certificate or lodge a development application, further contamination investigation may be stated on a section 10.7 or required with a development application to comply with the applicable legislation.

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil