



14 September 2022

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, 19 September 2022 at 6.00pm for consideration of the following business -

- (1) Livestreaming Video and Audio Check
- (2) Acknowledgement of Country
- (3) Recording of Meeting Statement
- (4) Apologies for non-attendance
- (5) Disclosures of Interest
- (6) Public Forum
- (7) Mayoral Minute
- (8) Confirmation of Minutes
 - (a) Ordinary Council Meeting held on 15.08.22
 - (b) Extraordinary Council Meeting held on 29.08.22
- (9) Matters arising from Minutes
- (10) Reports of Staff
 - (a) Executive Services
 - (b) Corporate Services
 - (c) Infrastructure Services
- (11) Closed Meeting

Yours faithfully

Mark Dicker
General Manager

Meeting Calendar 2022

September

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
6.00pm	19 September 2022	Council Meeting	Community Centre
6.30pm	22 September 2022	Central NSW Business HQ Board Meeting	TBC
8.30am	28 September 2022	Orange360 Board Meeting	Orange

October

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
10.00am	7 October 2022	Traffic Committee Meeting	Community Centre
10.30am	12 October 2022	Central Tablelands Water Meeting	Grenfell
12.30pm	12 October 2022	Central NSW JO Board Meeting	Sydney
9.00am	13 October 2022	Central NSW JO Round Table Meeting with State Ministers	Sydney
5.00pm	19 October 2022	Council Meeting	Community Centre
12.00pm	20 October 2022	Central NSW Business HG Board Meeting	Orange
9.00am	23-25 October 2022	Local Government NSW Annual Conference	Hunter Valley
8.30am	26 October 2022	Orange360 Board Meeting	Orange

November

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
5.00pm	16 November 2022	Council Meeting	Community Centre
9.00am	18 November 2022	Country Mayors	Sydney
8.30am	23 November 2022	Orange360 Board Meeting	Orange
9.00am	23 November 2022	Audit, Risk and Improvement Committee Meeting	Community Centre
10.00am	24 November 2022	Central NSW JO Board Meeting	Forbes
4.00pm	24 November 2022	Central NSW Business HQ AGM and Board Meeting	Orange
9.00am	25 November 2022	Mining and Energy Related Councils Meeting	Dubbo

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HELD ON MONDAY 19 SEPTEMBER 2022

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LIVE STREAMING OF COUNCIL MEETINGS

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

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

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

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

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

01) MAYORAL MINUTE - MINUTE'S SILENCE TO ACKNOWLEDGE THE PASSING OF QUEEN ELIZABETH II

Author: Councillor Scott Ferguson

File No: GO.ME.3

Item:

Councillors will hold a Minute's Silence to acknowledge the passing of Queen Elizabeth II.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

02) MAYORAL MINUTE - LYNDHURST RSL SUB BRANCH

Author: Councillor Scott Ferguson

File No: GS.LI.1

Recommendation:

That Council provide financial assistance of \$500 to the Lyndhurst RSL Sub Branch as a contribution to their Centenary celebrations.

Item:

The Lyndhurst RSL Sub Branch has approached Council for Financial Assistance Funding to contribute to their Centenary celebrations.

The Centenary is to commemorate 100 years of service to the district, from humble beginnings in 1922, by returned servicemen of the great war and maintained by veterans and family to the present day. The function will be attended by veterans, Sub Branch members, family of past and present service personnel, friends and guests.

This event will be held at the Mandurama Memorial Hall.

Budget Implications:

It is proposed to fund the \$500 donation from the Community Financial Assistance Program given \$60,734 is unspent from prior years.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

03) MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 15 AUGUST 2022**Department:** Executive Services**Author:** General Manager**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** GO.ME.3**Recommendation:**

That the Minutes of the Ordinary Council Meeting held on 15 August 2022, being minute numbers 2208/001 to 2208/017 be confirmed.

MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY CENTRE, ON 15 AUGUST 2022, COMMENCING AT 6.00PM

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

Interim General Manager (Mr R Earl), Director Corporate Services (Mr A Franze), Acting Director Infrastructure Services (Mr J Hogan) and Executive Assistant to the General Manager (Mrs L Ferson)

ACKNOWLEDGEMENT OF COUNTRY**RECORDING OF MEETING STATEMENT****APOLOGIES**

Cr Somerville has submitted a leave of absence request for this meeting.

DISCLOSURES OF INTEREST

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

Councillor /Staff	Interest	Item	Pg	Report	Reason
Cr Ferguson	Non Pecuniary (Less Than Significant)	2	7	Mayoral Minute – Accounting Treatment of Rural Fire Service (Red Fleet)	Board member of LGNSW
Cr Gosewisch	Pecuniary	7	21	Tourism Development Program Applications	Daughter works for Blayney Botanicals

MAYORAL MINUTE - APPOINTMENT OF GENERAL MANAGER

2208/001

RESOLVED:

1. That Council confirm the appointment of Mark Dicker as General Manager of Blayney Shire Council and that his appointment as General Manager be for a period of five (5) years commencing Tuesday 16 August 2022.
2. That the seal of Council be affixed to the contract of employment between Mark Dicker and Blayney Shire Council.
3. That Council delegate to Mr. Mark Dicker pursuant to section 377 of the Local Government Act all the powers and delegations to the General Manager of Blayney Shire Council, as defined in Delegations Register of Blayney Shire Council, with such delegations to be effective from Tuesday 16 August 2022 and will remain until otherwise revoked or amended by a resolution of Council.

(Newstead/Pryse Jones)

CARRIED**MAYORAL MINUTE - ACCOUNTING TREATMENT OF RURAL FIRE SERVICE (RED FLEET) ASSETS**

2208/002

RESOLVED:

1. Council writes to the local State Member Hon. Paul Toole MP, the Treasurer the Hon Matt Kean MP, Minister for Emergency Services and Resilience the Hon Stephanie Cook MP and the Minister for Local Government Wendy Tuckerman MP:
 - a. Expressing Council's objection to the NSW Government's position on ownership of Rural Fire Service assets and requesting an amendment to s119 of the Rural Fires Act 1997 so that the Red Fleet and other Rural Fire Service assets are not registered as the property of Blayney Council;
 - b. Advising Council will not record the value of the RFS Mobile Assets known as the 'Red Fleet', nor associated depreciation in Blayney Shire Council's financial statements, noting that the State Government's own *Local Government Code of Accounting of Practice and Financial Reporting* provides for councils to determine whether or not they record the RFS assets as council assets, but will advise of the potential impact of the NSW Government's position on asset ownership on Council finances, if they were included.
2. Council writes to the Shadow Treasurer Daniel Mookhey MLC, the Shadow Minister for Emergency Services Jihad Dib MP, the Shadow Minister for Local Government Greg Warren MP, the Greens Spokesperson for Local Government Jamie Parker MP and the leaders of the Shooters, Fishers and Farmers, Animal Justice and One Nation parties Robert Borsak MLC, Emma Hurst MLC and Mark Latham MLC:
 - a. Advising Members of Blayney Shire Council's position

- stated above, including providing copies of correspondence to NSW Government Ministers;
- b. Seeking Opposition and cross bench Members' commitments to support Blayney Councils' call to amend the Rural Fires Act 1997 as set out in correspondence.
3. Blayney Council re-affirms its complete support of and commitment to local Rural Fire Brigades in the Blayney Shire.
 4. Council promotes these messages via its digital and social media channels and via its networks.
 5. That Blayney Shire Council affirms its support to Local Government NSW (LGNSW) and requests LGNSW continue advocating on Council's behalf to get a change in the NSW Rural Fire Service Act to vest the ownership of the Red Fleet and other Rural Fire Service assets in the state of NSW and not as a Council asset.

(Ferguson/Reynolds)

CARRIED

CONFIRMATION OF MINUTES

MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 18 JULY 2022

2208/003

RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 18 July 2022, being minute numbers 2207/001 to 2207/020 be confirmed.

(Gosewisch/Pryse Jones)

CARRIED

MATTERS ARISING FROM THE MINUTES

Nil

EXECUTIVE SERVICES REPORTS

APPLICATION FOR LEAVE OF ABSENCE

2208/004

RESOLVED:

That Council approve the Leave of Absence application submitted by Councillor Somerville for the August 2022 Council meeting.

(Gosewisch/Reynolds)

CARRIED

CODE OF MEETING PRACTICE

2208/005

RESOLVED:

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

(Pryse Jones/Ewin)

CARRIED

LGNSW ANNUAL CONFERENCE 2022

2208/006

RESOLVED:

That Council:

1. Nominate the Mayor as voting delegate to the LGNSW Annual Conference 2022; and
2. Approves the registration and attendance of the Mayor, Cr Pryse Jones, Cr Gosewisch and the General Manager as Blayney Shire Council Delegates to attend the LGNSW Conference in 2022.

(Ferguson/Ewin)

CARRIED

Cr Gosewisch, having declared an interest, left the meeting.

TOURISM DEVELOPMENT PROGRAM APPLICATIONS

2208/007

RESOLVED:

That Council approves the following applications under the 2022/23 Tourism Development Program;

- a) \$1,000 to Rosebank (Gallery) for the Bakers Dozen Exhibition
- b) \$1,000 to Rosebank (Guesthouse) for a website upgrade
- c) \$1,000 to Blayney Botanicals for a Recovery Garden Project

(Ewin/Newstead)

CARRIED

Cr Gosewisch returned to the meeting.

CORPORATE SERVICES REPORTS**REPORT OF COUNCIL INVESTMENTS AS AT 31 JULY 2022**

2208/008

RESOLVED:

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

(Reynolds/Newstead)

CARRIED**ADOPTION OF PAYMENT OF EXPENSES AND THE PROVISION OF FACILITIES TO THE MAYOR AND COUNCILLORS POLICY**

2208/009

RESOLVED:

That the Payment of Expenses and the Provision of Facilities to the Mayor and Councillors policy be adopted and included in Council's policy register.

(Ewin/Pryse Jones)

CARRIED

REVIEW OF COUNCIL POLICIES

2208/010

RESOLVED:

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

No.	Policy Name
2C	Complaints Management Policy
2D	Public Interest Disclosures: Internal Reporting Policy
2E	Gifts & Benefits Policy
2F	Fraud and Corruption Control Policy and Plan
2G	Access to Information
2H	Statement of Business Ethics
2K	Legislative Compliance Policy
3H	Community Infrastructure Policy
4D	Related Parties Disclosures Policy
26C	Plaques and Memorials Policy

(Gosewisch/Newstead)

CARRIED**REVIEW OF AGENCY INFORMATION GUIDE**

2208/011

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.

(Pryse Jones/Ewin)

CARRIED**SIX MONTHLY DELIVERY PLAN REVIEW - JUNE 2022**

2208/012

RESOLVED:

That the six-monthly review, for period ending 30 June 2022, of Council's 2021/22 – 2024/25 Delivery Plan be received.

(Newstead/Reynolds)

CARRIED**NOMINATIONS FOR DISABILITY INCLUSION WORKING GROUP**

2208/013

RESOLVED:

1. That Lyndall Harrison, Alison Farr, Iris Dorsett, Greg Hooper and Jenny McMahon be appointed as community representatives to the Disability Inclusion Working Group for the duration of the Council term.
2. That Council nominate Councillor Newstead as Council's delegate and Cr Reynolds as alternate, for when required, to the Disability Inclusion Working Group.

