



16 November 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, 21 November 2022 at 5.00pm for consideration of the following business -

- (1) Livestreaming Video and Audio Check
- (2) Acknowledgement of Country
- (3) Recording of Meeting Statement
- (4) Apologies for non-attendance
- (5) Disclosures of Interest
- (6) Public Forum
- (7) Mayoral Minute
- (8) Confirmation of Minutes - Ordinary Council Meeting held on 17.10.22
- (9) Matters arising from Minutes
- (10) Reports of Staff
 - (a) Executive Services
 - (b) Corporate Services
 - (c) Infrastructure Services
 - (d) Planning and Environmental Services
- (11) Closed Meeting

Yours faithfully

Mark Dicker
General Manager

Meeting Calendar 2022

November

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
9.00am	18 November 2022	Country Mayors	Sydney
5.00pm	21 November 2022	Council Meeting	Community Centre
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

December

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
10.00am	1 December 2022	Central NSW JO Board Round Table	Orange
10.00am	9 December 2022	Traffic Committee Meeting	Community Centre
10.30am	14 December 2022	Central Tablelands Water Meeting	Canowindra
5.00pm	19 December 2022	Council Meeting	Community Centre

INDEX OF REPORTS OF THE BLAYNEY SHIRE COUNCIL MEETING
HELD ON MONDAY 21 NOVEMBER 2022

MAYORAL MINUTE	2
01) Mayoral Minute - Minute's Silence to Acknowledge the Passing of Jim Cantrill	2
02) Mayoral Minute - Declaration of Statewide Road Emergency	3
CONFIRMATION OF MINUTES.....	5
03) Minutes of the Previous Council Meeting held 17 October 2022	5
EXECUTIVE SERVICES	13
04) Organisational Structure	13
05) IPART - Review of Rate Peg Methodology Submission	16
CORPORATE SERVICES.....	22
06) Report of Council Investments as at 31 October 2022	22
07) Quarterly Budget Review Statement - September 2022.....	27
08) 2021/22 Audited Financial Statements	31
09) Review of Delegations Register.....	39
10) Review Of Council Policies.....	41
11) Adoption of Council Policies	57
12) Disability Inclusion Action Plan Annual Report	59
13) Draft 2022 - 2026 Disability Inclusion Action Plan	65
INFRASTRUCTURE SERVICES.....	67
14) Director Infrastructure Services Monthly Report.....	67
15) 2022/23 Capital Works Program Prioritisation	72
PLANNING AND ENVIRONMENTAL SERVICES	75
16) Planning Proposal to Amend the Blayney Local Environmental Plan 2012 - PP2: Millthorpe and Surrounds.....	75
CONFIDENTIAL MEETING REPORTS.....	81
17) Contract 05/2022: Design And Construction Of Belubula Way Bridge Over Icely Creek.....	81
18) Legal Matter	81

LIVE STREAMING OF COUNCIL MEETINGS

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

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

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

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

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

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

01) MAYORAL MINUTE - MINUTE'S SILENCE TO ACKNOWLEDGE THE PASSING OF JIM CANTRILL

Author: Councillor Ferguson

File No: GO.ME.3

ITEM:

Councillors will hold a Minute's Silence to acknowledge the passing of former Councillor Jim (James) Cantrill. Jim served the community as a Councillor from 1983 to 1991.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

02) MAYORAL MINUTE - DECLARATION OF STATEWIDE ROAD EMERGENCY

Author: Councillor Ferguson

File No: RD.LI.1

Recommendation:

That Blayney Shire Council joins with Local Government NSW and Country Mayors Association of NSW in declaring a Statewide Road Emergency.

Item:

We are all well aware the Blayney Shire has been hit by a seemingly relentless wave of flood events in the past 12 months.

And we are not alone. A total of 126 of New South Wales' 128 local government areas have had natural disaster declarations within the last 12 months, according to the President of Local Government NSW, Darriea Turley.

On 3 November 2022, Local Government NSW declared a Statewide Roads Emergency.

The declaration – and urgent call for the NSW and Federal governments to increase their existing road funding commitments in the wake of floods and significant rain events – comes on the back of an estimated \$2.5 billion in road damages and a collapse of the local and regional road network.

I call on Blayney Shire Council to show our support for this move and whole-heartedly endorse the Local Government NSW declaration of Statewide Road Emergency.

The declaration has already been publicly supported by our peak regional body, the Country Mayors Association of New South Wales.

As part of the Statewide Roads Emergency, LGA NSW and Country Mayors Association of NSW are calling for:

- An acceleration and significant increase in funding for the \$1.1 billion Fixing Local Roads and Fixing Country Bridges program from the New South Wales Government
- A boost to Road Block Grant funding to compensate for the damage to the regional road network from the Federal Government
- New funding to provide councils with plant machinery and skilled workers to expedite road repairs from the Federal Government.

The local and regional road network is critically-enabling infrastructure. It is absolutely vital to our primary producers, and the key to keeping affordable food on the table across New South Wales and beyond.

Our road network, and the road network of shires across the state, have disastrous damage. We are facing a task that is beyond the reasonable scope of any local government authority. We face an unprecedented disaster that requires an unprecedented response.

We need help. Our community needs help. Other regional and rural communities across the state and beyond need help. We desperately need our leaders to lead.

We need to support our peak bodies in their declaration of Statewide Road Emergency.

This is an emergency, and it is time to seek help, and by supporting this Mayoral Minute you are endorsing that I write to the Prime Minister of Australia Anthony Albanese and the Premier of New South Wales Dominic Perrottet pleading for immediate action.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

03) MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 17 OCTOBER 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 17 October 2022, being minute numbers 2210/001 to 2210/021 be confirmed.

MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY CENTRE, ON 17 OCTOBER 2022, COMMENCING AT 5.00PM

Present: C Gosewisch, J Newstead, M Pryse Jones, B Reynolds and D Somerville (Deputy Mayor) (Chair)

General Manager (Mr Mark Dicker), Director Corporate Services (Mr A Franze), Director Infrastructure Services (Mr J Hogan), Director Planning & Environmental Services (Mr A Muir) and Executive Assistant to the General Manager (Mrs L Ferson)

ACKNOWLEDGEMENT OF COUNTRY

RECORDING OF MEETING STATEMENT

APOLOGIES

Cr Scott Ferguson – Leave of Absence approved at the September Council Meeting (Resolution No. 2209/006) and Cr Allan Ewin – Leave of Absence approved at the September 2022 Council Meeting (Resolution No. 2209/005)

DISCLOSURES OF INTEREST

Nil

CONFIRMATION OF MINUTES**MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 19
SEPTEMBER 2022****2210/001****RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 19 September 2022, being minute numbers 2209/001 to 2209/018 be confirmed.

(Gosewisch/Pryse Jones)

CARRIED**MATTERS ARISING FROM THE MINUTES**

Nil

EXECUTIVE SERVICES REPORTS**COUNCIL RESOLUTION REPORT****2210/002****RESOLVED:**

That Council note the Resolution Report to September 2022.

(Newstead/Gosewisch)

CARRIED**RISK, WORK HEALTH AND SAFETY QUARTERLY REPORT****2210/003****RESOLVED:**

That Council receive and note the Risk, Work Health and Safety Report for the quarter 1 July to 30 September 2022

(Newstead/Pryse Jones)

CARRIED**TOURISM DEVELOPMENT PROGRAM****2210/004****RESOLVED:**

That Council approve \$1,000 for the Blayney Agricultural and Pastoral Association Inc. for the 2023 Blayney Show.

(Reynolds/Pryse Jones)

CARRIED**CORPORATE SERVICES REPORTS****REPORT OF COUNCIL INVESTMENTS AS AT 30
SEPTEMBER 2022****2210/005****RESOLVED:**

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

(Gosewisch/Reynolds)

CARRIED

2210/006 **INFORMATION TECHNOLOGY QUARTERLY REPORT**
RESOLVED:
That Council receive and note the Information Technology report for the July to September 2022 quarter.
(Newstead/Pryse Jones)
CARRIED

2210/007 **QUARTERLY REPORT ON SOLAR ANALYTICS**
RESOLVED:
That Council receive and note the Solar System Analytics report for the July to September 2022 quarter.
(Reynolds/Newstead)
CARRIED

2210/008 **DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS**
RESOLVED:
That the “Disclosures by Councillors and Designated Persons” Returns for the period ending 30 June 2022, as tabled be received.
(Gosewisch/Newstead)
CARRIED

2210/009 **QUARTERLY BUDGET REVIEW STATEMENT - JUNE 2022**
RESOLVED:
That the Quarterly Budget Review Statement for the quarter ending 30 June 2022 be received.
(Newstead/Pryse Jones)
CARRIED

2210/010 **REVIEW OF COUNCIL POLICIES**
RESOLVED:
That the following policies be endorsed by Council and be placed on public exhibition for a period of not less than 28 days:

- Email and Internet Policy
- Information Security Policy
- Mobile Device Usage Policy
- Pathway Hierarchy Standard and Maintenance Policy
- Road Hierarchy Renewal and Maintenance Policy
- Voluntary Planning Agreement Policy
- Waste Collection Services Policy

(Pryse Jones/Reynolds)
CARRIED

INFRASTRUCTURE SERVICES REPORTS**DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT****2210/011****RESOLVED:**

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

(Newstead/Reynolds)

CARRIED

ROAD ALLOCATIONS 2022/23**2210/012****RESOLVED:**

That Council receive and note the proposed work locations for the reseal, heavy patching and culvert renewal programs for 2022/23.

(Pryse Jones/Newstead)

CARRIED

MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 30 SEPTEMBER 2022**2210/013****RESOLVED:**

1. That the minutes of the Blayney Traffic Committee Meeting, held on Friday 30 September 2022, be received and noted.
2. That Council endorse the Traffic Management Plan for the Sydney Zoo2Zoo Bicycle Ride event to be staged 13 to 16 October 2022. The event is to be classified as a Class 2 event, and approved subject to the conditions detailed in the Acting Director Infrastructure Services' Report.
3. That Council endorse the Traffic Management Plan for the Millthorpe Market event, to be staged on 4 December 2022 on Redmond Oval as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report.
4. That Council endorse the Traffic Guidance Scheme for the Carcoar Cup Running Festival, to be held on 12-13 November 2022 on roads in the Villages of Carcoar and Neville, and roads in-between as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report with the amendment that the Event Organiser provide a more detailed Traffic Guidance Scheme (TGS) compliant to TCAWS Manual and Director Infrastructure Services satisfaction.

(Newstead/Gosewisch)

CARRIED

PLANNING AND ENVIRONMENTAL SERVICES REPORTS

- 2210/014** **DEVELOPMENT ASSESSMENT QUARTERLY REPORT**
RESOLVED:
 That the development assessment quarterly report be received and noted.
 (Reynolds/Pryse Jones)
CARRIED

- 2210/015** **REVIEW AND UPDATE BLAYNEY LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN 2013**
RESOLVED:
 That Council:
 1. Endorse the draft Blayney Local Infrastructure Contributions Plan 2022.
 2. Place the draft Blayney Local Infrastructure Contributions Plan 2022 on exhibition for a period of 28 days.
 (Reynolds/Gosewisch)

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

FOR	AGAINST
Councillor Somerville	
Councillor Reynolds	
Councillor Newstead	
Councillor Pryse Jones	
Councillor Gosewisch	
Total (5)	Total (0)

CARRIED

DA46/2022 - ERECTION OF A SHED AND CARPORT - 30 SPRINGVALE LANE MILLTHORPE

- MOTION:**
 That Council consent to Development Application DA46/2022 for a Shed with Carport on Lot 103 DP1273716, 30 Springvale Lane, Millthorpe subject to the recommended conditions of consent.
 (Newstead/Pryse Jones)

An **AMENDMENT** was moved by Cr Reynolds and seconded by Cr Pryse Jones:

1. That Council consent to Development Application DA46/2022 for a Shed with Carport on Lot 103 DP1273716, 30 Springvale Lane, Millthorpe subject to the recommended conditions of consent.
2. That the applicant submit a landscaping plan to Council to the satisfaction of the Director Planning and Environmental Services detailing species and height at maturity of trees to soften the visual impact of the proposed shed/carport. Planting shall occur in accordance with the approved plan.

The amendment became the substantive motion and was put.

2210/016 RESOLVED:

1. That Council consent to Development Application DA46/2022 for a Shed with Carport on Lot 103 DP1273716, 30 Springvale Lane, Millthorpe subject to the recommended conditions of consent.
2. That the applicant submit a landscaping plan to Council to the satisfaction of the Director Planning and Environmental Services detailing species and height at maturity of trees to soften the visual impact of the proposed shed/carport. Planting shall occur in accordance with the approved plan.
(Reynolds/Pryse Jones)

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

FOR	AGAINST	
Councillor Somerville		
Councillor Reynolds		
Councillor Newstead		
Councillor Pryse Jones		
Councillor Gosewisch		
Total (5)	Total (0)	CARRIED

CLOSED MEETING

2210/017 RESOLVED:

That the meeting now be closed to the public in accordance with Section 10A of the Local Government Act, 1993 for consideration of Item 17 being:

CONTRACT 5/2022: DESIGN AND CONSTRUCTION OF BELUBULA WAY BRIDGE OVER ICELY CREEK

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.