(Ferguson/Reynolds)

CARRIED

INFRASTRUCTURE SERVICES REPORTS**DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT****2208/014****RESOLVED:**

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

(Newstead/Ewin)

CARRIED

FIXING COUNTRY BRIDGES PROGRAM - ROUND 2A**2208/015****RESOLVED:**

That Council;

1. Accept the NSW Government funding offer of \$1,424,900 under the Fixing Country Bridges Program Round 2A and endorse the General Manager signing of the Funding Deed.
2. Invite tenders for the Swallow Creek Bridge (Four Mile Creek Road) by the open tendering method.

(Reynolds/Ewin)

CARRIED

MILLTHORPE VILLAGE CENTRE MASTERPLAN**2208/016****RESOLVED:**

That Council adopt the Millthorpe Village Centre Concept, and seek funding to implement the projects.

(Reynolds/Pryse Jones)

CARRIED

MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 5 AUGUST 2022**2208/017****RESOLVED:**

1. That the minutes of the Blayney Traffic Committee Meeting, held on Friday 10 June 2022, be received and noted.
2. That Council note the change of date for the undertaking of the Pollie Pedal 2022 Charity Cycle Ride, to be staged on Hobbys Yards Road, Mid Western Highway, Orange Road, Neville Road, Mandurama Road, and Belubula Way, on 3 and 4 October 2022, and that the event approval be subject to the conditions as detailed in the Director Infrastructure Services' Report of June 2021.
3. That Council endorse the Traffic Guidance Scheme for the Orange Running Festival, to be held on 5 March 2023 on roads in the vicinity of Forest Reefs and Spring Terrace, in the Orange City LGA, as a Class 2 event, and subject to the conditions detailed in the Director Infrastructure Services' Report.
4. That:
 - a) Signs indicating a bus stop should not be erected at Eves Lane, Millthorpe;

- b) Appropriate use of signage be investigated following any future alterations to the bus stop.
5. That:
- a) The application for a rural bus route and rural bus stop at the corner of Wimbledon Road and Gresham Lane, Newbridge be approved.
 - b) That vegetation trimming be undertaken and available sight distance be subsequently reassessed prior to Council approval.
 - c) Design and creation of an approved bus bay would be outside Council's current budgetary capabilities

(Newstead/Ewin)

CARRIED

There being no further business, the meeting concluded at 6.41pm.

The Minute Numbers 2208/001 to 2208/017 were confirmed on 19 September 2022 and are a full and accurate record of proceedings of the Ordinary Meeting held on 15 August 2022.

Cr S Ferguson
MAYOR

Mr M Dicker
GENERAL MANAGER

04) MINUTES OF THE PREVIOUS EXTRAORDINARY COUNCIL MEETING HELD 29 AUGUST 2022

Department: Executive Services

Author: General Manager

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

File No: GO.ME.3

Recommendation:

That the Minutes of the Extraordinary Council Meeting held on 29 August 2022, being minute numbers 2208/E001 to 2208/E008 be confirmed.

MINUTES OF THE BLAYNEY SHIRE COUNCIL EXTRAORDINARY MEETING HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY CENTRE, ON 29 AUGUST 2022, COMMENCING AT 6.00PM

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

General Manager (Mr Mark Dicker), Chief Financial Officer (Mrs T Irlam), Director Planning & Environmental Services (Mr A Muir) and Executive Assistant to the General Manager (Mrs L Ferson)

ACKNOWLEDGEMENT OF COUNTRY**RECORDING OF MEETING STATEMENT****2208/E001 APOLOGIES RESOLVED:**

That the apology tendered on behalf of Cr Michelle Pryse Jones be accepted.

(Reynolds/Gosewisch)

CARRIED

DISCLOSURES OF INTEREST

Nil

PUBLIC FORUM

Peter Ogilvie – Item 3 – DA6/2022 – Erection of a Motel Building and Business Signage – 62 Osman Street, Blayney

CORPORATE SERVICES REPORTS**DRAFT STATEMENT OF FINANCIAL REPORTS BY COUNCIL
2021/22****2208/E002 RESOLVED:**

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 2022 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 2022 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 Council approve the net transfers to Council's external cash restrictions of \$449k.
7. That Council approve the net transfers from Council's internal cash restrictions of \$356k, for the purposes as detailed in Schedule 1.
8. That Council approve supplementary votes of expenditure to the 2022/23 budget for carryover works from 2021/22 to 2022/23, totalling \$1.105m funded from Internal Cash Allocations of \$504k and External Cash Restrictions of \$601k as per the attached schedule.
9. That Council approve supplementary votes of expenditure for 2022/23 totalling \$3.512m for carryover works from 2021/22 to 2022/23 funded from future grants and contributions not yet received.
10. That Council approve supplementary votes of expenditure of \$1.006m for 2022/23 for projects approved after the adoption of the 2022/23 – 2025/26 Delivery Plan and 2022/23 Operational Plan funded from \$524k external restrictions and \$482k future grants and contributions.

(Newstead/Ewin)

CARRIED

PLANNING AND ENVIRONMENTAL SERVICES REPORTS

DA58/2022 – CHANGE OF USE – RESOURCE RECOVERY FACILITY - 2 TOLLBAR STREET BLAYNEY

2208/E003

RESOLVED:

That Council consent to the change of use to a Resource Recovery Facility (including Vermiculture) at 2 Tollbar Street Blayney subject to conditions.

(Reynolds/Somervaille)

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

FOR	AGAINST
Councillor Ewin	
Councillor Ferguson	
Councillor Somervaille	
Councillor Reynolds	
Councillor Newstead	
Councillor Gosewisch	
Total (6)	Total (0)

CARRIED

DA6/2022 - ERECTION OF A MOTEL BUILDING AND BUSINESS SIGNAGE - 62 OSMAN STREET BLAYNEY

2208/E004

RESOLVED:

That Council consent to erection of a Motel Building and Business Signage at 62 Osman Street Blayney subject to conditions.

(Newstead/Somervaille)

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

FOR	AGAINST
Councillor Ewin	
Councillor Ferguson	
Councillor Somervaille	
Councillor Reynolds	
Councillor Newstead	
Councillor Gosewisch	
Total (6)	Total (0)

CARRIED

CLOSED MEETING**2208/E005 RESOLVED:**

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

CONTRACT 06/2022 - TRAFFIC MANAGEMENT SERVICES

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

REQUEST FOR VARIATION - WASTE COLLECTION AND PROCESSING

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

(Reynolds/Gosewisch)

CARRIED

CONFIDENTIAL MEETING REPORTS**CONTRACT 06/2022 - TRAFFIC MANAGEMENT SERVICES****2208/E006 RESOLVED:**

That Council;

1. Accept the tender from Midwest Traffic Management Pty Ltd for the quality assured, schedule of rates contract for the Provision of Traffic Management Services No. 06/2022.
2. Delegate Authority to the General Manager to execute the contract deed of agreement between Blayney Shire Council and Midwest Traffic Management Pty Ltd
3. Delegate Authority to the General Manager to extend the term of the contract for a further two (2) terms of twelve (12) months each if contractor performance and price are acceptable.

(Gosewisch/Ewin)

CARRIED

REQUEST FOR VARIATION - WASTE COLLECTION AND PROCESSING**2208/E007 RESOLVED:**

That Council delegate authority to the Mayor and General Manager to approve by application of the Council Seal the continuation of the variation of the existing domestic waste and recycling contract between Blayney Shire Council (Council) and JR & EG Richards Pty Ltd for Council to forgo any refund sharing agreement in respect of the Container Deposit Scheme.

(Newstead/Reynolds)

CARRIED

2208/E008 RESOLVED:

That as consideration of the matters referred to in the closed meeting has been concluded, the meeting now be opened to the public.

(Ewin/Reynolds)

CARRIED

AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 2208/E006 AND 2208/E007.

There being no further business, the meeting concluded at 6.46pm.

The Minute Numbers 2208/E001 to 2208/E008 were confirmed on 19 September 2022 and are a full and accurate record of proceedings of the Extraordinary Meeting held on 29 August 2022.

Cr S Ferguson
MAYOR

Mr M Dicker
GENERAL MANAGER

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

Recommendation:

That Council;

1. Adopt the following dates for Ordinary Meetings of Council for the next 12 months, to be held at 5.00pm in the Blayney Shire Community Centre:
 - 19 October 2022
 - 16 November 2022
 - 21 December 2022
 - 15 February 2023
 - 15 March 2023
 - 19 April 2023
 - 17 May 2023
 - 28 June 2023
 - 19 July 2023
 - 16 August 2023
 - 20 September 2023
2. Amend section 3.1 of Policy 1C – Code of Meeting Practice to reflect the change in meeting day and time.

Reason for Report:

For Council to review and adopt a meeting schedule for the Ordinary Meetings of Council for the next 12 months as per s3.1 of Blayney Shire Council Code of Meeting Practice (2022).

Report:

Council has traditionally convened 11 Ordinary Meetings each year (no January meeting). Meetings have been held in the Council Chambers of the Blayney Shire Community Centre commencing at 6.00pm generally on the third Monday of each month.

Note: This does not preclude the calling of an Extraordinary Meeting when the necessity arises for a particular issue, at the request of Councillors or staff by the authorisation of the Mayor.

Discussing opportunities for improvements with staff and Councillors, one opportunity that has been identified is to alter the schedule of Council meetings.

Issues / Opportunities

- A Monday Council meeting only allows 1.5 business days for the public to read and engage Councillors and staff before the meeting.
- Monday Council meetings are sometimes affected by Public Holidays.
- Several staff (including directors and managers) have RDOs scheduled on a Monday that clash with Council meetings.
- Since the introduction of live video streaming there has rarely been an audience in the Council Chamber for meetings, with any interested person/s watching online.

Other Councils

Other Council meeting day and times vary significantly throughout the region.

Council	Day	Time
Cowra	4 th Monday of month	5.00pm
Lithgow	4 th Monday of month	7.00pm
Forbes	3 rd Tuesday of month	1.00pm
Parkes	3 rd Tuesday of month	2.00pm
Oberon	3 rd Tuesday of month	5.30pm
Orange	3 rd Tuesday of month	6.30pm
Cabonne	4 th Tuesday of month	2.00pm
CTW	2 nd Wednesday (alternate months)	10.30am
Bathurst	3 rd Wednesday of month	6.00pm
Lachlan	4 th Wednesday of month	2.00pm
Hilltops	4 th Wednesday of month	4.30pm
Weddin	3 rd Thursday of month	5.00pm
UMCC	2 nd Friday (alternate months)	2.30pm

Noting some Councils do meet during office hours, it is felt important to retain a later meeting, because;

- Councillors have work commitments,
- To facilitate greater community participation by making it easier for a community member to attend a meeting (in particular, public forum).

It is recommended to change Council meetings; from 6pm on the 3rd Monday of each month to 5pm on the 3rd Wednesday of each month.

Note: The June 2023 Council meeting will be the 4th Wednesday to enable the Operational Plan to be on public exhibition for the minimum 28 days after the May meeting. Whilst this does create a 6-week gap between the May and June meetings an Extraordinary Meeting can be called if necessary.

Risk/Policy/Legislation Considerations:

The Local Government Act (1993) s365 stipulates the requirement for Council to meet at least 10 times per annum, each time in a different month.

The Blayney Shire Council Code of Meeting Practice (2022) and Model Code of Meeting Practice for Local Councils in NSW (2021) s3.1 refers to Frequency of Meetings and notes that Council will adopt an annual schedule of dates at the September meeting.

This schedule does not include various Committee meetings, extraordinary Council meetings, workshops or training, civic functions and other commitments of Councillors. Council Committees will continue for the remaining term of Council, along their adopted meeting schedule.

Budget Implications:

Council meetings are a normal part of the operations of the organisation and budgeted for in the 2022/23 Operational Plan. This includes travel reimbursement costs of Councillors and catering for meals.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

06) APPLICATION FOR LEAVE OF ABSENCE

Department: Executive Services

Author: General Manager

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

File No: GO.CO.1

Recommendation:

That Council approve the Leave of Absence application submitted by Councillor Ewin for the October 2022 Council meeting.

Reason for Report:

Councillor Ewin is seeking Council approval for a Leave of Absence, for the October 2022 Council meeting.

Report:

Councillor Ewin will be an apology for 19 October 2022 Council meeting and has submitted an application for this Leave of Absence.

Risk/Policy/Legislation Considerations:

This request is in accordance with clause 5.6 of Council's Code of Meeting Practice and s234(1)(d) of the Local Government Act (1993), whereby Council may grant leave prior to or at any of the meetings concerned.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

07) APPLICATION FOR LEAVE OF ABSENCE

Department: Executive Services

Author: General Manager

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

File No: GO.CO.1

Recommendation:

That Council approve the Leave of Absence application submitted by Councillor Ferguson for the October 2022 Council meeting.

Reason for Report:

Councillor Ferguson is seeking Council approval for a Leave of Absence, for the October 2022 Council meeting.

Report:

Councillor Ferguson will be an apology for 19 October 2022 Council meeting and has submitted an application for this Leave of Absence.

Risk/Policy/Legislation Considerations:

This request is in accordance with clause 5.6 of Council's Code of Meeting Practice and s234(1)(d) of the Local Government Act (1993), whereby Council may grant leave prior to or at any of the meetings concerned.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

08) ORANGE REGION DESTINATION MANAGEMENT PLAN**Department:** Executive Services**Author:** Manager Tourism and Communications**CSP Link:** 3. Diversify and Grow the Blayney Shire Local and Visitor Economy**File No:** ED.IN.5

Recommendation:

That Council endorse the Orange Region Destination Management Plan.

Reason for Report:

For Council to endorse the Orange Region Destination Management Plan 2022 – 2026 following public exhibition.

Report:

Blayney Shire Council, Cabonne Council and Orange City Council jointly engaged Urban Enterprise to prepare a Destination Management Plan (DMP) for the Orange Region (which comprises the Local Government Areas (LGAs) of Blayney, Cabonne and Orange).

The DMP provides a guide to the long-term growth and sustainability of the visitor economy with a unified vision and prioritised goals for the Orange Region, with an evidenced based business case for investment in the region's visitor economy.

The draft DMP was approved by Council on 27 June 2022 and went on public exhibition across all three LGAs. In total, the three Councils received six responses via the Orange City Council Your Say page and 18 written submissions. All responses/submissions, with one exception from the Orange Rail Action Group focused almost exclusively on, and were opposed to, elements of 'Theme Seven – Nature, Cycling and Recreation' in the DMP, and particularly the proposal to establish Mt Canobolas as a 'hero' tourism attraction and proposed development of major infrastructure on the Mount.

Based on the feedback received, Theme Seven has been changed to 'Nature and Recreation' and focuses on leveraging 'the growth in nature based and recreational tourism through investment in infrastructure, promotions, activations and experiences, and passive recreation.' (p.53, Destination management Plan 2022 – 2026). Delivery of this theme will be achieved by 'Enhancing natural assets and recreation' and 'Connecting the Orange Region - Walking and cycling trails masterplan and implementation' (p.54)

The DMP proposes the following vision: ‘The Orange Region will be a leading Australian visitor destination, enriched by vibrant towns and villages, providing the highest quality wine, food and escape to nature experiences.’ (p.5). This vision will be achieved by delivering three objectives; (i) ‘Grow the value of the visitor economy’, (ii) ‘Create a visitor ready and unified industry’, and (iii) ‘Encourage visitor dispersal to towns and villages’ (p.5). Section Eight of the DMP, ‘Priorities and Actions’ describes the activities required to meeting the three objectives, and the specific entity/entities responsible for their delivery.

Council is being asked to endorse, and not adopt the DMP, as a single council may not adopt a joint plan (i.e. belonging to two or more LGAs) and thereby obligating another council to deliver aspects of the joint plan.

Risk/Policy/Legislation Considerations:

As the DMP is a shared strategic document there is the risk of relying on other stakeholders to implement the plan. Actions within the plan will be as per individual Council resolutions and/or individual Operational/Delivery Plans, and thus not binding on partnering Councils.

Budget Implications:

Council has allocated a budget of \$236,639 in the 2022/23-2025/26 Delivery Program, and 2022/23 Operational Plan which supports tourism activity including tourism partnerships, promotions, community development and events.

Enclosures (following report)

Nil

Attachments (separate document)

- 1 Orange Region Destination Management Plan 2022-2026 63 Pages

09) GRANT FUNDING: SCCF5 AND R4R9**Department:** Executive Services**Author:** General Manager**CSP Link:** 1. Maintain and Improve Public Infrastructure and Services**File No:** GS.II.1**Recommendation:**

That Council endorse the shortlisted projects, pending final project scope and budget preparation for submission to the NSW Government under the Stronger Country Communities Fund Round 5 and Resources for Regions Fund Round 9 grant funding programs.

Reason for Report:

To provide Council with a shortlist of community projects to be nominated under the NSW Government's Stronger Country Communities Fund Round 5 (SCCF5) program and Resources for Regions Fund Round 9 (RFR9).

Report:

Within the last month, media announcements have been made of funding allocated under the NSW Government's SCCF5 and RFR9.

Staff have prepared a short list of projects for Councillor review and endorsement, that can commence in 6 months of a funding announcement and be completed within 3 years.

Each program has its own funding guidelines and criteria, with closing dates for submission and timeframes as follows.

Grant Program	Due Date	Amount
Stronger Country Communities Fund round 5 (SCCF5)	25 September	\$909,851 council \$413,569 community
Resources for Regions round 9 (R4R9)	30 September	\$8.167m

- RFR9 allocation is based on a \$2m base allocation with additional funds provided according to mining impact and is focussed on improving service infrastructure, delivering new economic opportunities and improving community amenity.
<https://www.nsw.gov.au/regional-growth-fund/resources-for-regions>
- SCCF5 allocation is based on the local government area population with a focus on women's participation in sport and community amenity.

<https://www.nsw.gov.au/regional-growth-fund/stronger-country-communities-fund>

Council staff have identified a draft list of projects, for which; project scope, project budget and start/completion dates are still being finalised.

An initial meeting has been held with Regional NSW representatives to discuss the SCCF5 and RFR9 projects to ensure they will meet funding guidelines.

The following is a summary of each funding stream with proposed projects.

RFR9

1. Regional Road Improvements

- Belubula Way Bridge over Icely Creek
- Hobbys Yards Road

2. Local Road Improvements

- Richards Lane
- Browns Creek Road
- Tallwood Road
- Barry Road

3. Masterplanning / Detailed design

- Blayney Main St Masterplan
- Millthorpe Main St Masterplan

4. Additional / Reserve Projects

- Hobbys Yards Road stage 2

SCCF4

1. Millthorpe Mainstreet MasterPlan

- Victoria St & Montgomery St footpath pavement improvements

2. Blayney Shire Active Movement Strategy Projects

- Orange Road Blayney (Binstead St to Palmer St)
- Plumb Street & Palmer Street Blayney (from Piggot PI to Orange Rd)
- Blake St Millthorpe

3. King George Oval - Seating and Grandstand Improvements

Risk/Policy/Legislation Considerations:

A preliminary list of project costs is included as a confidential attachment. Council staff are still coordinating the grant funding submissions and therefore final project scope and costs are therefore not yet 100% confirmed.

Unlike previous rounds, in round 5, eligible community groups have a specific allocation. In this regard, the Department of Regional NSW have confirmed Councils do not rank projects that are submitted independently by community groups. The community project allocation will be considered and allocated by an independent panel.

If successful, these organisations will be responsible for delivering projects, not Council. Projects on Council land will become a Council asset and the whole of life cost will need consideration, prior to support being provided by Council.

Bringing forward projects as a result of an opportunistic grant creates additional resource demands on Council to deliver the project, which is in addition to financial, strategic and reputational risks. Within each project cost estimate Council in accordance with the funding guidelines will allow for a 15% contingency and a 10% project management cost.

It is noted that with the increased level of economic activity associated with infrastructure development across Australia, Council staff are starting to become aware of concerns associated with material supplies and labour shortages.

Lodging submissions consumes a significant amount of time, to ensure projects are fully costed, meet funding guidelines, and will be supported by the community. Projects will be 'clustered' into like projects and will be delivered in a staged manner over the 3-year timeframe to ensure an ability to deliver and reduce potential overruns in each cluster.

Budget Implications:

The draft list of projects has been prepared having considered the following;

- The Blayney Shire Roads Strategy 2022,
- Projects which are already identified within the 2022/2026 Delivery Program,
- Projects that will address issues and/or risks which have been highlighted to Council which are not identified and/or currently funded in the 2022/2026 Delivery Program,
- That will not significantly impact Councils long term financial sustainability.

SCCF5 and RFR9 funding is not included in the 2022/23 Operational Plan or 2022/2026 Delivery Program. Upon an application being successful, and Council approving the Funding Agreement, budget adjustments will be made in whichever year the funding is received and expended and associated QBRS adjustments undertaken.

Assets built with grant funds need to be maintained and repaired and, in many cases, operated entirely at Council's expense, and with any project comes a new whole of life cost, accounting for depreciation and operational costs.

Before submitting a grant application, project cost estimates for local community infrastructure must be prepared, or previous estimates reviewed, based on historic unit rates, construction cost guides, a qualified Quantity Surveyor or similar.