(Pryse Jones/Gosewisch)
CARRIED

- 2210/018 RESOLVED:**
That the meeting now be closed to the public in accordance with Section 10A of the Local Government Act, 1993 for consideration of Item 18 being:

ROAD CLOSURE - GLENORIE ROAD

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

(Pryse Jones/Newstead)

CARRIED

CONFIDENTIAL MEETING REPORTS

CONTRACT 5/2022: DESIGN AND CONSTRUCTION OF BELUBULA WAY BRIDGE OVER ICELY CREEK

- 2210/019 RESOLVED:**
That Council:
1. Decline to accept any of the tenders received under Tender No. 5/2022 for the Design and Construction of Belubula Way Bridge over Icelly Creek due to the tenders not providing sufficient value for money;
 2. Not invite fresh tenders as there is no expectation that a fresh tender will provide a different outcome; and,
 3. Enter into negotiations with Murray Constructions Pty Ltd, with a view to entering into a contract for the Design and Construction of Belubula Way Bridge over Icelly Creek.

(Newstead/Pryse Jones)

CARRIED

ROAD CLOSURE - GLENORIE ROAD

- 2210/020 RESOLVED:**
That Council;
1. Take into consideration all submissions lodged during the notification period.
 2. Approve the closure of part of Glenorie Road, Millthorpe being ~316m² adjacent to 18 Glenorie Road in accordance with s.38 Roads Act 1993.
 3. Give public notice for a period of 28 days of Council's intention to classify the land as Operational Land.
 4. Endorse the land be exchanged as compensation for other land acquired for the purposes of the Roads Act 1993.
 5. Delegate to the Mayor and General Manager authority to execute signature and fixing of the Council Seal to facilitate the road closure and land transfer.

(Reynolds/Pryse Jones)

CARRIED

2210/021 RESOLVED:

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

(Reynolds/Newstead)

CARRIED

AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE DEPUTY MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 2210/019 AND 2210/020.

There being no further business, the meeting concluded at 5.57pm.

The Minute Numbers 2210/001 to 2210/021 were confirmed on 21 November 2022 and are a full and accurate record of proceedings of the Ordinary Meeting held on 17 October 2022.

Cr S Ferguson
MAYOR

Mr M Dicker
GENERAL MANAGER

04) ORGANISATIONAL STRUCTURE

Department: Executive Services

Author: General Manager

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

File No: CM.PL.1

Recommendation:

That Council:

1. Determines that the General Manager is the only senior staff position within Council,
2. Approves the organisation structure as presented with the Directorates of: Executive Services, Planning and Environmental Services, Corporate Services and Infrastructure Services.

Reason for Report:

For Council to determine the senior staff positions of Blayney Shire Council approve the organisation structure presented by the General Manager.

Report:

Part 1 (s332 and 333) of the Local Government Act 1993 Determination of Structure requires Council to determine the following;

- The senior staff positions within the organisation structure of council,
- The roles and reporting lines of senior staff positions, and
- The resources to be allocated towards the employment of staff.

This can be undertaken from ‘time to time’ however Council must review and may re-determine the organisation structure within 12 months after any ordinary election of the Council.

Directors are part of the executive or Managerial Executive (MANEX) and they are generally viewed as senior members of the team, however the position of the General Manager is the only senior staff position as determined by the Local Government Act (1993) in Blayney Shire Council.

Council has a 4 Directorate organisation structure that includes the following departments:

- Executive Services
- Corporate Services
- Infrastructure Services
- Planning and Environmental Services.

Council’s last endorsement of the organisation structure was following the 2017 Council election. The leadership team (consisting of MANEX and Managers) in 2021 completed a Blayney Shire Council Organisation Structure

Review in preparing the Blayney Shire Community Strategic Plan 2022-2032 and Delivery Program 2022-2026.

A schematic follows this report, which shows the directorates and areas of responsibility. Council employs 3 Directors being, Director Corporate Services, Director Infrastructure Services and Director Planning and Environmental Services.

The organisation structure and number of directorates remains appropriate for the size of Blayney Shire with 89 full time equivalent employees and a proposed \$29m budget.

Specialist expert positions are filled on an as needs basis by consultants for that particular field eg Strategic Land Use Planning.

Risk/Policy/Legislation Considerations:

The General Manager is responsible for determining the positions within the organisational structure other than senior staff positions. A senior staff position is engaged under a performance based contract, for not less than 12 months and no more than 5 years (s338 LG Act).

There are 2 tests for determining a senior staff position having;

1. The responsibilities, skills and accountabilities equivalent to those applicable to the Executive Band of the Local Government (State) Award, and
2. A total remuneration package payable equal to or greater than the minimum payable with respect to senior executives whose positions are graded Band 1 under the Government Sector Employment Act (2013).

Blayney Shire Council Directors are not determined to be senior staff positions and are employed under the Local Government Award (2020).

Budget Implications:

Nil

Enclosures (following report)

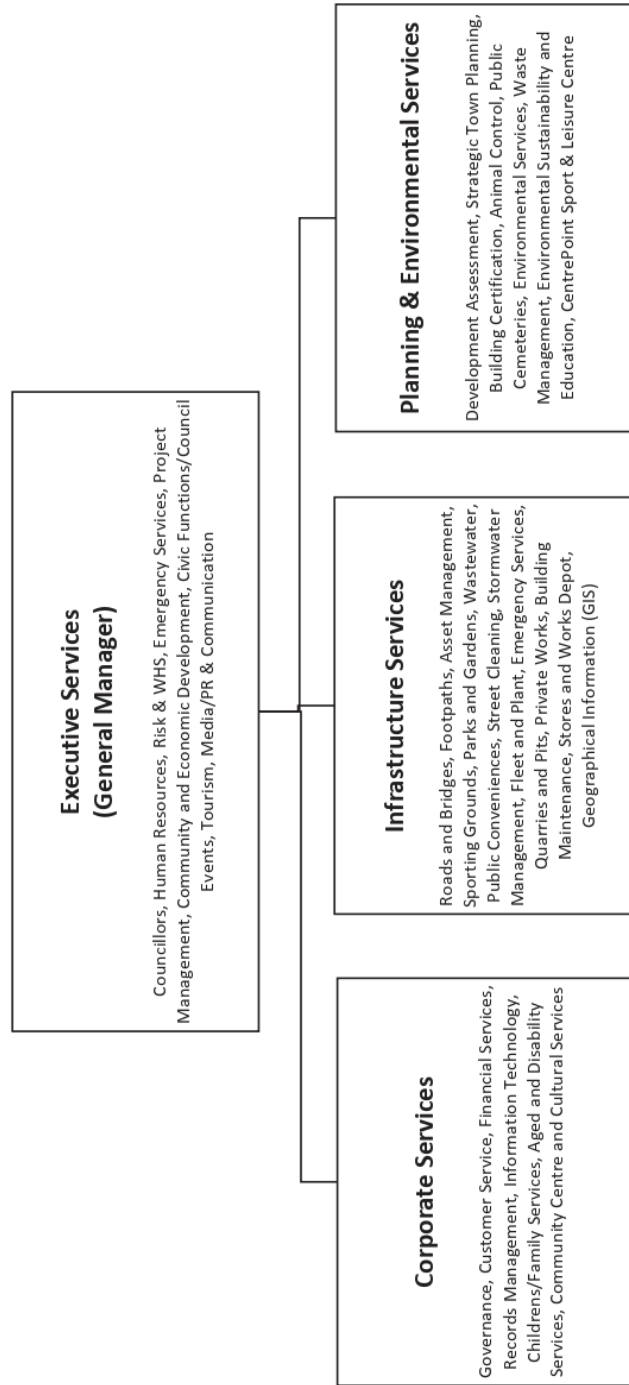
1 Organisation Structure

1 Page

Attachments (separate document)

Nil

**Blayney Shire Council
Departmental Structure – October 2022**



05) IPART - REVIEW OF RATE PEG METHODOLOGY SUBMISSION

Department: Executive Services

Author: General Manager

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

File No: RV.CF.5

Recommendation:

That Council note the submissions to IPART regarding the review of rate peg methodology.

Reason for Report:

To advise and update Council on the Independent Pricing and Regulatory Tribunal (IPART) review of the local government rate peg methodology, including Local Government Cost Index.

Report:

In September 2022, IPART released an issues paper and sought feedback and submissions by 4 November 2022. Council's submission, prepared by the General Manager, is provided immediately after this report for information of Council.

Council's submission is succinct, but given it is a member of both: Local Government NSW (LGNSW) and Central NSW Joint Organisation (CNSWJO), it was noted that detailed submissions provided by both organisations were supported by Council.

The wider local government sector across NSW is forecasting significant pressures in relation to financial sustainability. Unprecedented cost escalations have been experienced in; construction supplies and products, contractor costs, utility costs, plant and equipment costs (including fuel) and anticipated labour wage increases will all have a significant impact.

This IPART review is considered to be a critical moment for the sector in relation to financial sustainability. Local Government financial experts have forecast that up to 75% of Councils are considered to not be financially sustainable.

The above statement is supported by conversations with multiple Councils at the recent Local Government NSW Annual State conference, where a significant number indicated they will highly likely have to consider a Special Variation to rates, some potentially in the vicinity of 50% to 60% to be financially sustainable.

Risk/Policy/Legislation Considerations:

Nil

Budget Implications:

Nil

Enclosures (following report)

- 1 Council Submission into the Review of the IPART Methodology for Rate Peg Increases 4 Pages

Attachments (separate document)

- 2 CNSWJO Submission into the Review of the IPART Methodology for Rate Peg Increases 11 Pages
- 3 IPART Issues Paper - Review of Rate Peg Methodology 41 Pages

**Blayney Shire Council**

Council Office 91 Adelaide Street, Blayney Postal Address PO Box 62, Blayney NSW 2799
Telephone (02) 6368 2104 Facsimile (02) 6368 3290
Email council@blayney.nsw.gov.au Web www.blayney.nsw.gov.au
ABN 47 619 651 511

3 November 2022

The Chair – IPART Review of Rate Peg Methodology
Via IPART online form

RE: IPART Review of Rate Peg Methodology

Council refers to the IPART review of rate peg methodology, Issues Paper dated September 2022, with written submissions sought prior to 4 November 2022.

Blayney Shire Council has seen the draft submissions prepared by both Local Government NSW (LGNSW) and Central NSW Joint Organisation (CNSWJO), of which Council is a member of both organisations and would like to strongly reaffirm its support for each respective submission.

In addition to the LGNSW and CNSWJO submissions, Council would like to specifically highlight to the tribunal;

The one size fits all model does not work.

This is confirmed and shown in Table B.1 where income sources across different Council types is broken down and shows significant disparity in the percentage of income generated by rates by each Council type.

The Large Rural Council category (which Blayney Shire is) shows rates income is on average 20% of total income, yet 32% is the average total rates income as a percentage across the entire NSW local government sector. This confirms a significant disparity exists for regional Councils to generate an appropriate level of income from rates.

Table B.2 and Figure B.2 further confirm that 57 (44.5%) of Rural and Large Rural Councils have sought a Special Variation (SV) in the past 10 years. Additionally, the average cumulative increase for these two categories had the two highest average cumulative increases for approved SV applications at approximately 30%.

Speaking to a number of councils at the recent Local Government NSW Annual State conference, many Councils (potentially 80 of the 128 NSW Councils) are and/or will be needing at an SV, some in the vicinity of 50%.

The following comments are provided to some of the specific questions asked by IPART;

1. To what extent does the Local Government Cost Index (LGCI) reflect changes in councils' costs and inflation? Is there a better approach?

A one size all approach does not work, there are too many varying factors for each of the 128 Councils in NSW. The points outlined on page 1 of this submission reaffirm this position.

2. What is the best way to measure changes in councils' costs and inflation, and how can this be done in a timely way?

A significant amount of Council works are construction related, in which unprecedented rises have been experienced. In some projects, such as bridges, increases in excess of 50% (Council can provide specific evidence on this) have been experienced.

Greater consideration and emphasis in calculating the rate peg needs to be placed on what is occurring in the construction industry, specifically inclusion of a specific Construction Cost Index.

Additional consideration in the Labour market needs to also be factored in, to consider when a Council is impacted by a State Significant Projects and/or large construction projects being undertaken nearby.

Blayney Shire has 3 such large projects which will likely concurrently overlap and drive a need for approximately 1,700 construction workers over a 4-year period. Council in turn then has to compete with inflated salary conditions for construction industry employees paid by these large private sector employers, that are contractually incentivised and driven to meet tight deadlines.

3. What alternate data sources could be used to measure the changes in council cost?

The current issues paper is backwards focused using historical data which in the fast-paced world of today, is already out of date. IPART and in particular the rate peg should and needs to be forward focused.

IPART should be surveying Councils in relation to their Long-Term Financial Plans;

- What is the likelihood the Council will require an SV, and
- If an SV is required how big may it be.

As outlined in question 1 an ability to capture and consider what is happening in the construction industry needs to be considered as a standalone factor. Potentially utilisation of a recognised Construction Cost Index would be appropriate.

4. Last year we included a population factor in our rate peg methodology. Do you have any feedback on how it is operating? What improvements could be made?

The focus on population growth is also noted but considered counterproductive because Councils with stagnant, minimal or declining population growth require the same if not a greater ability to increase income to simply maintain current levels of service.

The importance of this is reaffirmed through inclusion in the methodology used for the distribution of Financial Assistance Grants (FAGs), which takes into 'relative disadvantage'. Similar provisions need to be considered in calculating the rate peg methodology for Councils with stagnant, minimal or no growth.

6. What other external factors should the rate peg methodology make adjustments for? How should this be done?

Impact of cost shifting needs to be considered.

Methodology should be modified to allow adjustments for external factors that affect groups of councils, affect councils unevenly or affect individual councils.

For example, the Emergency Services Levy (ESL) that has been included in the peg, does not fall evenly across councils, with the heaviest burden proportionally falling on rural/regional councils with a high RFS presence.

RFS asset depreciation is another factor that should be included.

7. Has the rate peg protected ratepayers from unnecessary rate increases?

The existence of the rate peg has not protected rate payers from unnecessary rate increases and has in fact had the opposite effect. There is a direct correlation to the rate peg creating significant 'rate shock' being significant rate increases at points in time for communities to create financial sustainability.

By not allowing a Council to undertake planned, strategic and measured rate increases to iron out identified long term financial sustainability issues, the rate peg only serves to drive the need for sudden large SV increases (some in excess of 50%) at a point in the future to create financial sustainability.

The current situation goes directly against the principle of ensuring intergenerational equity within communities, because it is always future generations having to bear significant increases rather than the current generation having appropriate increases at the time of having access to the services.

11. Is volatility in the rate peg a problem? How could it be stabilised?

12. Would councils prefer more certainty about the future rate peg, or better alignment with changes in costs?

13. Are there benefits in setting a longer term rate peg, say over multiple years?

An option (and a simple one) to address questions; 11, 12 and 13, is review and expansion of the 'Additional Special Variation' (ASV) process created by the Office of Local Government in 2022.

If the ASV was able to be reviewed and expanded to simply allow Councils to levy an additional amount (say up to an additional 5%) above the set rate peg (whatever that is) all stakeholders would benefit.

Ratepayers would be protected from significant rate increases and a mechanism is provided to Councils to address long term financial sustainability concerns. It would be beneficial to all stakeholders, as it;

- Would still allow a rate peg to continue be set each year by IPART,
- Ensures the Government's commitment to protect ratepayers from excessive rate increases is retained,
- Provides a simple mechanism to Councils to ensure financial sustainability over the Long Term without the need to undertake the SV process.
- Would reduce the need for Councils to undertake the significantly resource intensive and inefficient SV process for Councils, particularly smaller Councils.

Thank you for the opportunity to make a submission to the review. Council clearly understands IPART's role in the existing process (and this review) and appreciates that IPART does not set policy which is the realm of government.

However, I trust through the weight of submissions that a clear appreciation is gained of the serious challenges placed on councils with significant constraints placed on the ability to raise revenue yet be expected to deliver services and remain financially sustainable.

Unless the system is adjusted to provide balanced rate increases that genuinely respect rising costs reflected across a number of indices, the need for large "rate shocks" are inevitable. This is neither fair to ratepayers nor Councils who need to divert significant resources to navigate the SV process or spend significant amounts on specialist consultants to assist them.

Council hopes that IPART can deliver a methodology that fairly respects all the costs borne by local government or are imposed by government cost shifting.

Yours faithfully



Mark Dicker
General Manager

06) REPORT OF COUNCIL INVESTMENTS AS AT 31 OCTOBER 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 October 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 October 2022.

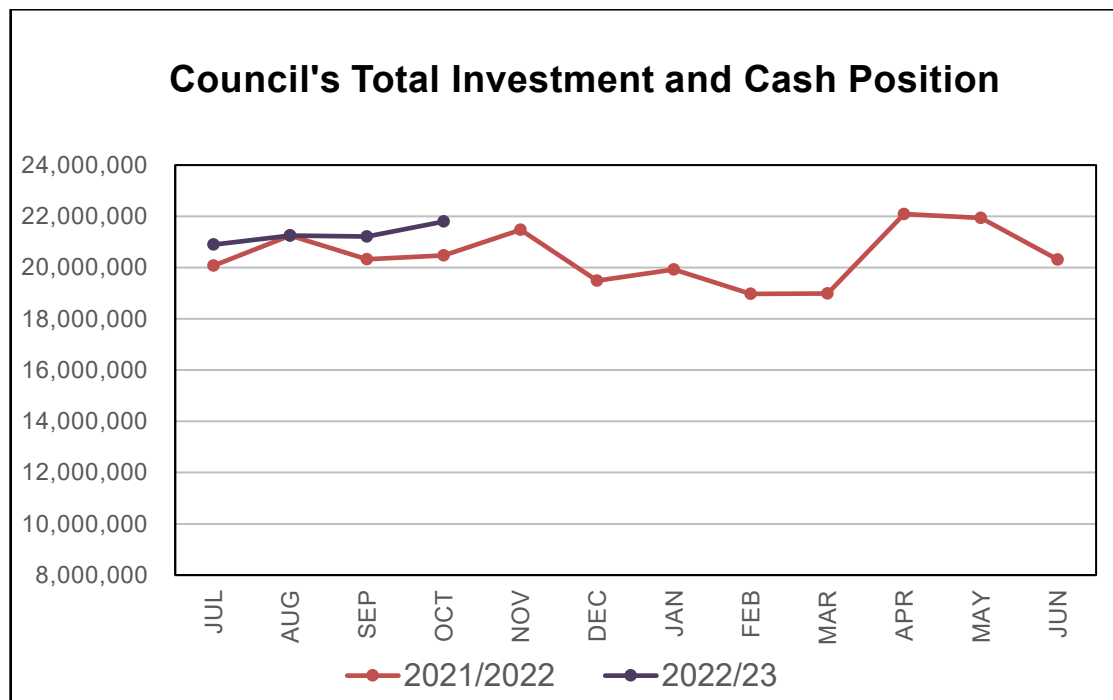
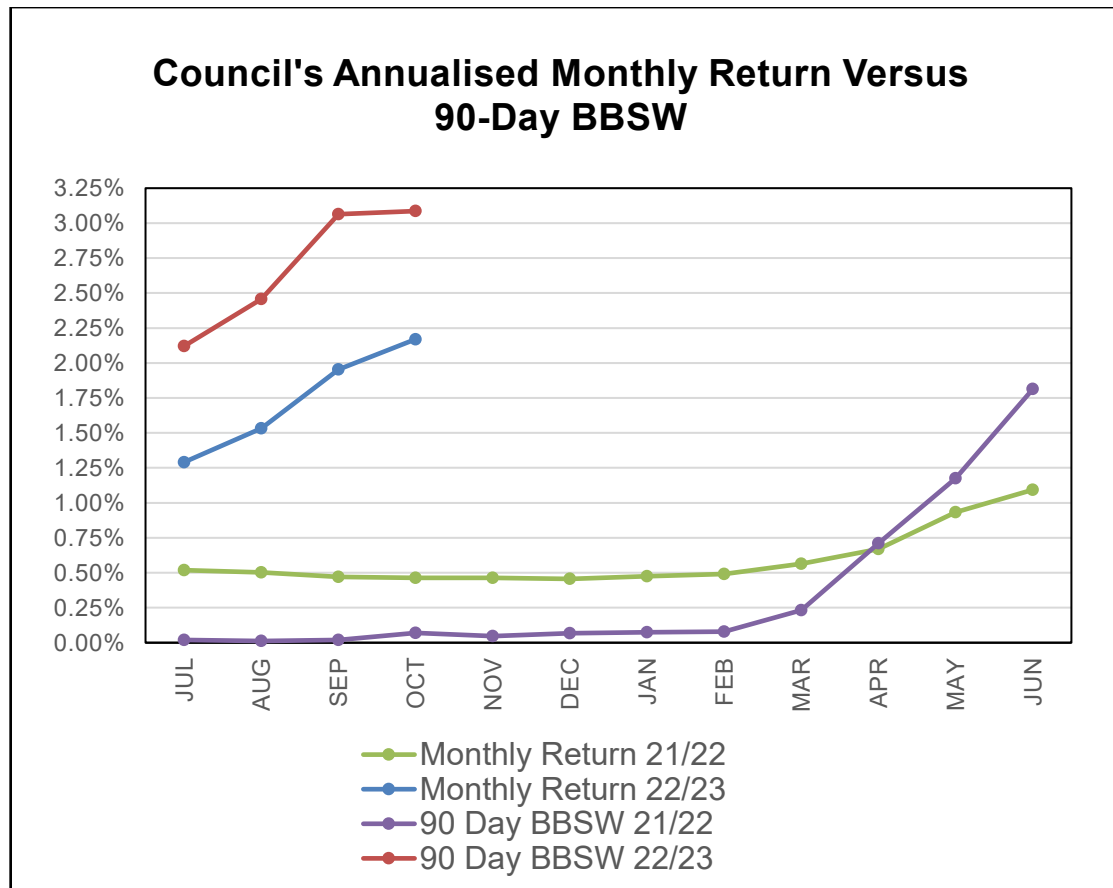
Report:

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

Council's total investment and cash position as at 31 October 2022 is \$21,796,053. Investments earned interest of \$40,713.89 for the month of October 2022.

Council's monthly net return on Term Deposits annualised for October was 2.17% which did not outperform the 90 day Bank Bill Swap Rate of 3.09%. During the month of October, the Bank Bill Swap Rate has increased by 0.03%.

Council is being challenged to outperform the BBSW in an increasing interest rate environment over recent months. As existing term deposits, 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 October 2022					
Institution	Method	Rating	Maturity	Amount \$	Interest Rate
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%
Reliance Bank	Direct	Unrated	07/03/2023	500,000	3.430%
ME Bank	IAM	A2/BBB+	14/03/2023	500,000	1.120%
CBA	Direct	A1+/AA-	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%
CBA	Direct	A1+/AA-	12/09/2023	500,000	4.060%
CBA	Direct	A1+/AA-	26/09/2023	500,000	4.640%
Bank of Queensland	Curve	A2/BBB+	10/10/2023	500,000	4.200%
Westpac	Direct	A1+/AA-	10/10/2023	500,000	0.720%
CBA	Direct	A1+/AA-	17/10/2023	500,000	4.420%
Total Investments				18,500,000	2.118%
Commonwealth Bank - At Call Account ⁽¹⁾				263,515	2.650%
Commonwealth Bank Balance - General ⁽¹⁾				2,933,928	2.450%
Reliance Bank ⁽¹⁾				98,611	0.000%
TOTAL INVESTMENTS & CASH				21,796,053	
Benchmarks:		BBSW 90 Day Index ⁽¹⁾			3.086%
		RBA Cash Rate ⁽¹⁾			2.600%

1. % Interest rates as at end of reporting period

Summary of Investment Movements - OCTOBER 2022		
Financial Institution	Invst/(Recall) Amount \$	Commentary
Macquarie Bank	(502,205)	Term deposit redeemed 11/10/2022
Bank of Queensland	500,000	Term deposit invested 12/10/2022
CBA	(502,294)	Term deposit matured 18/10/2022
CBA	500,000	Term deposit reinvested 18/10/2022

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%	5%	1,000,000
BBB+ Category	25%	11%	2,000,000
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%	19%	
2. ADI's located within the Local Government Area			18,500,000

	Actual 30/06/2022 \$ 000's	Forecast 30/06/2023 ⁽³⁾ \$ 000's
External Cash Restrictions	13,097	9,856
Internal Cash Restrictions	7,120	4,815
TOTAL RESTRICTED ASSETS	20,217	14,671

3. The Forecast 30/06/2023 Restricted Cash and Investments figures are subject to changes pending finalisation of the 2022/23 Financial Statements and audit.

Council is anticipating a number of sizeable creditor payments in the coming weeks due to anticipated delivery of fleet replacements and contract payments for the construction of infrastructure projects. To ensure adequate cash flows for ongoing operations, surplus funds are being held in the CBA General Fund account. Ongoing assessment of upcoming cash flow requirements will continue, ensuring where possible that any surplus funds are invested accordingly to maximise investment returns.

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

07) QUARTERLY BUDGET REVIEW STATEMENT - SEPTEMBER 2022

Department: Corporate Services

Author: Chief Financial Officer

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

File No: FM.BU.1

Recommendation:

1. That the Quarterly Budget Review Statement for the quarter ending 30 September 2022 be received.
2. That the supplementary votes of (\$1.11m) nett proposed in the Quarterly Budget Review Statement be adopted, resulting in an increase to capital expenditure of \$427k, an increase to operating expenditure of \$1.21m and an increase in income of \$525k (which includes an increase of \$58k in capital income).

Reason for Report:

For Council to endorse the Quarterly Budget Review Statement (QBRS) for the quarter ending 30 September 2022.

Report:

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

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

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

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

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

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

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

Risk/Policy/Legislation Considerations:

Clause 203 of the Local Government (General) Regulation 2005 requires that the Responsible Accounting Officer of a council prepare and submit to Council a budget review statement. The format as presented reports on an income and expense type, in a similar format to that included in the annual financial reports, as well as by Council activity and helps to inform Council on the anticipated Income Statement operating result for the financial year. Other information is also disclosed including budgeted capital income and expenditure, restricted cash movements and key performance indicators.

Budget Implications:

Overall, the net variation in Continuing Operations for the quarter of (\$684k) will decrease the projected Net Operating Result before Capital Items to (\$1.70m) forecast deficit. For General Fund, net variations of (\$557k) will decrease the projected Net Operating Result before Capital Items to (\$1.66m) deficit. For Sewer Fund, net variations of (\$127k) will decrease the projected Net Operating Result before Capital Items to (\$41k) deficit.