In recognition that grant funding is a fixed amount and Council bears the risk of cost overruns, costings will include a fixed price risk premium in addition to any standard contingency as per Council's Capital Expenditure Guidelines.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

10) REPORT OF COUNCIL INVESTMENTS AS AT 31 AUGUST 2022

Department: Corporate Services

Author: Chief Financial Officer

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

File No: FM.AU.1

Recommendation:

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

Reason for Report:

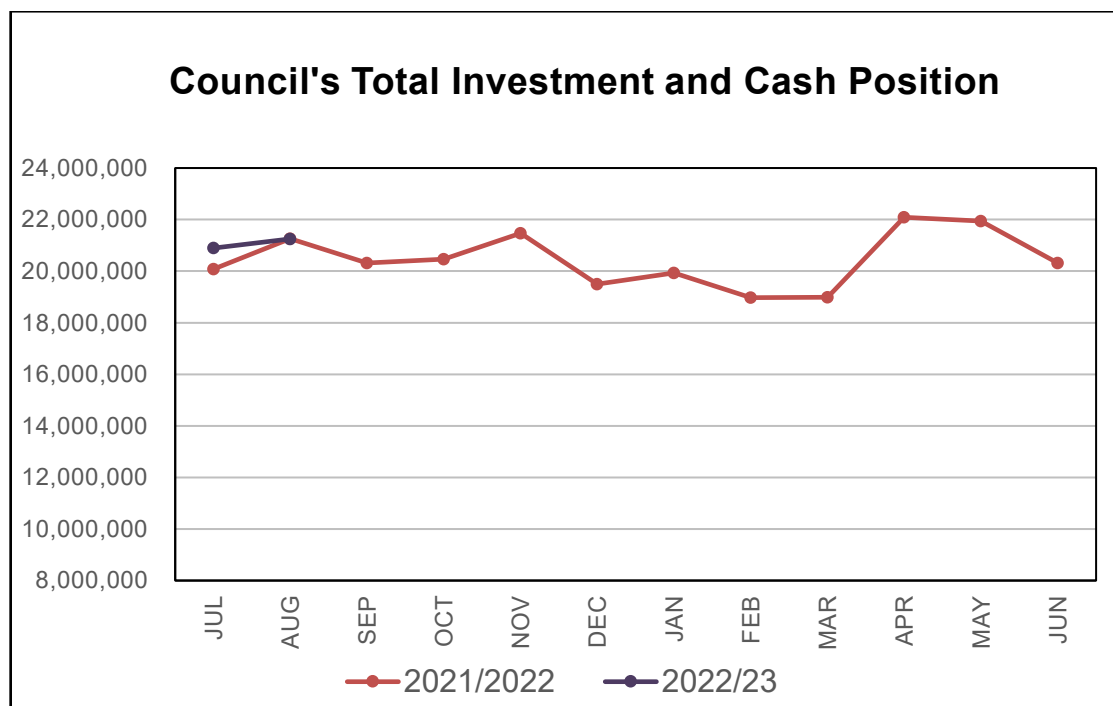
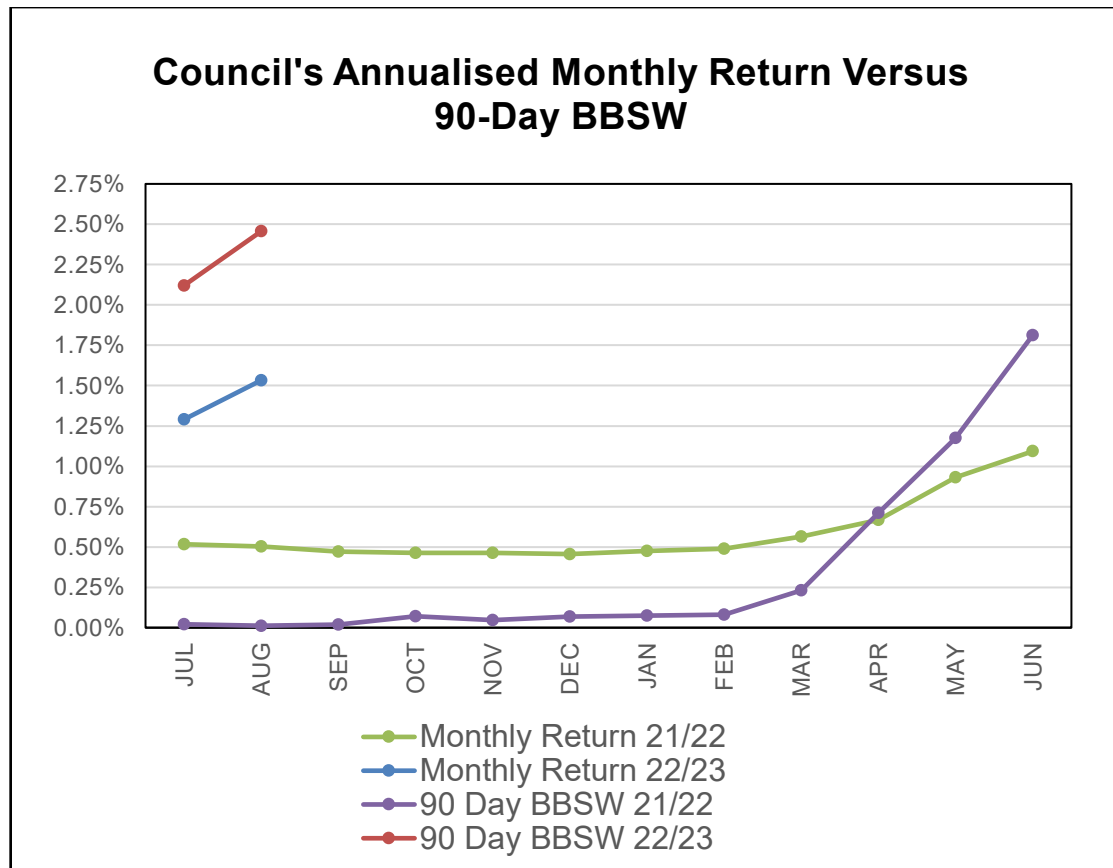
For Council to endorse the Report of Council Investments as at 31 August 2022.

Report:

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

Council's total investment and cash position as at 31 August 2022 is \$21,251,229. Investments earned interest of \$24,301.98 for the month of August 2022.

Council's monthly net return on Term Deposits annualised for August was 1.53% which did not outperform the 90 day Bank Bill Swap Rate (BBSW) of 2.46%. During the month of August, the Bank Bill Swap Rate has increased by 0.34%. Council is being challenged to outperform the BBSW in an increasing interest rate environment over recent months. As existing term deposits which were locked in at significantly lower rates reach maturity the annualised monthly rate of interest will increase in line with the Bank Bill Swap Rate.



REGISTER OF INVESTMENTS AND CASH AS AT 31 AUGUST 2022					
Institution	Method	Rating	Maturity	Amount \$	Interest Rate
Reliance Bank	Direct	Unrated	01/09/2022	500,000	0.700%
CBA	Direct	A1+/AA-	13/09/2022	500,000	0.390%
CBA	Direct	A1+/AA-	27/09/2022	500,000	0.410%
Macquarie Bank	Curve	A1/A+	11/10/2022	500,000	0.500%
CBA	Direct	A1+/AA-	18/10/2022	500,000	0.460%
CBA	Direct	A1+/AA-	01/11/2022	500,000	0.700%
NAB	Direct	A1+/AA-	15/11/2022	500,000	0.530%
Reliance Bank	Direct	Unrated	22/11/2022	500,000	0.400%
Westpac	Direct	A1+/AA-	22/11/2022	500,000	2.150%
Macquarie Bank	IAM	A1/A+	29/11/2022	500,000	0.500%
Westpac	Direct	A1+/AA-	29/11/2022	500,000	0.550%
Bank of Queensland	Curve	A2/BBB+	06/12/2022	500,000	0.650%
NAB	Direct	A1+/AA-	06/12/2022	500,000	0.650%
MyState Bank Ltd	Curve	A2/BBB	13/12/2022	500,000	1.000%
NAB	Direct	A1+/AA-	10/01/2023	500,000	0.750%
CBA	Direct	A1+/AA-	24/01/2023	500,000	0.760%
NAB	Direct	A1+/AA-	07/02/2023	500,000	0.770%
Westpac	Direct	A1+/AA-	21/02/2023	500,000	2.310%
NAB	Direct	A1+/AA-	22/02/2023	500,000	0.850%
ME Bank	IAM	A2/BBB+	14/03/2023	500,000	1.120%
CBA	Direct	A1+/AA-	28/03/2023	500,000	1.300%
Macquarie Bank	IAM	A1/A+	28/03/2023	500,000	1.600%
CBA	Direct	A1+/AA-	11/04/2023	500,000	1.850%
NAB	Direct	A1+/AA-	18/04/2023	500,000	2.100%
NAB	Direct	A1+/AA-	09/05/2023	500,000	2.750%
NAB	Direct	A1+/AA-	23/05/2023	500,000	2.800%
Westpac	Direct	A1+/AA-	23/05/2023	500,000	2.780%
Westpac	Direct	A1+/AA-	06/06/2023	500,000	3.220%
Westpac	Direct	A1+/AA-	20/06/2023	500,000	3.990%
NAB	Direct	A1+/AA-	20/06/2023	500,000	0.600%
Westpac	Direct	A1+/AA-	04/07/2023	500,000	3.760%
CBA	Direct	A1+/AA-	18/07/2023	500,000	4.130%
ME Bank	IAM	A2/BBB+	01/08/2023	500,000	3.770%
Westpac	Direct	A1+/AA-	15/08/2023	500,000	0.530%
CBA	Direct	A1+/AA-	15/08/2023	500,000	3.980%
NAB	Direct	A1+/AA-	29/08/2023	500,000	4.050%
Westpac	Direct	A1+/AA-	10/10/2023	500,000	0.720%
Total Investments				18,500,000	1.624%
Commonwealth Bank - At Call Account ⁽¹⁾				262,601	1.900%
Commonwealth Bank Balance - General ⁽¹⁾				2,127,921	1.700%
Reliance Bank ⁽¹⁾				360,707	0.000%
TOTAL INVESTMENTS & CASH				21,251,229	
Benchmarks:		BBSW 90 Day Index ⁽¹⁾			2.457%
		RBA Cash Rate ⁽¹⁾			1.850%

(1) % Interest rates as at end of reporting period

Summary of Investment Movements - AUGUST 2022		
Financial Institution	Invst/(Recall) Amount \$	Commentary
ME Bank	(502,238)	Term deposit matured 02/08/2022
ME Bank	500,000	Term deposit reinvested 02/08/2022
CBA	(501,726)	Term deposit matured 16/08/2022
CBA	500,000	Term deposit reinvested 16/08/2022
NAB	(501,695)	Term deposit matured 30/08/2022
NAB	500,000	Term deposit reinvested 30/08/2022

Long Term Credit Rating (or Moody's, Fitch, S&P or Equivalent)	Policy Maximum	Current Holding %	Current Holding \$
TCorp IM Funds	100%	0%	-
AAA – AA Category	100%	76%	14,000,000
A- Category	40%	8%	1,500,000
BBB+ Category	25%	8%	1,500,000
BBB Category	5%	3%	500,000
BBB- Category and below: Local ⁽²⁾ ADI's	10%	5%	1,000,000
BBB+ / BBB / BBB- & below categories combined	25%	16%	
(2) ADI's located within the Local Government Area			18,500,000

Individual Institution Limit	Rating	Policy Maximum	Current Holding
Bank of Queensland	A2/BBB+	1,000,000	500,000
CBA	A1+/AA-	5,000,000	4,500,000
Macquarie Bank	A1/A+	3,000,000	1,500,000
ME Bank	A2/BBB+	1,000,000	1,000,000
MyState Bank Ltd	A2/BBB	500,000	500,000
NAB	A1+/AA-	5,000,000	5,000,000
Reliance Bank	Unrated	1,000,000	1,000,000
Westpac	A1+/AA-	5,000,000	4,500,000

RESTRICTED CASH, CASH EQUIVALENTS & INVESTMENTS			
	Actual 30/06/2021 \$ 000's	Actual* 30/06/2022 \$ 000's	Forecast 30/06/2023 \$ 000's
External Cash Restrictions	12,648	13,709	9,856
Internal Cash Restrictions	7,476	8,107	4,815
TOTAL RESTRICTED ASSETS	20,124	21,816	14,671

*The actual 30/06/2022 Restricted Cash and Investments figures are subject to change pending finalisation of the 2021/22 Financial Statement audit.

Council is still holding a high level of cash which has been inflated by advance payment of both operational and capital grants towards the end of 2021/22. This is also compounded by receipt of the 31 August (1st quarter) instalment for rates and annual charges.

CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

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

Risk/Policy/Legislation Considerations:

The Responsible Accounting Officer must table a written report to Council on money invested pursuant to 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

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

That Council adopt the following policies and they be included in Council Policy register.