Operational income variations of \$525k include an increase to Capital Grants and Contributions of \$59k. Preliminary works to be undertaken on the replacement of the Swallow Creek bridge of \$150k following successful funding under the Fixing Local Bridges program. Grant funding of \$35k was also received under the Country Passenger Infrastructure Grants program for the construction of three bus shelters in the villages of Mandurama, Lyndhurst and Newbridge. A reallocation of budgeted capital contributions of \$127k from

Voluntary Planning Agreements allocated to expenditure of an operational nature.

Variations to operational grants and contributions of \$470k include \$240k for the Community Events Program funded under Reconnecting Regional NSW and \$80k for the Transition to NSW Planning Portal.

Operational expenditure variations of \$1.21m include associated staff and program delivery costs with the Community Events Program and Transition to NSW Planning Portal totalling \$320k.

Council's insurance premiums increased across the board by \$41k above the forecast CPI increase. Public liability and property insurance increased by 12.5%, Councillors and Officers Liability insurance and Crime insurance increased by 10% and Cyber insurance premiums increased by 25%.

As a result of major economic factors and in particular the impact on the building and construction index in the lead up to the end of the 2021/22 financial year, Council was required to assess the fair value of its Infrastructure, Property, Plant and Equipment during finalisation of the 2021/22 financial statements. The result of this analysis was a material increase to the fair value of these asset classes in 2021/22 and subsequently the depreciation expense for 2022/23 as detailed below:

Asset Class	Index	Fair Value (\$000)	Depreciation (\$000)
Roads	10.81%	21,460	297
Bridges	10.81%	3,222	23
Footpaths	10.81%	913	23
Bulk earthworks (non-depreciable)	10.81%	1,363	N/A
Stormwater drainage	5.73%	1,867	21
Buildings – non-specialised	17.26%	344	19
Buildings – specialised	9.70%	2,472	147
Other Structures	9.70%	546	26
Swimming Pools	9.70%	35	2
Land Improvements	10.81%	1,087	33
Land	20.91%	1,659	N/A

In addition, following revaluation of the Sewerage Infrastructure asset class in 2021/22, the depreciation expense has increased by a further \$127k.

Variations of \$427k to capital expenditure include \$150k preliminary costs associated with the replacement of the Swallow Creek Bridge on Four Mile Creek Rd. A further \$197k was required to fund the 2022/23 fleet replacement program funded by the Plant and Vehicle Replacement internal allocation including two watercarts, a grader and a backhoe following significant price increases in quotations sought since estimates were obtained for budget adoption.

A further \$56k is budgeted to finalise 2021/22 carryover projects including \$12k for the King George Oval amenities, funded from the external restriction for Voluntary Planning Agreements, and \$44 from Sewer Fund to finalise sewerage treatment plant upgrades and the recycled water treatment plant.

Other variations to cash and investments include unrestricting the 2022/23 Financial Assistance grant advanced of \$1.36m, paid in the 2021/22 financial year.

Enclosures (following report)

Nil

Attachments (separate document)

- | | | |
|---|--|----------|
| 1 | Quarterly Budget Review Statement - September 2022 | 26 Pages |
|---|--|----------|

08) 2021/22 AUDITED FINANCIAL STATEMENTS

Department: Corporate Services

Author: Chief Financial Officer

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

File No: FM.FR.1

Recommendation:

That Council adopt the 2021/22 Financial Statements and accept the Auditor's Report, as submitted by the NSW Audit Office.

Reason for Report:

For the 2021/22 audited financial statements to be presented to Council.

Report:

Council will receive a presentation on Council's 2021/22 Financial Statements by Karen Taylor, Director Financial Audit, NSW Audit Office.

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

Income Statement

For the 2021/22 financial year Council has presented a net operating result of \$9.87m, with a net operating result before the inclusion of grants and contributions for capital purposes of \$65k.

After the exclusion of non-cash items incorporated into the income statement there is a cash surplus from operating activities of \$13.17m. This operating cash surplus contributed to funding Council's capital works program for the year, with the remainder of the required funding coming from the proceeds from borrowings, asset sales and Council's reserves.

Capital Expenditure

Council completed over \$14.67m worth of capital works in 2021/22 as detailed in Note C1-7 Infrastructure, property, plant and equipment. Of that \$10.78m was on renewal of existing infrastructure. Significant capital works included:

- Completed works of \$6.59m on Council's road network.
 - \$597k on Carcoar St rehabilitation
 - \$1.8m on Panuara Rd heavy patching
 - \$950k on Carbine Rd
 - \$1.68m on Hobbys Yard Rd

- \$1.34m on gravel resheeting, resealing and heavy patching program throughout the Shire.
- Footpath construction works of \$461k, including finalisation of the Millthorpe Railway underpass, Stillingfleet St from Adelaide St – Osman St and Queen St to Lee Hostel and commencement of stages 2 & 3 of the Belubula River Walk and pedestrian integration project at KGO.
- Plant replacements of \$237k including the replacement of an excavator and a rotavator.
- Building works of \$2.91m including replacement of the roof at CentrePoint, amenities upgrade at KGO and commencement of the Blayney RFS station.
- \$782k on other recreational assets including finalisation of the Neville multipurpose court, Millthorpe skate park, and projects funded under the Village Enhancement Program.
- \$370k on works at the Sewerage Treatment Plant including continuation of works at the recycled water treatment plant and relining of the sewer mains.

Audit opinion

At the 15 August 2022 Council meeting, following adoption of a Mayoral Minute regarding the accounting treatment of Rural Fire Service (Red Fleet) Assets, Council resolved not to include the RFS fleet in its schedule of infrastructure, property, plant & equipment schedule.

As a result of non recognition of the rural fire-fighting equipment, Council received a qualified audit opinion for the 2021/22 Financial Statements. The qualified opinion is formed on the basis that rural fire-fighting equipment is controlled by the Council as:

- these assets are vested in the Council under section 119(2) of the Rural Fires Act 1997 (Rural Fires Act), giving the Council legal ownership.
- the Council has the ability, outside of emergency events in section 44 of the Rural Fires Act, to prevent the NSW Rural Fire Service from directing the use of the rural fire-fighting equipment by either not entering into a service agreement, or cancelling the existing service agreement that was signed on 28 February 2018.
- the Council has specific responsibilities for fire mitigation and safety works and bush fire hazard reduction under Part 4 of the Rural Fires Act. The Council obtains economic benefits from the rural fire-fighting equipment as these assets are used to fulfil Council's responsibilities.
- in the event of the loss of an asset, the insurance proceeds must be paid into the New South Wales Rural Fire Fighting Fund (section 119(4) of the Rural Fires Act) and be used to reacquire or build a similar asset, which is again vested in the Council as an asset provided free of charge.

Blayney Shire Council | Income Statement | for the year ended 30 June 2022

Blayney Shire Council

Income Statement

for the year ended 30 June 2022

Original unaudited budget 2022	\$ '000	Notes	Actual 2022	Actual 2021
Income from continuing operations				
11,817		B2-1	11,777	11,423
1,575		B2-2	1,579	1,488
276		B2-3	480	244
4,801		B2-4	5,525	5,227
8,162		B2-4	9,788	4,677
175		B2-5	110	138
171		B2-6	196	361
-		B4-1	54	-
<u>26,777</u>			<u>29,509</u>	<u>23,556</u>
Expenses from continuing operations				
6,723		B3-1	7,167	7,124
4,966		B3-2	5,135	4,388
255		B3-3	147	262
6,684		B3-4	6,522	6,740
887		B3-5	685	843
351		B4-1	-	512
<u>19,866</u>			<u>19,656</u>	<u>19,869</u>
<u>6,911</u>			<u>9,853</u>	<u>3,687</u>
<u>6,911</u>			<u>9,853</u>	<u>3,687</u>
<u>(1,251)</u>			<u>65</u>	<u>(990)</u>

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

Blayney Shire Council | Statement of Financial Position | for the year ended 30 June 2022

Blayney Shire Council

Statement of Financial Position

as at 30 June 2022

\$ '000	Notes	2022	2021
ASSETS			
Current assets			
Cash and cash equivalents	C1-1	2,298	3,665
Investments	C1-2	17,500	16,500
Receivables	C1-4	1,267	587
Inventories	C1-5	1,377	1,528
Contract assets and contract cost assets	C1-6	2,345	550
Other		128	63
Total current assets		24,915	22,893
Non-current assets			
Investments	C1-2	500	500
Receivables	C1-4	20	-
Infrastructure, property, plant and equipment (IPPE)	C1-7	337,346	296,774
Intangible assets	C1-8	54	83
Right of use assets	C2-1	21	40
Investments accounted for using the equity method	D2-3	30,108	29,835
Total non-current assets		368,049	327,232
Total assets		392,964	350,125
LIABILITIES			
Current liabilities			
Payables	C3-1	1,522	1,533
Contract liabilities	C3-2	3,198	3,369
Lease liabilities	C2-1	19	20
Borrowings	C3-3	629	602
Employee benefit provisions	C3-4	2,330	2,356
Total current liabilities		7,698	7,880
Non-current liabilities			
Payables	C3-1	2	2
Lease liabilities	C2-1	2	21
Borrowings	C3-3	5,972	6,601
Employee benefit provisions	C3-4	75	76
Provisions	C3-5	1,338	952
Total non-current liabilities		7,389	7,652
Total liabilities		15,087	15,532
Net assets		377,877	334,593
EQUITY			
Accumulated surplus	C4-1	167,548	157,485
IPPE revaluation reserve	C4-1	210,329	177,108
Council equity interest		377,877	334,593
Total equity		377,877	334,593

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

Restricted Cash

The external restrictions increase with nett transfers to of \$449k. The internal allocations (restrictions) decreased with nett transfers from of \$356k.

The total Restricted Cash balance at 30 June 2022 was \$20.22m with unrestricted cash of \$81k.

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

Blayney Shire Council | Notes to the Financial Statements 30 June 2022

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

\$ '000	2022	2021
(a) Externally restricted cash, cash equivalents and investments		
Total cash, cash equivalents and investments	20,298	20,665
Cash, cash equivalents and investments not subject to external restrictions	7,201	8,017
External restrictions		
External restrictions – included in liabilities		
External restrictions included in cash, cash equivalents and investments above comprise:		
Specific purpose unexpended grants – general fund	3,198	3,369
External restrictions – included in liabilities	3,198	3,369
External restrictions – other		
External restrictions included in cash, cash equivalents and investments above comprise:		
Developer contributions – general	1,033	867
Developer contributions – sewer fund	1,196	996
Sewer fund	5,802	5,659
Voluntary planning agreements	284	195
Rates – special variation mining	753	570
Domestic waste management	831	992
External restrictions – other	9,899	9,279
Total external restrictions	13,097	12,648

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

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

\$ '000	2022	2021
(b) Internal allocations		
Cash, cash equivalents and investments not subject to external restrictions	7,201	8,017
Internal allocations		
At 30 June, Council has internally allocated funds to the following:		
Plant and vehicle replacement	1,137	918
Employees leave entitlement	1,086	1,007
Asset reserve – transport	–	227
Centrepoint	–	163
Election reserve	51	95
Environmental projects – Belubula River	27	27
Financial assistance grant	1,364	1,452
I.T reserve	324	254
King George Oval	–	218
Property account	1,462	1,517
Property account - borrowings	1,026	1,173
Quarry remediation	219	219
Village enhancement program	106	140
Carryover works	318	66
Total internal allocations	7,120	7,476

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

Council's unrestricted cash and balance of internal allocations is lower than anticipated, impacted by a substantial increase in contract assets as disclosed in Note C1-8. Council has had to borrow funds from the following Internal Allocations until the relevant payment milestones for grant funded projects is received in 2022/23:

- Financial assistance grant
- King George Oval
- CentrePoint

Performance Indicators

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

G4 Statement of performance measures

G4-1 Statement of performance measures – consolidated results

\$ '000	Amounts 2022	Indicator 2022	Indicators 2021	Indicators 2020	Benchmark
1. Operating performance ratio					
Total continuing operating revenue excluding capital grants and contributions less operating expenses ^{1,2}	(168)	(0.86)%	(3.74)%	(4.98)%	> 0.00%
Total continuing operating revenue excluding capital grants and contributions ¹	19,604				
2. Own source operating revenue ratio					
Total continuing operating revenue excluding all grants and contributions ¹	14,079	47.90%	57.54%	58.42%	> 80.00%
Total continuing operating revenue ¹	29,392				
3. Unrestricted current ratio					
Current assets less all external restrictions	11,293	4.67x	3.86x	4.71x	> 1.50x
Current liabilities less specific purpose liabilities	2,418				
4. Debt service cover ratio					
Operating result before capital excluding interest and depreciation/impairment/amortisation ¹	6,501	8.44x	7.26x	5.31x	> 2.00x
Principal repayments (Statement of Cash Flows) plus borrowing costs (Income Statement)	770				
5. Rates and annual charges outstanding percentage					
Rates and annual charges outstanding	189	1.58%	1.46%	2.84%	< 10.00%
Rates and annual charges collectable	11,957				
6. Cash expense cover ratio					
Current year's cash and cash equivalents plus all term deposits	20,298	15.97 months	17.23 months	12.72 months	> 3.00 months
Monthly payments from cash flow of operating and financing activities	1,271				

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

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

Risk/Policy/Legislation Considerations:

The Local Government Act (1993) s.416 states that Council's financial statements must be prepared and audited by 31 October 2022. Council's audited financial statements were lodged with the Office of Local Government on 24 October 2022.