- Complaints Management Policy
- Public Interest Disclosures: Internal Reporting Policy
- Gifts & Benefits Policy
- Fraud and Corruption Control Policy and Plan
- Access to Information
- Statement of Business Ethics
- Legislative Compliance Policy
- Community Infrastructure Policy
- Related Parties Disclosures Policy
- Plaques and Memorial Policy

Reason for Report:

For the Council to adopt Council's strategic policies endorsed for exhibition at the August Council meeting.

Report:

At the August Council meeting the following policies were endorsed for public exhibition as part of Council's process of policy review following the election of a new Council:

Policy Name
Complaints Management Policy
Public Interest Disclosures: Internal Reporting Policy
Gifts & Benefits Policy
Fraud and Corruption Control Policy and Plan
Access to Information
Statement of Business Ethics
Legislative Compliance Policy
Community Infrastructure Policy
Related Parties Disclosures Policy
Plaques and Memorials Policy

The closing date for submissions is 14 September 2022 and at the time of report preparation no submissions had been received. Should any submissions be received, these will be tabled at Council.

The policies as proposed for adoption are provided for as an attachment to this report.

Risk/Policy/Legislation Considerations:

Nil

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

1	Complaints Management Policy	15 Pages
2	Public Interest Disclosures: Internal Reporting Policy	21 Pages
3	Gifts and Benefits Policy	11 Pages
4	Fraud and Corruption Control Policy and Plan	16 Pages
5	Access to Information	9 Pages
6	Statement of Business Ethics	7 Pages
7	Legislative Compliance Policy	5 Pages
8	Community Infrastructure Policy	3 Pages
9	Related Parties Disclosures Policy	13 Pages
10	Plaques and Memorial Policy	8 Pages

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

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

- Disposal of Assets Policy
- Pensioner and Hardship Policy
- Privacy Management Plan
- Unreasonable or Unreasonably Persistent Customer Policy
- Work Health and Safety Policy

Reason for Report:

For the Council to review Council's strategic policies.

Report:

Council has in place a process of policy review following the election of a new Council. It is proposed that this be conducted over in the 12 months following election and are presented to Council for endorsement.

The following policies are proposed for review:

Policy	Objective
Disposal of Assets Policy	To ensure when Council has determined an asset will be disposed of that there is adequate consideration of the method of disposal.
Pensioner and Hardship Policy	To assist assessment of applications from property owners, ratepayers and customers experiencing genuine hardship in meeting their commitment to payment of their rates, annual charges and fees to Council.
Privacy Management Plan	To inform the community about how their personal information will be used, stored and accessed after it is collected by Council. It must also ensure that it informs Council staff of their obligations in relation to handling personal information and when they can and cannot disclose, use or collect it.

Policy	Objective
Unreasonable or Unreasonably Persistent Customer Policy	To ensure all Blayney Shire Council customers are treated fairly and reasonably whilst ensuring Council resources are used efficiently and effectively when dealing with customers and to protect staff from customer abuse, stress and unreasonable behaviour.
Work Health and Safety Policy	To outline Council's commitment to provide a safe and healthy working environment for all our employees, volunteers, contractors, trainees, visitors including Council's elected members, that may be affected by works undertaken by Council, through the elimination or minimisation of risks.

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

Risk/Policy/Legislation Considerations:

Nil

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

1	Disposal of Assets Policy	7 Pages
2	Pensioner and Hardship Policy	5 Pages
3	Privacy Management Policy	61 Pages
4	Unreasonable or Unreasonably Persistent Customer Policy	4 Pages
5	Work Health and Safety Policy	4 Pages

13) LGA BOUNDARY ALTERATION - CALOOLA ROAD, CALOOLA

Department: Corporate Services

Author: Director Corporate Services

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

File No: RD.AD.1

Recommendation:

That Council;

1. Inform Bathurst Regional Council that it has no objection to the transfer of Lot 1 DP1247053 from the Blayney Shire Council LGA to the Bathurst Regional Council LGA.
2. Note the adjustment for rates and annual charges take effect from the next year following proclamation.

Reason for Report:

For Council to endorse the transfer of Lot 1 DP1247053 (A3509524 - 372 Caloola Road, Caloola) from the Blayney Shire Council local government area (LGA) to Bathurst Regional Council LGA.

Report:

In January 2022 Blayney Shire Council received a request from Caldwell Martin Cox Solicitors on behalf of their clients for the local government boundary between Blayney Shire Council and Bathurst Regional Council to be altered so Lot 1 DP1247053 (372 Caloola Road, Caloola) presently within the Blayney local government area be transferred to the Bathurst LGA.

The land was purchased in May 2019 and resulted from a crown road closure. It adjoins a larger property holding (Lot 121 DP 750391) within the Bathurst Regional Council LGA. Lot 1 DP1247053, a total of 1.657 hectares, is within the Blayney Shire Council LGA.

In order to proceed with the request, Council must confirm it has no objection to Bathurst Regional Council prior to their notification to the Office of Local Government and request for the Minister for Local Government to recommend to the Governor the approval to issue a proclamation under section 218B of the Local Government Act, altering the LGA boundaries.

Council has received recent advice that this request has been endorsed by the Bathurst Regional Council at its March 2022 meeting with no objection.

A map identifying the location of the subject parcel to be transferred into Blayney Shire is attached for information.

Risk/Policy/Legislation Considerations:

In order for Bathurst Regional Council to proceed with this request to the Office of Local Government (OLG) and request for the Minister for Local Government to recommend to the Governor the approval to issue a proclamation under section 218B of the Local Government Act, altering the council boundaries, Blayney Shire Council must first confirm it has no objection.

Council was unable to consider this request prior to the 2021 Local Government elections.

Budget Implications:

Council will not derive rate income from this parcel upon proclamation.

Enclosures (following report)

- | | | |
|---|--|---------|
| 1 | Correspondence from Caldwell Martin Cox Solicitors | 5 Pages |
| 2 | Correspondence from Bathurst Regional Council | 2 Pages |
| 3 | Detailed map of subject land parcel | 1 Page |

Attachments (separate document)

Nil

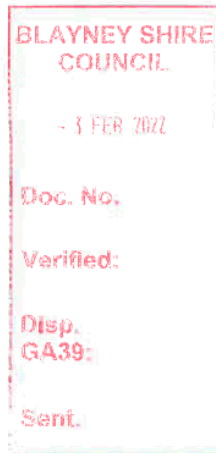


Our Ref: LA2190160
 Enquiries: Leanne Anderson
 Email: Leanne@cmcox.com.au
 Direct Tel: 4677 6710

31 January 2022

Blayney Shire council
 PO Box 62
 BLAYNEY NSW 2799

Dear Sir



20 Menangle Street West
 Picton NSW 2571

All Correspondence to:
 PO Box 41
 Picton NSW 2571
 DX 26051 Picton

Telephone: 02 4651 4800
 Facsimile: 02 4677 6718
 www.cmcox.com.au

**PROPERTY: 372 CALOOLA ROAD, CALOOLA
 ASSESSMENT NO A3509524**

We refer to previous correspondence and in particular your letter of 21 September (copy attached) and as suggested by you we write again on behalf of our clients to request an amalgamation of the rates.

We act for the above owners of the abovementioned property (Folio Identifier 121/750391 copy attached). They have requested our assistance in having a shire boundary adjustment made following the recent purchase by them of a crown road (Folio Identifier 1/1247053 copy attached). They would like to be able to have the rates amalgamated into one (Bathurst Regional Council).

We also attach copy of a plan of our clients properties and have highlighted that part of the crown road that is now being rated by your Council.

It is our clients wish to only receive one combined rate notice for their properties.

We confirm that we have also written to Bathurst Shire Council and have forwarded to them a copy of this letter.

We look forward to hearing from you at your earliest possibility. In the meantime we have advised our clients to continue to pay their rates. It would be fantastic if this shire boundary could be completed in time for the next years rates to issue from just one council.



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BOX 543H
(U547388)

NEW SOUTH WALES

CERTIFICATE OF TITLE
REAL PROPERTY ACT, 1900

TORRENS TITLE

REFERENCE TO FOLIO OF THE REGISTER	
IDENTIFIER	121/750391
EDITION	DATE OF ISSUE
4	19. 8. 1994



I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries as appear in the Second Schedule and to any additional entries in the Folio of the Register.

K. Melle

REGISTRAR GENERAL



LAND

LOT 121 IN DEPOSITED PLAN 750391
LOCAL GOVERNMENT AREA: EVANS & OTHER
PARISH OF LOWRY COUNTY OF BATHURST
(FORMERLY KNOWN AS PORTION 121)
TITLE DIAGRAM: SEE CROWN PLAN 4857.2009

FIRST SCHEDULE

SECOND SCHEDULE

1. LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE MEMORANDUM S700000A
2. LAND EXCLUDES THE ROAD(S) SHOWN IN THE TITLE DIAGRAM
3. RESTRICTIONS ON DEALINGS - SEE S. 272 CROWN LANDS CONSOLIDATION ACT 1913 (CONDITIONAL PURCHASE 1973/76 BATHURST)

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREBON

WARNING: BEFORE DEALING WITH THIS LAND SEARCH THE CURRENT FOLIO OF THE REGISTER

BOX 469S
(AP319703)



NEW SOUTH WALES
CERTIFICATE OF TITLE
REAL PROPERTY ACT, 1900



TORRENS TITLE REFERENCE	
1/1247053	
EDITION	DATE OF ISSUE
1	2/7/2019
CERTIFICATE AUTHENTICATION CODE	
TCV4-G7-K6JH	

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries as appear in the Second Schedule and to any additional entries in the Folio of the Register.

REGISTRAR GENERAL



ANY ATTEMPT TO ALTER THIS CERTIFICATE COULD RESULT IN HEAVY FINES OR IMPRISONMENT (S.141 REAL PROPERTY ACT).

LAND

LOT 1 IN DEPOSITED PLAN 1247053
AT CALOOLA & NEWBRIDGE.
LOCAL GOVERNMENT AREA: BATHURST REGIONAL, BLAYNEY.
PARISH OF GALBRAITH COUNTY OF BATHURST
PARISH OF LOWRY COUNTY OF BATHURST
TITLE DIAGRAM: DP1247053



SECOND SCHEDULE

1. LAND EXCLUDES MINERALS (S.13.2 CROWN LAND MANAGEMENT ACT 2016)
2. LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.

**** END OF CERTIFICATE ****

WARNING: BEFORE DEALING WITH THIS LAND, SEARCH THE CURRENT FOLIO OF THE REGISTER

7772180



20 Menangle Street West
Picton NSW 2571

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Our Ref: LA2190160
Enquiries: Leanne Anderson
Email: Leanne@cmcox.com.au
Direct Tel: 4677 6710

31 January 2022

Bathurst Regional Council
Private Mailbag 17
BATHURST NSW 2795

Dear Sir

**PROPERTY: 372 CALOOLA ROAD, CALOOLA
ASSESSMENT NO 277409**

We refer to previous correspondence and in particular your email response of 6 September 2021 and as suggested by you we write again on behalf of our clients to request an amalgamation of the rates.

We act for the above owners of the abovementioned property (Folio Identifier 121/750391 copy attached). They have requested our assistance in having a shire boundary adjustment made following the recent purchase by them of a crown road (Folio Identifier 1/1247053 copy attached). They would like to be able to have the rates amalgamated into one (Bathurst Regional Council).

We also attach copy of a plan of our clients properties and have highlighted that part of the crown road that is now being rated by Blayney Shire Council.

It is our clients wish to only receive one combined rate notice for their properties.

We confirm that we have also written to Blayney Shire Council and have forwarded to them a copy of this letter.

We look forward to hearing from you at your earliest possibility. In the meantime we have advised our clients to continue to pay their rates. It would be fantastic if this shire boundary could be completed in time for the next years rates to issue from just one council.



We have Accredited Specialists in

- Advocacy
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- Property Law

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Anton Franze

From: Donna Scott <[REDACTED]>
Sent: Friday, 26 August 2022 4:06 PM
To: Anton Franze
Subject: RE: OEM/41517 - RE: [REDACTED] Levadia Pty Ltd - 372 Caloola Road Caloola - Boundary Adjustment request [SEC=UNOFFICIAL]
Attachments: 1400_001.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Hi Anton

Please find attached Council memo regarding the boundary alteration. Resolved at Council’s meeting on 16 March 2022.

As the land is transferring to Bathurst Regional Council, my understanding is that the application will be submitted by Bathurst?

To submit the application all I need is Blayney’s resolution supporting the application, which I now understand to be the September 2022 Council meeting.

Please include the provision for Bathurst Regional council to levy rates and charges in relation to the land from 1/7/2022??

Once resolution is received The Office of Local Government and landowners will be informed of Council’s decision.

Regards

Donna Scott
 Revenue Accountant
 Bathurst Regional Council
 158 Russell Street Bathurst 2795
 P: [REDACTED]
 W: www.bathurst.nsw.gov.au



MEMORANDUM

TO: REVENUE ACCOUNTANT
CC: DIRECTOR ENGINEERING SERVICES
FROM: DIRECTOR CORPORATE SERVICES & FINANCE
DATE: 17 MARCH 2022
SUBJECT: **ITEM 9.3.7 LGA BOUNDARY ALTERATION – 372 CALOOLA ROAD, CALOOLA**
FILE: AJ:RD:22.16620

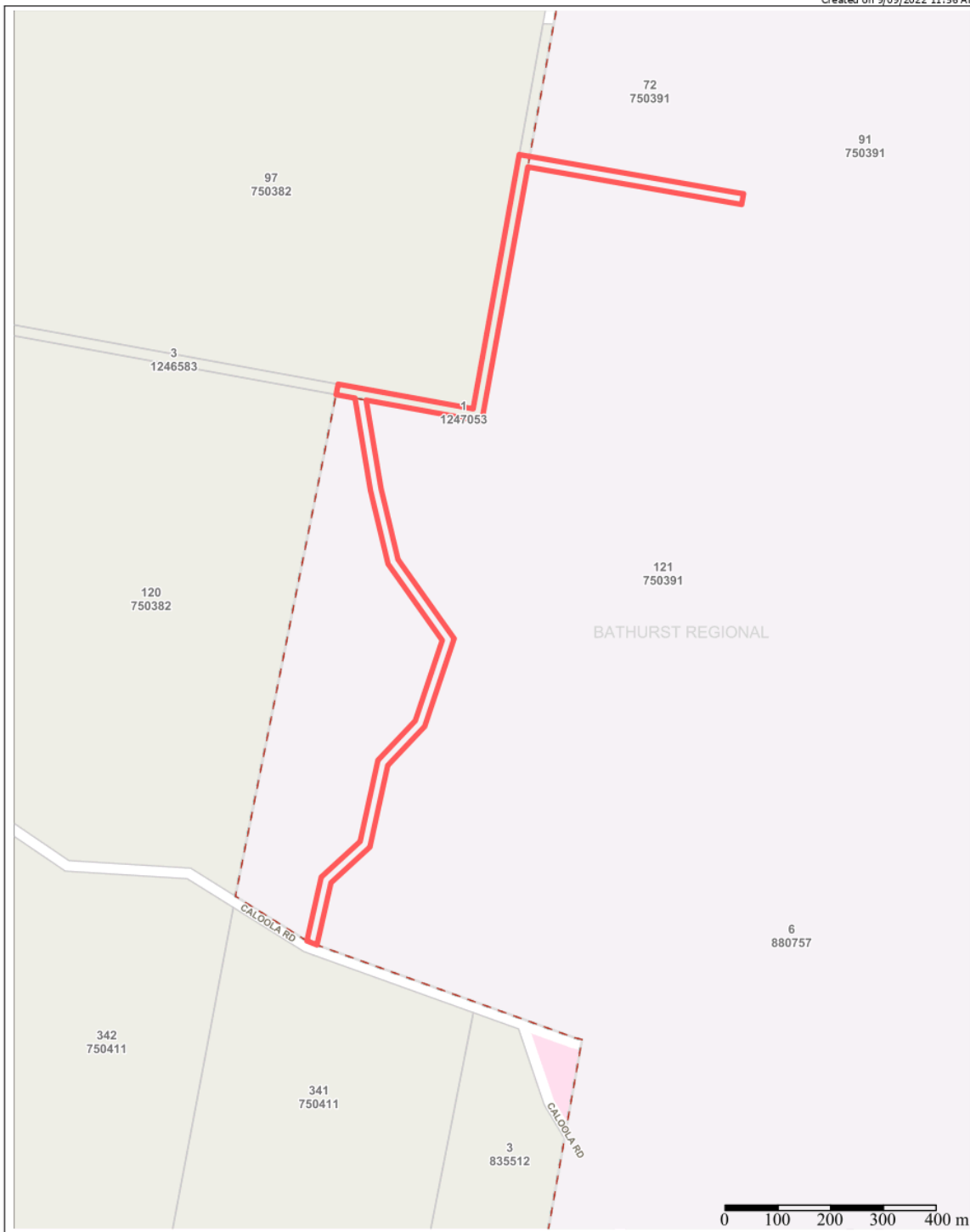
Council, at its meeting held on 16 March 2022, resolved that:

That Council inform the Office of Local Government, the landowners, and Blayney Shire Council that it has no objection to the transfer of Lot 1 DP 1247053 to the Bathurst Regional Council Local Government Area from the Blayney Shire Council Local Government Area and that an application be made to the Minister for Local Government to have the boundaries altered to include this lot within Bathurst Regional Council Local Government Area.

Can you please prepare the necessary letters in this matter.


**DIRECTOR
CORPORATE SERVICES & FINANCE**

Created on 9/09/2022 11:56 AM



	<p>The Imagery and Basemap are sourced from Spatial Services, Department of Customer Service 2021</p>	<p>Projection: GDM94 / MGA zone 55</p>
<p>Blayney Shire Council PO Box 81 BLAYNEY VIC 3749 Ph: (02) 6388 204 Web: www.blayney.vic.gov.au</p>		<p>Date: 9/09/2022 11:56 AM</p>
<p>© Blayney Shire Council While every care is taken to ensure the accuracy of this product, Blayney Shire Council and the Local / State / Federal Government departments and non-Government organisations whom supply datasets, make no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the product being inaccurate or incomplete in any way and for any reason.</p>		<p>Created By: Anton Pruse</p>

14) MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 23 AUGUST 2022

Department: Corporate Services

Author: Director Corporate Services

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

File No: CM.ME.17

Recommendation:

That Council;

1. Receive and note the minutes of the Audit Risk and Improvement Committee meeting held 23 August 2022.
2. Receive and note the Audit, Risk and Improvement Committee 2021/22 Annual Report
3. Note an audit of Project Management in relation to a major project will be conducted in 1 – 2 years.

Reason for Report:

For Council to endorse the minutes of the Blayney Shire Audit Risk and Improvement committee meeting held 23 August 2022.

Report:

The Audit, Risk and Improvement Committee held its meeting 23 August 2022.

Of significance to Council from this meeting were:

- The consideration of the draft 2021/22 Financial Reports;
- A request for an audit of project management in relation to a major project to be included in the Strategic Internal Audit Plan to be conducted in 1 – 2 years. This follows finalisation of a number of remaining outstanding matters associated with the 2019 Errowanbang Road: Review of Project Management and Procurement; and
- Tabling of the Audit, Risk and Improvement Committee 2021/22 Annual Report prepared by the Committee Chair, Donna Rygate, on its activities for that period pursuant to the Audit, Risk and Improvement Charter. The Charter adopted by Council requires that the Committee report at the first meeting after 30 June.

This report is prescribed and must address the matters outlined including activities for the 2021/22 period and report card on Committee performance.

The minutes of the meeting held are tabled below:

**MINUTES OF THE BLAYNEY SHIRE COUNCIL AUDIT, RISK &
IMPROVEMENT COMMITTEE MEETING
HELD IN THE DARELL SLIGAR CENTRE, ON 23 AUGUST 2022,
COMMENCING AT 9.05AM**

Present: Donna Rygate (Independent - Chair), Ron Gillard (Independent), Cr. David Somerville (Councillor), Cr. Bruce Reynolds (Alternate Councillor), Mark Dicker (General Manager), Anton Franze (Director Corporate Services – Secretariat), Tiffany Irlam (Chief Financial Officer), Geoff Paton (Manager Assets)

ACKNOWLEDGEMENT OF COUNTRY

APOLOGIES

Karen Taylor (NSW Audit Office); John O'Malley (Intentus - Audit Service Provider for NSW Audit Office); Vicki Walker (WHS & Risk Coordinator)

DISCLOSURES OF INTEREST

Nil.

CONFIRMATION OF MINUTES

RECOMMENDED:

That the Minutes of the Audit, Risk & Improvement Committee held on 18 May 2022 be confirmed.

Ron Gillard / David Somerville

MATTERS ARISING FROM THE MINUTES

Nil.

REPORTS

WHS AND RISK MANAGEMENT ACTIVITIES REPORT

Recommendation:

1. That the WHS and Risk Management Activities report be received.

David Somerville / Ron Gillard

MANAGEMENT LETTER ON INTERIM PHASE OF 2021/22

EXTERNAL AUDIT

Recommendation:

1. That the update on the Management Letter on the Interim Phase of the External Audit for the year ended 30 June 2022 from the NSW Audit Office be received.
2. That the Audit, Risk and Improvement Committee notes the Management Letter that outlines no new issues and that prior year issues have been resolved be noted.
3. That Management be commended on the outcome.

Ron Gillard / David Somerville

SEWER REVALUATION AND ASSET INDEXATION IMPACT

Recommendation:

That the financial impacts of the 2022 Sewer Revaluation and the indexation of Assets for the 2022 financial year be noted.

David Somerville / Ron Gillard

CHIEF FINANCIAL OFFICER REPORT

Recommendation:

1. That the Chief Financial Officer report on Finance activities be received.
2. That the report on the draft 2021/22 Financial Statements be noted.

Ron Gillard / David Somerville

GEOFF PATON LEFT MEETING AT 9.51AM

AUDIT, RISK AND IMPROVEMENT COMMITTEE 2021/22 ANNUAL REPORT

Recommendation:

That the Audit, Risk and Improvement Committee 2021/22 Annual Report be endorsed and presented to Council in accordance with the Charter.

David Somerville / Ron Gillard

SCHEDULE OF OUTSTANDING AUDIT RECOMMENDATIONS

Recommendation:

1. That the Schedule of Outstanding Audit Recommendations report be received.
2. That an audit of Project Management in relation to a major project be conducted in 1 – 2 years.