The Local Government Act (1993) s.418 requires Council to give notice to the public on presentation of the financial statements at least 7 days prior to the meeting and invite submissions to be received. Submissions close 28 November 2022.

Budget Implications:

The income statement reports Council's original budget against actual results. As at 30 June 2022 the Income from Continuing Operations was \$29.51m compared to \$26.78m budgeted.

Actual operating expenditure was \$19.66m compared to \$19.87m budgeted. This resulted in a net operating result from continuing operations of \$9.85m compared to \$6.91m budgeted. Net operating result from continuing operations before grants and contributions provided for capital purposes of \$65k surplus compared to (\$1.25m) deficit budgeted.

Council's original budget for capital expenditure for 2021/22 was \$14.29m before the inclusion of carryover works from 2020/21. Council capital expenditure was \$14.77m comprising completed capital works of \$13.76m with a further \$1.01m works in progress carried over for completion in 2022/23.

Enclosures (following report)

Nil

Attachments (separate document)

1 2021-22 Financial Statements

119 Pages

09) REVIEW OF DELEGATIONS REGISTER

Department: Corporate Services

Author: Director Corporate Services

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

File No: PE.AT.1

Recommendation:

That Council adopt the Delegations Register as tabled.

Reason for Report:

For Council to review and approve the Delegations Register.

Report:

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

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

The purpose of the Register is to maintain and provide up to date and accurate information on staff and committees who hold a level of delegated authority over which a delegate may exercise authority. Delegations apply to positions or committees and not to individuals.

The role of the Council is to approve delegations to the General Manager. The role of the General Manager is to outline sub-delegations to staff.

A review of the Register of Delegations has occurred with amendments proposed highlighted in coloured font. The delegations conferred upon the General Manager assist in the seamless operation of Council and effective provision of service.

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

Risk/Policy/Legislation Considerations:

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

- S.377 outlines Councils' power to delegate to the General Manager and functions that cannot be delegated.
- S.378 outlines functions that may be delegated by the General Manager.

- S.380 requires Council to review all its delegations within 12 months of election to office.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

1 Draft Register of Delegations

51 Pages

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

1. That the following policies be endorsed by Council and be placed on public exhibition for a period of not less than 28 days:
 - Information Technology Security and Usage Policy
 - Signs as Remote Supervision Policy
2. Should no submissions be received during the public exhibition the policies are adopted and included in the Council Policy register.
3. That Council rescind Community Banner Usage Policy and develop a guideline, to inform and assist event owners.

Reason for Report:

For the Council to review Council's strategic policies.

Report:

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

POLICY	OBJECTIVE
Information Technology Security and Usage Policy	To outline the acceptable use of computer equipment at Blayney Shire Council and rules around security access to network resources. These rules are in place to protect the employees and Blayney Council. Inappropriate use exposes Blayney Council to risks including virus attacks, compromise of network systems and services and legal issues.
Signs as Remote Supervision Policy	To outline the requirements of selection, installation, placement and maintenance of safety signage to adequately manage and minimise the risk of injury or harm to workers and contractors.

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

It is also proposed for the Community Banner Usage Policy to be rescinded by Council. It considered that a guideline, approved by the General Manager, would be more suitable and will be developed for Council's website to inform and assist event owners to apply to Council to hang Banners on poles located in prominent positions across the Shire. This will be appended to the appropriate page on Council's website.

Risk/Policy/Legislation Considerations:

Nil

Budget Implications:

Nil

Enclosures (following report)

- | | | |
|---|--|---------|
| 1 | Information Technology Security and Usage Policy | 5 Pages |
| 2 | Signs as Remote Supervision Policy | 9 Pages |

Attachments (separate document)

Nil



Information Technology Security and Usage Policy

Policy	8C
Officer Responsible	Manager Information Technology
Last Review Date	<u>0820/015/201922</u>

Strategic Policy

1. OBJECTIVE

The purpose of this policy is to outline the acceptable use of computer equipment at Blayney Shire Council and rules around security access to network resources. These rules are in place to protect the employees and Blayney Council. Inappropriate use exposes Blayney Council to risks including virus attacks, compromise of network systems and services and legal issues.

2. SCOPE

Internet/Intranet related systems, including but not limited to computer equipment, software operating systems, storage media, network accounts providing e-mail, Web browsing are the property of Blayney Shire Council. These systems are to be used for business purposes in serving the interests of Blayney Shire Council and our customers and community in the course of normal operations.

Information and/or data stored on Council's network and cloud are the property of Blayney Shire Council.
~~Blayney Shire Council.~~

This policy applies to all employees, contractors, consultants and other workers at Blayney Shire Council including all personnel affiliate with third parties.

3. GENERAL USE AND OWNERSHIP

While Blayney Shire Council's network aims to provide a reasonable level of privacy, users should be aware that the data created on the corporate systems remains the property of Blayney Shire Council.

For security and network maintenance purposes, authorised individuals within Blayney Shire Council may monitor equipment, systems and network traffic at any time.

4. PASSWORD SECURITY

Authorised users are responsible for the security of their passwords and accounts. Authorised users can be held responsible for activities performed with user's credentials. Multi Factor Authentication will also be enabled on systems where possible.

The following password security rules shall apply:

- . Passwords expire and must be changed after 60 days.
- . Not contain the user's account name or parts of the user's full name that exceed two consecutive characters
- . Be at least six characters in length Uppercase characters (A through Z)
- . Lowercase characters (a through z)
- . A number (0 through 9)
- . Non-alphabetic characters (for example, !, \$, #, %)
- . Last 2 passwords cannot be used

- Passwords are not to be shared with other staff. If a staff member needs to act in your role, then appropriate access will be granted to your own login for the duration of the acting period.

UNACCEPTABLE USE

Under no circumstances is an employee of Blayney Shire Council authorised to engage in any activity that is illegal under State or Federal legislation while utilising Blayney Shire Council owned resources. The lists below are by no means exhaustive but attempt to provide a framework for activities which fall into the category of unacceptable use:

- Unauthorised copying of copyrighted material.
- Introduction of malicious programs into the network or server (e.g. viruses, worms, Trojans, malware)
- Using a Blayney Shire Council computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment workplaces laws.
- Sending unsolicited email messages including the sending of junk mail or other advertising material.
- Any form of harassment via email, whether through language, frequency or size of messages.
- Employees may not attribute personal statements, opinions or beliefs to Blayney Shire Council when engaged in blogging.
- Use of Council's IT resources for other than Council business which impedes Council business or incurs a cost to Council.

5. APPROVED SOFTWARE

No software shall be installed or purchased unless it has been approved by the Manager Information Technology for use on Council computers. Software will only be approved if Council has a current licence to install and use the software if:

- it is fit for the intended use;
- the procurement procedure has been followed; and
- it will not endanger network security and the software can be supported either internally and have support/contract arrangements with external vendors

6. EMAIL PRIVACY AND CONTENT

Email should not be considered a private or secured form of communication as it may be forwarded or read by a third party. Content of emails should be carefully considered before sending.

7. ACCESSING INFORMATION HELD IN PROTECTED DIRECTORIES AND MAILBOXES

In a situation where a staff member is unavailable and information is required from their mailbox or directories for which they have exclusive access, this information can be retrieved by ~~the Manager Information Technology or IT Officer/IT Staff~~ where:

- The need for the information is urgent and cannot wait for the availability of the authorised user; and
- A manager to whom the authorised user is responsible requests the information by email.

In a situation where the staff member is on extended leave and their email account needs monitoring, the ~~Manager Information Technology/IT Staff~~ can provide access to their inbox to a designated Council officer following a written request via email from the relevant manager.

8. GRANTED ACCESS

Standard Access

Staff members shall be granted standard access to computer, network shares and resources. These include:

- Own Drive Access
- ~~SharePoint Access~~
- Public folder access
- Staff Intranet
- Corporate software (based on model user if one)
- Other Council systems identified and approved by manager/director after completing IT New Starter Form
- No Access to install software on computers

Privileged (Administrator Access)

Privileged access shall be granted to staff that require special access to the network and other resources and requires approval from the relevant Director

These include:

- IT Staff
- Staff that require access to install software
- Domain Administrator Server Access
- Full Access to Corporate software; Business Paper software and Asset Management Software

9. NEW STAFF

An Employee IT Access Form is required to be completed and approved by the relevant department Director prior to Information Technology creating network access. Once the employee has commenced and inducted into the IT system the form will be sent to Human Resources for addition to the staff members' file.

10. DEPARTING EMPLOYEES

Upon a staff members departure the Information Technology department will fill in the Departing Employee IT Access Form. Once completed this will be sent to Human Resources to be added to the staff members' file.

11. CHANGE OF ROLE

Where a staff member changes roles, the Information Technology department must be informed by the Human Resources department. A Change of IT Access form will then be filled in and approved the relevant Director before changes are made.

12. ACTING IN A ROLE

Where a staff member is required to act in another staff member's role for a period of time, Information Technology must be informed by the staff members Director prior to the leave commencing so that appropriate access can be provisioned for the duration of the acting period.

End

Adopted:	Date: 20/05/2019	1905/012
Last Reviewed:	Date: 20/05/2019	1905/012
Next Reviewed:	Date: 08/11/2024	



Signs as Remote Supervision Policy

Policy	26D
Officer Responsible	Manager Director Infrastructure Services
Last Review Date	XX/XX/2022

Strategic Policy

PURPOSE

This Policy documents Blayney Shire Council's approach to the management of safety signage. The purpose of this Policy is to outline the requirements of selection, installation, placement and maintenance of safety signage to adequately manage and minimise the risk of injury or harm to workers and contractors.

POLICY SCOPE

1. Users of Blayney Shire Council's owned, operated or controlled land are exposed to varying degrees of risk associated with the use of the land. The risk comes from the hazards which exist on the land: both natural hazards, and hazards related to developed facilities. ~~The law says that if it is "reasonably foreseeable" that a person might suffer some sort of loss or harm because of something someone else does, then that person is owed a Duty of Care.~~ It is desirable for Blayney Shire Council to provide a warning to users of the land about the nature of any hazards, to exercise its Duty of Care *in accordance with the Civil Liability Act 2002.*

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

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

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

3. The Blayney ~~policy~~ *Best Practice Guide* for Signs as Remote Supervision will identify Blayney Shire Council's facilities *requiring signage*. ~~The Manager Infrastructure will site risk audit Pools, Parks/Reserves, Skate parks and BMX facilities once a year. Council's WHS and Risk Coordinator will assess site risks and audit Council properties, including but not limited to Pools, Open spaces, Skate Parks and Recreation Facilities.~~ The information from the site risk ~~audits~~ will be entered into Council's asset management system with the condition and appropriateness of each sign.
4. ~~The Blayney Best Practice Guide for Signs as Remote Supervision will apply to Blayney Shire Council's facilities, Pools, Parks/Reserves, Skate/BMX parks or elsewhere that it is identified that the Council is in control of the asset. Blayney Shire Council's Infrastructure will conduct site risk audits on these facilities for appropriateness of using Signs as Remote Supervision. The information from the site risk audits will be entered into Council's asset management system describing the location, condition and~~

~~appropriateness of each sign.~~

5. This Policy has been developed taking into account the principles of ISO31000 – 2018 Risk Management Standard and the Statewide Mutual Best Practice Manual, Signs ~~As Remote Supervision~~ with a view to limiting Council's ~~(i.e. the community's)~~ exposure to potential litigation claims.
6. To bring Blayney Shire Council's signs up to best practice, signs in existence ~~that do not meeting the current standard Blayney Best Practice Guide for Signs as Remote Supervision and/or Australian Standards~~ shall be replaced as funds permit based on a priority order. Blayney Shire Council will consider the ongoing maintenance and replacement of damaged or vandalised signs in annual budget allocations.
7. Council may refer to other documents for style, layout and regulatory requirements relating to the use of signs in specific circumstances, for example: ~~Roads Maritime Service Transport for NSW~~ for roadside signage ~~guidelines~~.
- ~~8. A regular inspection program of Blayney Shire Council's remote supervision signage shall be included in risk inspections by Council staff.~~
9. When Blayney Shire Council becomes aware of a potential risk, it will endeavor to follow the hierarchal order of risk control principles ie:
 - Eliminate the risk
 - Reduce the risk
 - Accept the risk, using signs as remote supervision where possible.

ROLES AND RESPONSIBILITIES

Outlined below are responsibilities specific for safety signage requirements at all Blayney Shire Council controlled worksites.