Ron Gillard / David Somerville

PRESCRIBED FUNCTIONS ACTIVITY REPORT

Recommendation:

That the report on Prescribed Functions activities be received.

David Somerville / Ron Gillard

UPDATE ON MAJOR DEVELOPMENTS

Recommendation:

That the Update on Major Developments report be received.

Ron Gillard / David Somerville

MEETING CLOSED 10.31AM

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 Act 1993. 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.

The Committee is an independent advisory committee that assists the Council to fulfil its oversight responsibilities.

Budget Implications:

Costs associated with holding of committee meetings, sitting fees for independent members and associated service reviews / audits are provided for in Council's 2022/23 Operational Plan for this purpose.

Enclosures (following report)

- | | | |
|---|---|---------|
| 1 | Audit, Risk and Improvement Committee Annual Report 2021/22 | 5 Pages |
|---|---|---------|

Attachments (separate document)

Nil



**Blayney Shire Council – Audit, Risk and Improvement Committee
Annual Report to Council 2022**

Introduction

On behalf of the Audit, Risk and Improvement Committee ('Committee' or 'ARIC'), I present the ARIC report for Blayney Shire Council (BSC) covering the 1 July 2021 – 30 June 2022 year.

The ARIC is an independent assurance forum that provides oversight and assistance to improve the risk management, governance and compliance, internal control and external accountability of BSC.

The ARIC operates in accordance with its Charter which is complemented by an Internal Audit Charter. The ARIC Charter sets out the roles and responsibilities of the Committee, its authority, membership and the tenure of its members, the operation of its meetings, how decisions are made and its reporting responsibilities. The Charter is subject to formal review biennially and a review was undertaken during the reporting period. The Charter is also amended as necessary to reflect evolving regulatory guidance issued by the Office of Local Government and is referred to Council for adoption.

Role of the Committee

The Committee seeks to achieve the objectives outlined in the Charter by:

- examining and commenting on BSC's risk management framework and practices;
- reviewing internal control mechanisms;
- reviewing financial reporting and controls in BSC including meeting with external auditors;
- monitoring legislative compliance including compliance with policies and guidelines issued by the Office of Local Government; and
- overseeing an active program of internal audit by authorising an annual and longer term strategic internal audit program, as well as overseeing progress with the implementation of the recommendations of completed internal audit reports.

Purpose of Report

This report provides background to the Committee's membership, activities during the period and areas for development in the year to come.

Prior to its presentation to Council, the report was reviewed and endorsed by the Members of the ARIC.

Blayney Shire Council Audit, Risk and Improvement Committee Annual Report 2021-2022

Committee Membership

Membership of the ARIC comprises one Councillor, a nominated alternate Councillor and two Independent Members appointed by Council.

At the start of the year, the Committee was comprised of the following members:

Independent Members:

- Phillip Burgett (Chair)
- Donna Rygate

Councillor Members:

- Councillor David Somerville (voting)
- Councillor John Newstead (alternate - as required)

The Committee is now comprised of the following members:

Independent Members:

- Donna Rygate (Chair)
- Ron Gillard

Councillor Member:

- Councillor David Somerville (voting)
- Councillor Bruce Reynolds (alternate - as required)

Independent Member Profiles

Donna Rygate is an experienced independent chair/director, business leader and skilled problem solver with a solid track record of positive transformation of organisations. She currently holds various board, panel, statutory and committee chair and/or member roles. From 2014 to 2018 Donna was Chief Executive of Local Government NSW. She previously worked in chief executive, senior executive, policy, communications, governance and operational roles in the NSW public sector for more than 25 years. Donna has an Economics degree with Honours in Government and Public Administration and a Masters degree in Planning, and is a graduate of the Australian Institute of Company Directors course. She is currently enrolled in the Juris Doctor program at Macquarie University. Donna was made a Fellow of the Institute of Public Administration in 2012. Currently Donna is chair of five local government audit committees, a member of one local government audit committee, a member of one Commonwealth Government audit committee, and a member of three State Government audit committees.

Ron Gillard has attained a broad range of commercial experience in the Australian manufacturing and investment sectors, as well as from participating in significant business ventures in Australia, the US and Europe. Since commencing his management consulting business in 2005, he has also held a number of honorary executive positions on boards and/or committees for not-for-profits, community organisations, and other institutions. At various times during this same period, Ron has been appointed as an Independent Member to ARICs of twelve regional councils, three of which were amalgamated in 2016. He is currently the Chair of three and member of further four. Ron holds a Masters Degree in Commerce.

During the year, the ARIC was supported and informed through reports to each meeting by:

- Rebecca Ryan and Ross Earl, General Manager;
- Anton Franze, Director Corporate Services;
- Tiffaney Irlam, Chief Financial Officer and,
- Vicki Walker, WHS and Risk Coordinator

Meetings of the Committee

The tables below set out the meetings of the Committee held during the reporting period and the attendance of Committee Members at these meetings. There were fewer ARIC meetings in 2021/22 than usual because of the timing of the local government elections at the end of 2021.

Pre- Local Government Election

Meeting Date	Phillip Burgett (Chair)	Donna Rygate	Cr David Somerville	Cr John Newstead (Alternate)
27 August 2021	√	√	√	NOT REQUIRED
16 November 2021	√	√	√	NOT REQUIRED

Post - Local Government Election

Meeting Date	Donna Rygate (Chair)	Ron Gillard	Cr David Somerville	Cr Bruce Reynolds (Alternate)
18 May 2022	√	√	√	NOT REQUIRED

Committee Activities in the Reporting Period

The ARIC's key activities included:

Internal Audit

Council's budget allows for no more than two (2) major internal audits each year, outsourced to consultants with the requisite skills and experience required for each specific audit.

The following internal audit was undertaken and finalised in the reporting period:

- Legislative Compliance Review of Council Quarries

A Strategic Internal Audit Plan 2022/23 – 2024/25 was adopted by the ARIC at its May 2022 meeting.

Risk Management

The Committee has continued to promote the importance of the Risk Management Framework (RMF) to assist Council's decision making, risk mitigation activities and inform internal audit priorities.

A Risk Report is tabled at each ARIC meeting which provides the Committee with an overview on WHS compliance and quality improvement projects, as well as updates on changes and progress in the management of Council's Strategic Risk Register.

External Audit and Annual Financial Statements

The Auditor General of New South Wales (AO) is the appointed external auditor of Blayney Shire Council but retains the services of Intentus Chartered Accountants as its contracted agent to conduct the external audit.

Both the Audit Office Director and Contract Agent were active contributors to the activities of the ARIC, attending meetings in person and online as appropriate.

The Committee considered the following documents provided by the AO covering the conduct of the external audit:

- Interim Phase Management Letter
- Final Phase Management Letter
- Annual Engagement Plan

The Committee reviewed the external auditor's management letters and Council's management responses and was satisfied there were no significant findings in the letters requiring specific action by the Committee.

Status of Prior Report Recommendations

The status of past report recommendations has been considered at each meeting. Whilst this an important function of the Committee to ensure follow-up and completion of agreed actions, the ARIC continues to encourage that these matters be monitored and progressed between Committee meetings through the regular meetings of MANEX in order to ensure reporting deadlines are achieved and improvements to Council operations are implemented.

Other Matters Considered by the Committee

- Follow up re Errowanbang Road Review of Procurement and Project Management

Committee's Report Card

RESPONSIBILITY	COMPLIANCE
Risk Management	ON-TRACK
Internal Control Framework	ON-TRACK
External Accountability	ACHIEVED
Compliance	ON-TRACK
Internal Audit	ACHIEVED
External Audit	ACHIEVED
Fraud and Corruption Prevention	ON-TRACK
Business Improvement	ON-TRACK
Accountability	ON-TRACK
Transparency	ACHIEVED

Blayney Shire Council Audit, Risk and Improvement Committee Annual Report 2021-2022

The Year Ahead in 2022/23

Reflecting on the objectives set in the last Committee Annual Report and the Report Card above, Council and the ARIC continue to make progress in the development of Council's governance framework covering risk management and internal audit.

Building on this base will be the primary focus of the Committee in 2022/23 in the following specific areas:

- Internal Audit – The ARIC will be keen to see action consistent with the adopted Strategic Internal Audit Plan in the context of key areas of risk as identified by the organisation and increased and emerging risks in the local government sector which may impact Council.
- Risk Management – Continue to monitor Council's risk management framework and associated procedures to facilitate effective identification and management of business and financial risks.
- Fraud and Corruption Prevention – Oversight management's establishment of objective performance measures to assess the ongoing effectiveness of the Fraud and Corruption Control Policy and Plan.
- Business Improvement – The Committee needs a better understanding of how BSC monitors legislative compliance across its operations and a reporting mechanism is required.
- Compliance and Accountability – Continue to improve the alignment of the Prescribed Functions Activity Report with the ARIC Charter responsibilities of the Committee.

Recommendation: That the ARIC 2021/22 Annual Report be endorsed and presented to Council in accordance with the Charter.

Donna Rygate

Independent Chair – Blayney Shire Council Audit, Risk and Improvement Committee

15) MINUTES OF THE FINANCIAL ASSISTANCE COMMITTEE MEETING HELD 30 AUGUST 2022

Department: Corporate Services

Author: Director Corporate Services

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

File No: CR.SD.2

Recommendation:

That Council;

1. Receive and note the minutes of the Financial Assistance Committee meeting held 30 August 2022.
2. Note and endorse the recommendations for 2022/23 - Round 1 of the Community Financial Assistance Program by the Financial Assistance Committee including expenditure of \$19,942.
3. Note and endorse the recommendation for 2022/23 – Flagship Funding of the Community Financial Assistance Program by the Financial Assistance Committee including expenditure of \$14,565.

Reason for Report:

For Council to approve the minutes of the Financial Assistance committee meeting held 30 August 2022.

Report:

The Financial Assistance Committee at its meeting held 30 August 2022 considered applications for the first round of the Community Financial Assistance Program and Flagship funding applications for 2022/23.

An amount of \$28,170 was available for distribution in Round 1 and \$25,000 available in Flagship project funding. An amount of \$60,734 in unexpended funds from prior periods was also available.

Council received 10 applications for Round 1 of 2022/23 Program seeking \$37,800 in financial assistance. The Financial Assistance Committee has recommended \$19,942 be allocated to projects. Recommendations are pursuant to the criteria stipulated in the Community Financial Assistance Program guidelines.

Council also received 2 applications under the Flagship funding category. The Financial Assistance Committee has recommended \$14,465 be allocated to the successful project.

MINUTES OF THE MEETING OF BLAYNEY SHIRE COUNCIL FINANCIAL ASSISTANCE PROGRAM COMMITTEE
HELD 30 AUGUST 2022
AT BLAYNEY SHIRE COMMUNITY CENTRE

The meeting commenced at 5:00pm.

1. PRESENT

Councillor David Somervaille (Chair); Councillor Bruce Reynolds; Miles Hedge; David Kennedy; Graeme Summerson; Tamara Miller, Elizabeth Russ; David Kingham; Mark Dicker (General Manager), Anton Franze (Director Corporate Services).

2. APOLOGIES

Lindsay Potts (Cadia)

B.Reynolds / E.Russ

3. DECLARATIONS OF INTEREST

Name	Item	Nature	Interest		
			Pecuniary		Non-Pecuniary
			S	S	LTS
David Somervaille	7	Member of Blayney Rotary (Application F1)			X
David Kennedy	7	Member of Blayney Rotary (Application F1)			X
Graeme Summerson	7	Affiliated with Abundant Life Community Care (Application 2)			X
Miles Hedge	7	Member of Blayney Rotary (Application F1)			X

S – significant

LTS – less than significant

4. MINUTES FROM PREVIOUS MEETING – 3 MARCH 2022

RECOMMENDATION:

The minutes of the previous meeting held on 3 March 2022 were noted. A correction to the minutes was noted with Abundant Life Community Care recorded in the minutes rather than Abundant Life Church.

M.Hedge/T. Miller

5. BUSINESS ARISING

Nil.

6. REQUESTS APPROVED BY GENERAL MANAGER UNDER DELEGATION

Recommendation:

That the approvals of fee waiver financial assistance, under delegation by the General Manager, in the amount of \$4,330 be noted.

G.Summerson / E.Russ

7. CONSIDERATION OF ROUND 1:2022/23 COMMUNITY FINANCIAL ASSISTANCE PROGRAM APPLICATIONS

SUMMARY OF AVAILABLE FUNDS:	
Annual budget 2022/23	\$ 145,000
Less: Flagship funding	\$ 25,000
LESS 2022/23 Operational Plan Approved Donations (Rates, insurance and events)	\$ 55,000
Total Available for Distribution 2022/23	\$ 65,000
Funds for Distribution in Round 1	\$ 32,500
Less Funds approved under GM Delegation	\$ 4,330
Funds Available for Distribution in Round 1:	\$ 28,170
NOTE: Unspent from prior years is an amount of \$60,734.	

Graeme Summerson left the meeting for consideration of Application no. 3 (Abundant Life Community Care).

Cr. David Somerville, David Kennedy and Miles Hedge left the meeting for consideration of Application no. F1 (Blayney Rotary).

Recommendation:

That an amount of \$19,942 for 2022/23 Round 1 Community Financial Assistance Program and Flagship funding in the amount of \$14,565 be recommended for approval by Council as per the attached schedule.

D.Kingham / B.Reynolds

8. NEXT MEETING

Proposed for 7 March 2023 (To be confirmed).

There being no further business the meeting closed at 6:45pm.

FINANCIAL ASSISTANCE GRANTS: ROUND 1 - 2022/23

No.	Applicant	Project	Grant sought	Grant Recommended	Comments and feedback
1	Estella Ferri	Sporting Representative - National Level - Dragon Boating	2,750	500	Allocation of maximum amount available under the policy.
2	Abundant Life Community Care	Purchase of a BBQ Trailer	3,000	3,000	Conditional on substantiation of expenditure up to this amount.
3	Central West Dressage Group	Refurbish Ten Horse Yards	4,500	4,500	\$3,000 available based on matching 50% contribution for projects >\$3,000. With funding available allocation increased for worthy project.
4	CWA Millthorpe Branch	Construction of roof over deck and painting of exterior Millthorpe CWA Hall	7,496	7,496	\$3,000 available based on matching 50% contribution for projects >\$3,000. With funding available allocation increased for worthy project.
5	Neville Equine Performance Inc.	Develop a Multi-Purpose Arena with soft fall and cattle holding yards at Neville Showground	3,000	3,000	Project fits guidelines and worthwhile.
6	Millthorpe Bowling Club	Purchase of a new POS System	5,608	Nil	A business plan is requested to be furnished with a future application that demonstrate how the POS assists its financial sustainability.
7	Millthorpe Creative Arts Community Art Group	Workshop and Activity material for exhibition with Childrens Art Workshop	600	600	Project fits guidelines and worthwhile.
8	Millthorpe Murphy Marathon	Assistance with Registration and Insurance fees	10,000	Nil	Applicant is not an incorporated entity and falls outside the policy. Applicant is encouraged to discuss project with Millthorpe Village Committee.

No.	Applicant	Project	Grant sought	Grant Recommended	Comments and feedback
9	Orange & District Kennel & Obedience Club*	Waiver of Council fees - hire of pavillion at Blayney Showground	219	219	Funding approved to encourage new event to Blayney Shire.
10	Orange & District Kennel & Obedience Club*	Waiver of Council fees - hire of Arena at Blayney Showground	627	627	Funding approved to encourage new event to Blayney Shire.
			\$37,800	\$19,942	

*Referred by GM for assessment by Committee

FINANCIAL ASSISTANCE GRANTS: FLAGSHIP FUNDING - 2022/23

No.	Applicant	Project	Grant sought	Grant Recommended	Comments and feedback
F1	Rotary Club of Blayney	Flagship - Rock Climbing Wall in rear court area at CentrePoint Sport & Leisure Centre	25,000	Nil	Consideration of application deferred subject to further information re confirmation of funding; landowner consent and clarification of operation.
F2	Tallwood Public Hall Trust	Flagship - Replace flooring in the main hall area	14,565	14,565	Project fits guidelines and worthwhile.
			\$39,565	\$14,565	

Risk/Policy/Legislation Considerations:

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

Budget Implications:

Council has an amount of \$145,000, encompassing \$25,000 Flagship project funding, allocated in the 2022/23 Operational Plan for this purpose. This also includes an amount of \$55,000 approved in advance for assistance to groups, schools and organisations for events, rates and charges and public liability insurance.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

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

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

Reason for Report:

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

Report:**Topical Matters****Cadia Road Temporary Closure**

Cadia was granted approval to utilise Cadia Road exclusively for the repair of VR14-1. A Road Deed was developed in ensuring that any damage to the road and detour would be repaired. The repair of VR14-1 is now complete.

Following dilapidation surveys, Council Officers have undertaken an inspection of Cadia Road and determined that the damage to the road posed an extensive safety risk to the public road users and will not permit the reopening until the road is repaired.

Council have received and approved the s138 application for the repair of Cadia Road, with the specific items of work requiring approval as they are scoped in detail. Eight culvert crossings will be replaced, and a full width rehabilitation of approximately 3 kilometres will occur. Geotechnical sampling, culvert replacement and deep pavement repair will commence in the coming weeks. The pavement design for the bulk of the reconstruction will be progressed in parallel to these works.

The condition of the detour continues to be monitored.

Cadia Valley Operation has been working well with Council with dedicated staff allocated to the repair and reopening of Cadia Road with a cost neutral impact to Council.

Blayney Concept Basins Study

The draft study was on public exhibition. Council received 4 submissions. With assistance from the Consultant, Council provided technical responses to these submissions. The Acting Director Infrastructure Services will meet with a number of the respondents onsite to further discuss concerns and potential alternatives.

Detailed feedback has been provided to the consultant, with regular meetings taking place. There have been some inconsistencies and flaws identified in the model and some further modelling is required which includes but is not limited to adjusting the existing underground network, inclusion of existing dams, adjustment of basin locations and further sensitivity analysis. This will impact the cost benefit analysis and the model as a whole. A detailed scope of this work is currently being prepared.

Major Contracts

KGO Change Rooms

All works have been completed. Andrew Gee and Councillors visited on Friday 9 September to inspect the completed change rooms.

Leabeater Street Bridge

Construction drawings have been approved. Establishment is on track to occur in mid to late September.

Lucan Road Bridge

Detailed design is currently underway. The current project plan is unchanged and shows precast concrete components commencing manufacture in August with establishment occurring in October.

Boondaroo Road Bridge

Works have commenced with some substantial progress. The initial earthworks and removal of the old bridge is complete. Piling works and abutment construction has been undertaken. Works to lay the beams and precast planks will occur in the coming weeks. Completion is unchanged and currently programmed for early October.

Major Works

Panuara Road Reconstruction

The contracted works are complete. There is one defect in Stage 1 which the contractor has scheduled to repair in late September, pending weather. The pavement failure in Stage 3 has taken up and is no longer a defect. Council will look to re-seal this using in-house resourcing with surplus funds.

Hobbys Yards Road Repair

Works are currently being scoped and planned for the remainder of the funds under Resources for Regions Round 8.

Gap Road Culvert Repair

Natural disaster funding was received for repair of this culvert. The contractor has been engaged and works commenced. Significant challenges with unsuitable subgrade and weather conditions have caused substantial delays. Stabilisation of subgrade is complete as well as the installation of the blinding slab. Work will continue in the coming weeks to pour the structural base slab and install the precast culvert cells.

Road Maintenance Works

Road maintenance works including pothole patching, vegetation management, gravel road maintenance and signage works have been undertaken in the Browns Creek area and Panuara area and are still underway in the Forest Reefs and Neville areas.

Gravel Re-sheeting

Works are still underway at Mallowgrove Road, with staff moving onto McKellars Lane and Caloola Road in the next fortnight pending inclement weather. These roads have been completed under the Fixing Local Roads Round 3 Program.

Culvert Renewal Program

The Doust Street culvert replacement has continued to make good progress. The test cylinders for the base slab reported as conforming, allowing staff to progress to and complete the headwalls and wingwalls pour. Once cured, backfill and pavement reinstatement can commence with demobilisation expected by the start of October.

Works on the Glenlea Road culvert have halted due to significant weather impacts. Minor culvert renewal works were also completed on the Newbridge Road, just east of the Glasson Bridges, this week.

Footpaths

The footpath on Coombing Street has been completed, with minor closeout works to be completed before project signoff. Notably, re-sealing the path edge and installing handrail are outstanding. This project is being completed under Resources for Regions, Round 8.

Assets

The Sewer Revaluation has been finalised and audited by Councils' auditors, requiring only minor explanatory information to be provided to the auditors. The reconciliation of other asset classes and other end of year reporting has been completed.

Staff are preparing several significant funding submissions for Resources for Regions, Stronger Country Communities Fund, Fixing Local Roads and Fixing Country Roads, with a combined value of approximately \$15m.

Parks and Recreation

The Parks and Recreation team are continuing routine maintenance such as, tree trimming, brush cutting, and whipper snipping within the open space and sporting oval network. Mowing has slightly increased due to the spring, but intermittent rain fall is delaying some mowing.

Smart Hub Lighting & Access Control

Physical installation and point commissioning of all sites has been completed. CWELC lighting, Dakers Oval amenities, and Redmond Oval lighting and access control sites are online with final programming and software deliverables outstanding.

Once completed and commissioned, this will enable Council to provide, monitor and control, access and lighting at these sites remotely.

The KGO change rooms will be completed by the end of next week. Laser Electrical has done most of the installation, with only the locks to be installed.

Belubula River Walk – Stage 3

Contractors have commenced the boardwalk, and the pedestrian bridge has been constructed, and will be delivered/installed 16th September weather permitting.

Millthorpe Cricket nets

Works have commenced with the cricket nets, with the frame installed and the netting to commence shortly.

Wastewater

Recycled Water Treatment Plant

Atom Consulting has been onsite this week 5th September regarding the validation and will return in the next couple of weeks to complete the validation. All going well the plant will be commissioned and validated to commence production.

Fleet, Plant & Depot

Some items due for renewal this financial year have been released for quotation. Once the quotations close Council Officers will begin assessments in determining the best value for money.

The security gate upgrade of Council's depot is still underway, with the new gates and pedestrian access gate completed. Fencing and access control system installation are outstanding, expected to be operational in the coming weeks.

Risk/Policy/Legislation Considerations:

Information report only

Budget Implications:

Information report only

Enclosures (following report)

Nil

Attachments (separate document)

Nil

Matters to be dealt with in closed committee

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

17) LAND ACQUISITION - LOT 1, DP6158, 22 NEWBRIDGE ROAD, BLAYNEY

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