EXECUTIVE

Executive and Senior Management are responsible for overseeing and ensuring the implementation of the requirements of this Policy and related procedures within their respective functional areas. This includes:

- *Ensuring all tasks are assessed to identify required safety signage;*
- *Ensuring appropriate management practices are implemented;*
- *Ensuring safety signage is installed, suitable and maintained;*
- *Ensuring safety signage is regularly monitored and reviewed to ensure its effectiveness.*

MANAGER

Managers in all operational areas and Council worksites are responsible for ensuring the implementation of this Policy. This includes:

- *Providing adequate resources to facilitate the provision all necessary safety signage and associated maintenance; and*

- *Providing awareness to all employees of this procedure.*

SUPERVISOR

Supervisors and Team Leaders in all operational areas and Council worksites are responsible for ensuring that the following is undertaken to minimise exposure to hazards and risks, including:

- *Ensuring adequate signage has been installed, maintained and removed where necessary.*
- *Ensuring all workers are familiarised with the relevant parts of this Policy*
- *Documenting and retaining records of inspections; and*
- *Providing appropriate training, instruction and supervision for workers.*

WORKER

All workers shall ensure that they:

- *Follow the requirements detailed in this Policy and associated documents.*
- *Adhere to all signage requirements; and*
- *Report any incidents/injuries immediately to their supervisor; and complete a WHS Incident*
- *report in accordance with Council WHS incident reporting procedures.*

CONTRACTORS

At all times when performing work on a Blayney Shire Council site or for/on behalf of Council, contractors must meet and comply with Councils signage requirements detailed in this and related procedures.

WHS COORDINATOR

The WHS and Risk Coordinator will work with the business to ensure:

- *The establishment, review and continual improvement of management systems, arrangements and related procedures relating to the management and use of signage.*
- *The provision of advice to assist in the active management and resolution of hazards and risks that require safety signage and to ensure these are managed in accordance with Councils Safety Management System and relevant legislative requirements.*

PROCEDURE

Safety signage is used to draw attention to objects and situations affecting health and safety. Adequate safety signage must be in place in all areas of high risk and danger. Signage is essential to maintain heightened safety and awareness in and around Councils workplaces. Safety signage must be placed where required by legislation or another Councils' guidelines, as identified in a Safe Work Method Statements or Traffic Control Plans to increase protection in conjunction with other control methods.

The signage requirements are to be selected after reviewing the hazards and risks for each site and activity. Signage selected must comply with Australian Standards.

GENERAL

Safety signage across all Council worksites must be of consistent quality and professional standard. Signage is an administrative control and must not be chosen as the primary control measure. Signage is classified into four (4) different categories. These include:

Regulatory Signs:

- Prohibition Signs (such as Smoking Prohibited, No Pedestrian Access, Digging Prohibited);*
- Mandatory Signs (such as Eye Protection Must Be Worn, Hearing Protection Must Be Worn);*
- Limitation or Restriction Signs (such as Speed Limit signs); and*
- Warning Signs (such as Confined Space and Asbestos warning signs).*

Hazard Signs:

- Danger Signs (such as Confined Space, Overhead Power); and*
- Warning Signs (such as Electric Shock Risk, Asbestos, Forklift Hazard, and Slippery When wet)*

Emergency Information Signs (such as First Aid, Emergency Eye Wash).

Fire Signs (such as Fire Alarm Sign, Fire Fighting Signage – e.g. extinguisher).

Additionally, there is specific signage (e.g. Entry Signage) which must be in-place at all fixed Worksites if required.

See Appendix A for examples of each category of signage.

DESIGN AND LAYOUT OF SIGNS

The type of sign used must be suitable for the intended purpose. All signage covered by this guideline must follow the same format as outlined in Statewide Best Practice Manual, Signs for Remote Supervision and AS1319 – Safety Signs for the Occupational Environment. Where no symbol is available for a required purpose, a worded message sign is to be used.

INSTALLATION OF SIGNS

Signs other than those painted directly on existing surfaces are to be constructed and erected so that they do not create a hazard (e.g. signs do not project into walkways or roadways so that persons or mobile plant including vehicles could strike them).

Signs are to be located where the message(s) are legible and clearly visible and so that they attract the attention of all workers (e.g. located at eye height, adjacent to plant such as lathes or at entrances to buildings/facilities). This also includes the installation of placards at the front of the facility, tanks and buildings where required.

Signs are to be installed in locations where there is limited possibility of them being obscured (e.g. placing items in front of signs or being overgrown by trees etc.). Placing several signs close together should be limited wherever practicable, as this may lead to confusion and make it difficult to distinguish individual messages.

Signs must not be placed on movable objects where a change in position would place the sign out of sight (e.g. doors or windows).

External or internal signs should be illuminated where it is required under legislation or where there is poor visibility as determined by a risk assessment.

All signs are to be kept clean and in good condition (e.g. not faded).

MAINTENANCE AND REMOVAL OF SIGNS

The Supervisor in conjunction with the WHS and Risk Coordinator must ensure safety signs are:

- Immediately removed, after the information they contain is no longer relevant; and/or when the hazard ceases to exist and,*
- Removed for maintenance if safe to do so/ maintenance conducted on site.*

SITE SPECIFIC MANAGEMENT OF SAFETY SIGNS

In addition to the signage outlined in Section 7.1, there are other signs that must be installed, but not limited to. These include:










- Evacuation Signs;*
- Traffic Management Signs*
- Office/Reception/Stores Signs;*
- Public Access Signs;*
- Evacuation Assembly Point Signs.*

REVIEW

This Policy is to be reviewed once every Council Term or earlier if:

- There is an identified risk to business.*
- A significant safety or unplanned event occurs.*
- Incident investigation or audit results show that application of the standard fails to deliver the required outcomes.*
- There are changes in associated legislation.*

EXAMPLES OF RELEVANT SIGNAGE USED

SIGN DESCRIPTION		EXAMPLE OF SIGN	
REGULATORY SIGNS	Prohibition Signs		
	Mandatory Signs		
	Limitation Or Restriction Signs		
HAZARD SIGNS	Danger Sign		
	Warning Sign		

		SIGN DESCRIPTION	EXAMPLE OF SIGN
OTHER SIGNS	Emergency Information Sign		
	Fire Sign		
	Entry Signage To Recreation Areas		

RELATED DOCUMENTS

This Policy complies with various provisions of the Civil Liability Act 2002 [NSW] including sections 42, 43 and 45 by ensuring resources allocated to an asset and its maintenance are utilised to meet Council’s commitments and in accordance with other relevant Legislation and associated Regulations

- Work Health and Safety Act 2011.*
- Work Health and Safety Regulations 2017*
- Civil Liability Act 2002*
- Statewide Best Practice Manual, Signs for Remote Supervision, Version 11: October 2021*
- WHS Safety Signage Audit Form*
- AS/NZS 1319:1994 Safety Signs for the Occupational Environment*
- WHS Risk Management Policy*
- Traffic Management SWMS – W-010*

End of Policy

	Date	Minute No.
Adopted:	17/06/2013	1306/011
Last Reviewed:	17/06/2013	1306/011
	20/08/2018	1808/009
Next Reviewed:	15/04/2025	

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.

- Disposal of Assets Policy
- Pensioner and Hardship Policy
- Privacy Management Plan
- Unreasonable or Unreasonably Persistent Customer Policy
- Work Health and Safety Policy
- Email and Internet Policy
- Information Security Policy
- Mobile Device Usage Policy
- Pathway Hierarchy Standard and Maintenance Policy
- Road Hierarchy Renewal and Maintenance Policy
- Voluntary Planning Agreement Policy
- Waste Collection Services Policy

Reason for Report:

For the Council to adopt Council's strategic policies endorsed for exhibition at the September and October Council meetings.

Report:

At the September and October meetings 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	Exhibition closing date
Disposal of Assets Policy	20/10/2022
Pensioner and Hardship Policy	20/10/2022
Privacy Management Plan	20/10/2022
Unreasonable or Unreasonably Persistent Customer Policy	20/10/2022
Work Health and Safety Policy	20/10/2022
Email and Internet Policy	17/11/2022
Information Security Policy	17/11/2022
Mobile Device Usage Policy	17/11/2022
Pathway Hierarchy Standard and Maintenance Policy	17/11/2022
Road Hierarchy Renewal and Maintenance Policy	17/11/2022

Voluntary Planning Agreement Policy	17/11/2022
Waste Collection Services Policy	17/11/2022

The closing date for submissions are shown in the above table. There were no submissions received for the policies endorsed in September, with a closing date of 20 October 2022. At the time of report preparation, no submissions had been received for the policies endorsed in October, with a closing date of 17 November 2022. Should any submissions be received, these will be tabled at the Council meeting.

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	Disposal of Assets Policy	7 Pages
2	Pensioner and Hardship Policy	5 Pages
3	Privacy Management Plan	61 Pages
4	Unreasonable or Unreasonably Persistent Customer Policy	4 Pages
5	Work Health and Safety Policy	4 Pages
6	Email and Internet Policy	5 Pages
7	Information Security Policy	7 Pages
8	Mobile Device Usage Policy	5 Pages
9	Pathway Hierarchy Standard and Maintenance Policy	7 Pages
10	Road Hierarchy Renewal and Maintenance Policy	10 Pages
11	Voluntary Planning Agreement Policy	15 Pages
12	Waste Collection Services	4 Pages

12) DISABILITY INCLUSION ACTION PLAN ANNUAL REPORT**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 4. Enhance facilities and networks that support Health and Wellbeing of the Community, Sport, Heritage and Cultural interests**File No:** CS.PO.1**Recommendation:**

That the Annual Report on the Disability Inclusion Action Plan for the year ended 30 June 2022 be received.

Reason for Report:

For Council to receive the Annual Report on the Disability Inclusion Action Plan for the year ended 30 June 2022.

Report:

Council adopted a Disability Inclusion Action Plan (DIAP), which commenced on 1 July 2017. The State Government under the NSW Disability Inclusion Act 2014 mandates that all Councils monitor and deliver a Plan.

The DIAP underpins Council's commitment to providing quality facilities and services that enable people with disability to fully participate in our communities. This plan was developed through a community consultation and research process which included review of Council documents and relevant Government policies.

The Disability Inclusion Action Plan 2017 – 2021 articulated what Council would do over four years to enable people with a disability to have greater access to Council information, services and facilities. Councils were given an extension for preparation of their new plans due to COVID thus the plan overextending the timeframe for the 2021 plan. The annual report demonstrates how Council has delivered on the final year of the Plan.

A new plan is under development and implementation continues by working in collaboration with a wide range of Council staff incorporating actions from the plan into Council works, projects and activities.

This document is also proposed to be tabled to Council's Disability Inclusion Working Group at their meeting held 16 November 2022.

Risk/Policy/Legislation Considerations:

Council is required under the Disability Inclusion Act 2014 to adopt a plan and report six monthly to Council with reporting included in Council's Annual Report.

Budget Implications:

Implementation of the plan is incorporated into project planning and budgeted into operational and capital project costs.

Enclosures (following report)

- | | | |
|----------|---|---------|
| 1 | Disability Inclusion Action Plan Annual Report for year ending 30 June 2022 | 4 Pages |
|----------|---|---------|

Attachments (separate document)

Nil

DISABILITY INCLUSION ACTION PLAN 2017 - 2021: ANNUAL REPORT AS AT 30/06/2022

Attitudes and behaviours					
Strategy	Actions	CSP Ref.	Outcome	Timeframe	Status
1. Raise awareness of the contribution that people with disability make in the community	Include positive images of people with disability in general promotional material.	6.2	Increased number of documents including diversity	Ongoing	As content is published a review for inclusiveness is undertaken. People with disabilities are not excluded from photo opportunities.
	Use of correct language in all media and publications when referencing people with disabilities.	6.2	Establishment of standard and staff informed	Ongoing	
2. Ensure that customer service staff and other staff who have contact with the community continue to be educated in disability awareness	Integrate training on access into Council staff inductions.	6.3	Included in induction training	Ongoing	Disability awareness training for staff and councillors conducted following election of new Council in May 2022.
	Provide ongoing training on disability inclusion to employees	6.3	Training identified in training plan	Ongoing	
4. Provide information in a manner and format that is inclusive	Liaise with relevant agencies to ensure that Council website, documents and communications use language, formats and colours that promote inclusion.	6.3	Agencies identified and website, publications and communication are reviewed and inclusionary	2021	Completed.
5. Engage with local businesses to encourage and support inclusive practices	Work with the business community to raise awareness of the importance of inclusion for people with disability	1.6	Engage with local business to promote inclusiveness	Ongoing	Free Access Consulting funding available during the period, however no funds expended.

Create Liveable Communities					
Strategy	Actions	CSP Ref.	Outcome	Timeframe	Status
1. Improve accessible paths of travel to key destinations	Identify the suitability of paths of travel to key destinations such as recreation facilities, parks and community facilities.	5.2	Assessment completed	Ongoing	Active Movement Strategy is being reviewed, with a focus on Kerb ramps upgrades.
2. Contribute towards liveable and accessible public places	Work with local business to identify barriers to access and develop opportunities for improvement	1.6	Barriers identified	Ongoing	Access Consulting Support Program promoted to businesses and assists by providing preliminary accessibility compliance advice triggered when a Construction Certificate is lodged. No applications received to June.
	Promote universal access principles for new and upgraded buildings and facilities in public places.	4.1	Access principles included in project		KGO amenities upgrade nearing completion.
	Include access and inclusion as a guiding principle in Plans of Management for community land and provisions with the Development Control Plan	3.4	Planning policies inclusive	Ongoing	Development Control Plan, applied to all applicable development.
	Consider the particular needs of children with disability in the design, layout and security of parks and playgrounds.	4.1	Playgrounds are safe and inclusive	Ongoing	No new playgrounds designed in the period.
3. Promote universal access to all Council events within the community	Promote disability inclusion in community events and festivals e.g. availability of accessible toilets.	1.6	Promotion of inclusive events by Council	Ongoing	Event Management Plan and associated approval process promotes accessible events.
4. Continuously upgrade Council's assets to meet legislative requirements for accessibility	Complete an audit of all Council assets to ensure accessibility and identify priorities for upgrade	4.1	Audit completed and priorities identified	2021	Accessibility, assessed as part of proposed renewals and upgrades as project and funding becomes available. Accessible car parking projects completed in period include Neville Multipurpose Court. Audit of accessible car parking within the Blayney Shire completed. Identified works being incorporated in project renewals and upgrades.
	Liaison with Orange City and Cabonne Shire Councils to improve access to tourism destinations	1.3	Opportunities for funding identified	2021	Ongoing. Continuous engagement with Orange360.

Create Liveable Communities					
Strategy	Actions	CSP Ref.	Outcome	Timeframe	Status
5. Improve accessible public toilet facilities and parking	Review the location of accessible parking spaces considering an increase in width and length where necessary and in compliance with Australian Standard	4.1	Investigation completed	2021	Existing accessible parking spaces reviewed and works incorporated in project renewals and upgrades. Funding sought for Heritage Park and Carrington Park amenities facilities encompassing improved accessible parking.
	Review, update and promote the location of accessible facilities and parking on Council's Mobility Map.	4.3	Development of Mobility map	Ongoing	No progress in period.
	Promote needs of people with disability to event organisers of special events particularly where parking is temporary and movement around venue may be restricted.	2.1	Events include accessible parking	Ongoing	Council promotes inclusion through the Event Management approval process. Event organisers are asked to consider accessible facilities and parking with event planning. Associated information is also provided.
6. Contribute towards programs which aim to increase social inclusion and community connection	Work in partnership to raise awareness of campaigns to promote inclusion throughout the community e.g. the "Just Like You" program in schools.	5.1	Increase in awareness and participation	2021	Council continues to support of Interagency and delivery of services to people with disability.
	Awareness of concessional access programs to Council facilities and community events e.g. NSW Companion Card.	4.3	Investigate and participate in programs. Promotion to event holders.	Ongoing	NSW Companion Card holder fee (free entry) to access CentrePoint Sport & Leisure Centre included in 2021/22 Operational Plan fees & charges. Facility also promoted on Companion Card website.
	Work in partnership with community organisations to facilitate and increase awareness of market activities and programs that promote inclusion of people with disability	2.1	Engagement with partner and activities undertaken	2021	Council engaged with a number of agencies and service providers involved in service provision to the aged and people with disability whilst planning Blayney Wellbeing Health Fair. Planning for event in March 2022 in progress.
	Liaise with Orange City and Cabonne Shire Councils to review the Disability Services Directory to ensure a comprehensive regional focus	4.1	Review completed	2021	Joint review by Councils of Disability Services Directory developed in 2016. Further review not progressed.

Employment					
Strategy	Actions	CSP Ref.	Outcome	Timeframe	Status
1. Develop employment opportunities for people with disability	Make reasonable adjustment to workplaces to facilitate work placement and employment opportunities for people with disability.	5.1	Workplace capable of supporting people with disabilities	Ongoing	Ongoing. Council is an EEO employer.
	Where volunteers are required, provide volunteering opportunities that are inclusive.	5.1	Development of an inclusive Volunteer Policy	2021	Whilst Council provides support to many volunteer organisations; Council's operations do not include use of volunteers per se. Draft policy not progressed.
	Investigate and consider utilisation of services and activities offered by disability service programs.	5.1	Investigation completed	Ongoing	Interagency meetings supported. Hosted by Council.
Systems and Processes					
Strategy	Actions	CSP Ref.	Outcome	Timeframe	Status
1. Ensure accessible and inclusive community engagement across all areas of Council	Include the principles of access and inclusion in Council's service delivery.	SJP*	Consistency in messaging and communication	Ongoing	Principles of access inclusion in Media and Publications.
	Promote Council's implementation of access and inclusion principles and recognise the rights and contribution of people with disability in the community.	6.3	Promotion of the DIAP has been undertaken	Ongoing	Operational Plan included program with \$5K funding for use as a contribution to assist businesses if engagement of an access consultant report was required when lodging a DA and/or CC.
2. Improve regulatory processes within Council	Utilise the Access Advisory Committee to provide comment on capital projects and development applications that relate to council buildings; facilities and infrastructure.	3.4	Process in place for Access Advisory Committee to review proposals	Ongoing	Nominations called for community representatives on the Disability Inclusion Working Group.
	Internal process to ensure that access is not overlooked when developing new facilities; buildings, parks, playgrounds, footpaths.	4.1	Review of internal processes for planning works	Ongoing	Design staff have undertaken accessibility training and reference appropriate design standards with works design and planning.

* Social Justice Principles

13) DRAFT 2022 - 2026 DISABILITY INCLUSION ACTION PLAN

Department: Corporate Services

Author: Director Corporate Services

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

File No: CS.PO.1

Recommendation:

That the Draft 2022 – 2026 Disability Inclusion Action Plan for Blayney Shire Council be placed on public exhibition for a period of at least 28 days.

Reason for Report:

For Council to endorse the Draft 2022 – 2026 Disability Inclusion Action Plan for Blayney Shire Council for public exhibition.

Report:

Blayney Shire Council has developed a Disability Inclusion Action Plan as required under the Disability Inclusion Act 2014. Blayney, Cabonne and Orange Councils resolved to take a collaborative approach to the development of a joint plan with each Council taking the lead with consultation and development of individual strategies and actions. The Disability Inclusion Action Plan will underpin Council's commitment to providing quality facilities and services that enable people with disability to fully participate in our communities.

This Disability Inclusion Action Plan is a second iteration and was developed through a community consultation and research process which included review of Council documents and relevant Government policies.

The consultation process involved community engagement with regional and local service providers, people with disability, carers and the broader community through surveys and targeted consultation with community groups to help identify gaps and discuss issues.

The Blayney Shire Disability Inclusion Working Group has been engaged during preparation of the plan and will be engaged during the period of public exhibition for refinement of the plan. This committee will also be actively involved in the ongoing development, implementation, and formal review process of the plan.

The development of a Disability Inclusion Action Plan will not only meet Council's legislative requirements, but it will also assist in raising community awareness helping to make Blayney Shire more accessible for all community members.

Risk/Policy/Legislation Considerations:

The development of a Disability Inclusion Action Plan is required under the Disability Inclusion Act 2014 and will form part of Council's integrated planning and reporting process.

Budget Implications:

No budget allowance has been provided for plan preparation and finalisation of the plan with it coordinated using existing Council staff resources. Implementation of the plan is envisaged to be incorporated into activity and project planning and budgeted into operational and capital project costs.

Enclosures (following report)

Nil

Attachments (separate document)

1 Draft 2022 - 2026 Disability Inclusion Action Plan 15 Pages

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

That the Director Infrastructure Services Monthly Report for November 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**

Following the approved application for repair of Cadia Road, culvert replacement and deep pavement repair have been completed. The pavement design is also complete allowing the base layer to commence construction.

Due to recent significant wet weather. Cadia Road has been temporarily opened to allow access to residents in the Errowanbang and Cadia district. It is the intention that the road will be closed again to allow completion of the works.

The condition of the detour continues to be monitored with some maintenance activities and further speed reduction undertaken. Additionally, the scoping of repairs has been undertaken with some initial meetings with Council Officers.

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.

Major Contracts**Leabeater Street Bridge**

Works have commenced on site with the piling works and abutment construction complete. Precast planks have been installed with the deck due to be poured in the coming weeks. Completion is projected towards the end of November.

Lucan Road Bridge

Detailed design is currently underway. The current project plan shows precast concrete components having commenced manufacture, with establishment occurring in November.

Boondaroo Road Bridge

This project is now complete. Some defect works to abutment scour protection is still outstanding.

Panuara Road Reconstruction

The contracted works are complete. The defect in Stage 1 will be completed prior to the end of November.

Major Works

Hobbys Yards Road Repair

Works are currently being scoped and planned for the remainder of the funds under Resources for Regions Round 8. Geotechnical investigation has been undertaken with the report of results still outstanding.

Gap Road Culvert Repair

Back filling and pavement construction is underway. It is projected that this intersection will be open mid-November with some further sealing and finishing works to be completed under traffic control.

Long Swamp Road Heavy Patching

Preliminary subgrade widening and drainage works are nearing completion. Construction of the sub-base pavement layer is expected to commence in mid-November, with base layer construction immediately commencing after that. Pending fair weather and delivery of minor outstanding design alterations, construction of the pavement should be completed by the end of the year.

Forest Reefs Road Reconstruction CH700-2300

Procurement of drainage items and pavement materials is currently underway, with box culverts on-site ready for commencement and pipes coming in late January. Preliminary roadside drainage works are expected to commence by the end of November.

The land acquisition for road widening was gazetted 11 November 2022. Council can now proceed with the electrical, gas and water relocation works.

Road Works

Due to the vast, dilapidated state of both sealed and unsealed roads, the programmed maintenance was relinquished. A reactive process has been implemented to conduct repairs in order of risk to driver safety and severity of damage.

Road maintenance works including pothole patching, gravel road maintenance, and signage works have been undertaken in Millthorpe prior to an event, Belubula Way, Mandurama Road, and the Forest Reefs area, with patching works commencing in the Moorilda and Newbridge areas.

Road Maintenance works

Gravel resheeting works are currently stalled due to weather. The crew normally allocated to this work has been tasked to repairing deep pavement repairs on failed sections of road including; Burnt Yards Road, Lucan Road, Village Road, Hobbys Yards Road, and Gallymont Road. Additional works are planned on the following roads; Carcoar Dam Road, Old Lachlan Road, Matthews Road, Wattersons Lane, and Fardells Lane

Re-sheeting works were completed on Caloola Road and Mallowgrove Road, with works on McKellars Road being halted until fairer weather permits the completion of outstanding deep pavement repairs. These roads have been completed under the Fixing Local Roads Round 3 Program.

Culvert Renewal Program

Site demobilisation for Doust Street is now complete. There are no further outstanding items for the practical completion of the Doust Street culvert.

Due to fairer weather, works on the Glenlea Road culvert has re-commenced, with the base slab poured on Thursday 3 November and the lifting of the culvert cells into place expected to be completed by Friday 11 November. Headwall and wingwall construction will commence thereafter. All works on the Glenlea Road culvert are expected to complete by the end of the year if the weather permits.

Footpaths

The footpath on Coombing Street has been completed, with minor closeout works to be completed before project signoff. Path edge re-sealing on Coombing Street was not completed due to resourcing issues with staff and cationic emulsion. Pending weather, the road edge shall be sealed by the end of the year. Handrail works are also expected to be completed before Christmas.

Preliminary works on the Glenorie Road shared path project have been completed, with dog run and acquisition fencing works completed. Quotations for the concreting works will be received by 11 November. Following deliberation and engagement of a contractor, these works are expected to commence in early December. These projects are being completed under the Round 8 funding of the Resources for Regions program.

Assets

Staff have completed and submitted a number of large funding submissions for significant road projects and are working on reviewing strategic policies.

Staff have completed the calculation of quarterly depreciation for the September quarter QBRS, including depreciation associated with the 30 June 2022 indexation across all relevant asset classes.

Staff have completed footpath inspections and are currently undertaking unsealed road inspections.

Parks and Recreation

The Parks and Recreation teams are in full swing with mowing, despite the saturated grounds making productivity difficult. Many of Council's open spaces have been closed due to saturated ground conditions and the risk of substantial damage to the playing surface.

Smart Hub Lighting & Access Control

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

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

Belubula River Walk – Stage 3

Contractors have installed the foot bridge to the "Island". The boardwalk progress has been stalled and will recommence once the weather improves.

Millthorpe Cricket nets

This project is completed.

Wastewater**Recycled Water Treatment Plant**

Council had to cancel the validation on the 7 November. Due to the unprecedented weather conditions, the water turbidity is too high for validation. Additionally, the Sewer Treatment Plant has been in a continuous storm-cycle, resulting in sub-optimal water quality. Council has rebooked Atom Consultants for early December.

Fleet, Plant & Depot

Procurement for fleet replacement continues for some outstanding items. The existing 140M AWD Grader replacement tender was issued and following closure it was identified that this was significantly over budget due to unprecedented price rises. Council Officers have reassessed Council's requirements and are retendering with a reduced scope of not requiring an AWD grader, to minimise budget overrun.

Regular maintenance is still in progress. A detailed review of plant recovery rates is still underway.

The security gate upgrade of Council's depot is in progress. There were delays experienced to the fencing and access control system installation, which are expected to be operational prior to the end of the year.

Feasibility of the truck wash at the depot is still being finalised. It is anticipated that this project will be withdrawn due to the insufficient budget allocation and reassessment of Council needs. There has been a change in the process in utilisation of the public truck wash close by, for larger items of plant & trucks.

Risk/Policy/Legislation Considerations:

Information report only

Budget Implications:

Information report only

Enclosures (following report)

Nil

Attachments (separate document)

Nil

15) 2022/23 CAPITAL WORKS PROGRAM PRIORITISATION**Department:** Infrastructure Services**Author:** Director Infrastructure Services**CSP Link:** 1. Maintain and Improve Public Infrastructure and Services**File No:** RD.AD.1**Recommendation:**

That Council note the 2022/23 Capital Works Program Prioritisation

Reason for Report:

To inform Councillors of potential delays to the Capital works program and inform the priority of which projects will be completed.

Report:

Council manages and maintains approximately 335km of unsealed gravel roads and 381 km of sealed roads, all of which are being heavily impacted by extraordinary wet weather. These unprecedented conditions have placed the resources available to maintain Blayney Shire Road network under significant strain. Due to the vast, dilapidated state of both sealed and unsealed roads, the programmed maintenance was relinquished. A reactive process has been implemented to conduct repairs in order of risk to driver safety and severity of damage.

This process involved reallocation of staff from major projects to form additional crews for temporary patching works. Additionally, for the projects underway, the conditions are less than favourable and resulted in reduced productivity than what would ordinarily be expected.

Despite the conditions, Council has managed to make significant progress on some projects. The following projects are either completed or nearing completion:

- Footpath: Mt McDonald Rd/Marsden St, Lyndhurst (RFR8)
- Footpath: Coombing Street, Carcoar (RFR8)
- Road: Initial Sealing, Coombing & Mendham Lane, Barry (RFR8)
- Road: Initial Sealing, North Prescott St, Lyndhurst (RFR8)
- Road: Initial Sealing, North Harrow St, Lyndhurst (RFR8)
- Open Space: Redmond Oval Cricket Nets (SCCF4)
- Open Space: Lyndhurst Rec Ground Tennis Court Lights (SCCF4)

It has been identified as of November 2022, that there is a significant chance that some of the projects in in the 2022/23 Capital Works Program will be delayed and not completed this financial year. A prioritisation list has been developed and is presented below for Council information. The prioritisation list was determined through analysis of available resources and requirements of the relevant funding deeds.

Roads Projects:		
Project	Funding Body	Projected Completion
Heavy Patching – Long Swamp Road	Council	22/23
Forest Reefs Road CH600-2200	RFR7	22/23
Hobbys Yards Road CH8155-8885	RFR8	22/23
Forest Reefs/Tallwood Road Intersection	RFR8	23/24
Heavy Patching – Neville Road	Council	23/24
Notes: <ul style="list-style-type: none"> - <i>RFR7 funding requirements will not allow further delay of the Forest Reefs Road Project.</i> - <i>Unwin & Stabback Investigation works will still be undertaken as planned in parallel with the above. It is recognised that delivery in 23/24 is critical and is unable to be delayed.</i> - <i>Contractor availability has been accounted for and it is not projected that there will be additional resources available to expedite the programmed works.</i> - <i>Grant Funding has been submitted for Heavy Patching – Neville Road (Fixing Local Roads) with no outcome yet.</i> 		

Footpath Projects		
Project	Funding Body	Projected Completion
Glenorie Rd – Underpass to Park St, Millthorpe	RFR8	22/23
Belubula River Walk Stage 3, Blayney	BBRF5	22/23
Belubula River Walk Stage 4, Blayney	SCCF4	22/23
Elliot St – Victoria to Pym St, Millthorpe	RFR8	22/23
Park St – Glenorie Rd to Blake St, Millthorpe	RFR8	23/24
KGO Parking & Pedestrian Integration	RFR8	23/24
Trunkey St, Newbridge	RFR8	23/24
Notes: <ul style="list-style-type: none"> - <i>Contractor availability has been accounted for and it is not projected that there are additional resources available to expedite the programmed works.</i> 		

Facility & Open Space Projects		
Project	Funding Body	Projected Completion
Netball Lighting Upgrade	SCCF4	22/23
KGO Lighting Upgrade	SCCF4	22/23
Carrington Park Toilet Refurbishment	RFR8	22/23
Heritage Park Toilet Refurbishment	RFR8	23/24
Notes: <ul style="list-style-type: none"> - <i>Availability of design contractor and prescribed tender requirements will delay the delivery of Heritage Park this financial year.</i> 		

Bridges/Culverts		
Project	Funding Body	Projected Completion
Leabeater Street Bridge	FCB1	22/23
Glenlea Culvert Replacement	Council	22/23
Lucan Road Bridge	FCB1	22/23
Belubula Way over Icely Creek Bridge	REPAIR/TBA	23/24
<p><i>Notes:</i></p> <ul style="list-style-type: none"> - All projects above will be delivered by Contractors and will not impact Council resources. 		

Risk/Policy/Legislation Considerations:

Projections have been made as of 11 November 2022, and are subject to change based on weather, road dilapidation, and changing resource availability.

Budget Implications:

It is recognised that project delays present a risk to project budgets, with price rises projected continue to impact materials and fuel. Contingencies were allowed for within each grant funded project to mitigate this risk. Additionally, Council Officers are securing materials where possible for gravel supply and precast components to mitigate this risk further.

There are budget risks due to increased allocation of Council staff to operational budgets, rather than capital budgets. As of 30 September 2022, operational allocations were relatively on track. It is recognised that Council is expecting to be awarded in the next 30 days an unknown sum under the NSW Government \$50M pothole patching fund to be expended by 1 January 2024. These funds should alleviate any operational road maintenance budget overruns in 22/23.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

16) PLANNING PROPOSAL TO AMEND THE BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012 - PP2: MILLTHORPE AND SURROUNDS

Department: Planning and Environmental Services

Author: Director Planning and Environmental Services

CSP Link: 5. Protect Our Natural Environment

File No: LP.ZN.5

Recommendation:

That Council

1. Endorse, as exhibited, the amendment to the Blayney Local Environmental Plan 2012 PP2 as outlined in this report including addendum PP2C.
2. In addition to the exhibited Planning Proposal, a maximum lot yield of 5 potential lots be placed on the land pertinent to PP2D: 78 Clover Ridge Road.
3. In exercising its delegation under Section 3.36 of the Environmental Planning and Assessment Act 1979, as endorsed by NSW Department Planning and Environment, forward the required documentation to Parliamentary Counsel for opinion to amend the Blayney Local Environmental Plan 2012.

Reason for Report:

The purpose of this report is to seek Council resolution to endorse and proceed to make an amendment to Blayney Local Environmental Plan 2012 (BLEP2012).

Report:

At the Ordinary Meeting of 17 May 2021, Resolution Number 2105/012, Council resolved to forward a Planning Proposal (PP) to the Minister for Planning & Environment (DPE) seeking to amend the BLEP2012. A Gateway determination was issued on 16 August 2021. The subject Planning Proposal, PP2: Millthorpe & Surrounds proposes the following changes:

PP2A: Urban Zoning – Village Zone & Residential Zone

To reduce and concentrate the existing Zone RU5 Village area to a core area around the commercial 'core' of Millthorpe. The remaining outlying areas currently zoned RU5 Village would be rezoned to R1 General Residential zone.

PP2B: Dwelling Permissibility – within 500m of the Village zone

This amendment applies to lots within Zone RU1 Primary Production, within 500m of the proposed Zone RU5 Village zone of Millthorpe. The proposal is to allow a dwelling house on a lot or holding that complies with the following criteria:

- a) In zone RU1 Primary Production;

- b) Minimum 1.5ha and currently does not have an existing dwelling house;
- c) Where all or part of a lot is within 500m of the proposed RU5 Village area;
- d) That is not significantly affected by any environmental or other constraints; and
- e) That has a legal access to a public road.

The lot or holdings have been mapped as having 'dwelling opportunity' on the new Dwelling Opportunity Map with three lots / holdings identified around Millthorpe. The 'dwelling opportunity' only remains valid for 5 years from the Date of Commencement of this amendment to the BLEP2012.

PP2C: North Millthorpe Large Lot Residential Area – Increased Lot Size

To amend the Lot Size Map LSZ_004A so that the Minimum Lot Size for the R5 Large Lot Residential identified area increases from 4000m² to 2 hectares for un-serviced lots or 4000m² for serviced lots.

PP2D: 78 Clover Ridge Road, Large Lot Residential Zoning & Lot Size

To amend the Land Zoning Map (LZN_004) from zone RU1 Primary Production to zone R5 Large Lot Residential which also changes the Minimum Lot Size from 100 hectares to 2 hectares.

The Planning Proposal was initially placed on exhibition between 15 March and 19 April 2022. A total of 7 submissions were received, which are summarised in the enclosed table and attached unredacted as confidential items. They are summarised below along with staff comments.

No.	Submission Summary	BSC staff comments
1	Concerns regarding 1187 Millthorpe Road now having Dwelling Entitlement under the new 500m provision.	Noted and clarified with author at the drop in session. Property is within 500m of reduced RU5 Village zone and does not allow further subdivision under this provision (it is not a 1.5ha MLS for further subdivision). Intent is 1 house (potentially dual occupancy) to be located south of the ridgeline on the property.
2	Supports 78 Clover Ridge Road being rezoned to R5 Large Lot Residential.	Submission of support noted. Access will be a main consideration in any future DA. Council would not be supportive of multiple driveway handles at the end of Clover Ridge Rd. No significant planning consideration raised that warrants removal of 78 Clover Ridge Rd from PP. This is contingent on access to the subdivision, appropriate lot yield (5) and dwelling locations adequately addressed and considered in future DA.

3	Objects to 78 Clover Ridge Road being rezoned to R5 Large Lot Residential.	<p>Submission of objection noted. Mayor and former DPES (Now GM) met with author onsite. Current DPES has also met with property owner on site. The main issues and concerns include;</p> <ul style="list-style-type: none"> - Access to any future subdivision needs to be considered in detail when a DA is lodged (see comments above re access). - Proximity of houses to authors existing residence and also potential future dwelling envelope (DPES noted concept has been reduced from 6 to 5 lots and building envelopes included on potential future lots). <p>It is noted the author has an approved 3 lot subdivision from a 2012 Development Consent, which they have sought to actively commence.</p> <p>No significant planning consideration raised that warrants removal of 78 Clover Ridge Rd from PP. This is contingent on access to the subdivision, appropriate lot yield (5) and dwelling locations adequately addressed and considered in future DA.</p>
4	Seeks northern part of 1279 Millthorpe Road (currently with a MLS of 2ha) to be included with the North Millthorpe (PP2C) part of the PP and have the option to be 4000m2 serviced or 2ha unserviced.	<p>Recommend amending PP2C for this R5 LLR land to be 4000m2, fully serviced with a maximum yield of 6 lots.</p> <p>(NB - this submission triggered re-exhibition of PP to incorporating this amendment following additional Gateway approval)</p>
5	Seeks rezoning of 2ha of their existing 16ha RU1 Primary Production zoned lot to facilitate construction of a new dwelling for retirement.	<p>Not supported. Existing current lot is a 16 ha lot zoned RU1 Primary Production. Proposal would rezone only 2ha to enable 1 new dwelling (for retirement) and be located and subsequently surrounded by 3, RU1 Primary Production zoned properties. The property fronts and gains lawful access from Park St / Millthorpe Road, which Council is seeking to manage, improve and limit new access points along this section of road.</p>

6	Seeks the 500m Rural provision change to 1km to enable a dwelling.	<p>Not supported. Existing current lot is only approx 6,500m² (several lots) zoned RU1 Primary Production, significantly under the 1.5ha minimum in the Settlement Strategy.</p> <p>Property adjoins active railway line which is a significant constraint for a new dwelling, depth of block varies from only 40m and 80m deep. The intent of the 500m provision is to pick up small lots in close proximity to the villages. Increasing to 1000m would create more cases of land use conflict in RU1 Primary Production zone.</p>
7	Seeks rezoning of 42ha lot to residential and / or large lot residential zone.	Not supported. Would be more appropriately considered in the Settlement Strategy Millthorpe Addendum work proposed to occur in 2023.

The Planning Proposal was amended adding additional lands to PP2C. This Addendum aims to improve alignment in the planning controls for the large lot residential areas north of Millthorpe, specifically;

- Lot 101 DP872388 (known as 1279 Millthorpe Road), and
- Lot 100 DP872388 (known as 19 Richards Lane).

Gateway approval was granted on 11 November 2021 and the addendum exhibited in September 2022. Two submissions were received which are summarised below:

Addendum submissions		
No.	Submission Comment	BSC staff comments
1	Driveway and house lies directly in line with the proposed exit onto Richards Lane; impacts of traffic/traffic safety and vehicle lighting; impacts of stormwater and pedestrian access; suggests alternative access onto Park Street to reduce the impact on Richards Lane.	Noted. Comments in submission substantially relate to a Development Application for subdivision, not the Planning Proposal.

<p>2</p>	<p>Submits that maximum lot yield of 6 to be placed on 1279 Millthorpe Road is inequitable as no such limit is proposed adjacent R5 land. Asserts that additional lots would derive additional rate income to Council. Requests deletion of 6 lot yield cap or an increase and limitation of limiting lots fronting Park Street to 4 or more.</p>	<p>Noted. Any decision on lot yield should be for sound planning reasons rather than strict equity.</p> <p>The adjacent land in question has area of 2 hectares which would provide a maximum potential yield of 5 lots. In any event the adjacent land is constrained by an existing dwelling, outbuildings, vegetation and landscaping.</p> <p>Council could limit the lot yield on this parcel which would have little consequence as the location of the dwelling and other constraints would effectively limit development potential in any event.</p>
----------	---	---

In relation to the first round of submissions the Council will note that there have been two competing views expressed in relation to Clover Ridge Road.

The area proposed to be zoned large lot residential was identified in the Blayney Shire Settlement Strategy; is separated from the RU1 Primary Production zoned land to the North by an unformed Crown Road (making an ideal interface between zones); and is a logical extension of the large lot residential zone. Figure 16 from the Planning Proposal shows the subject and adjacent lands.

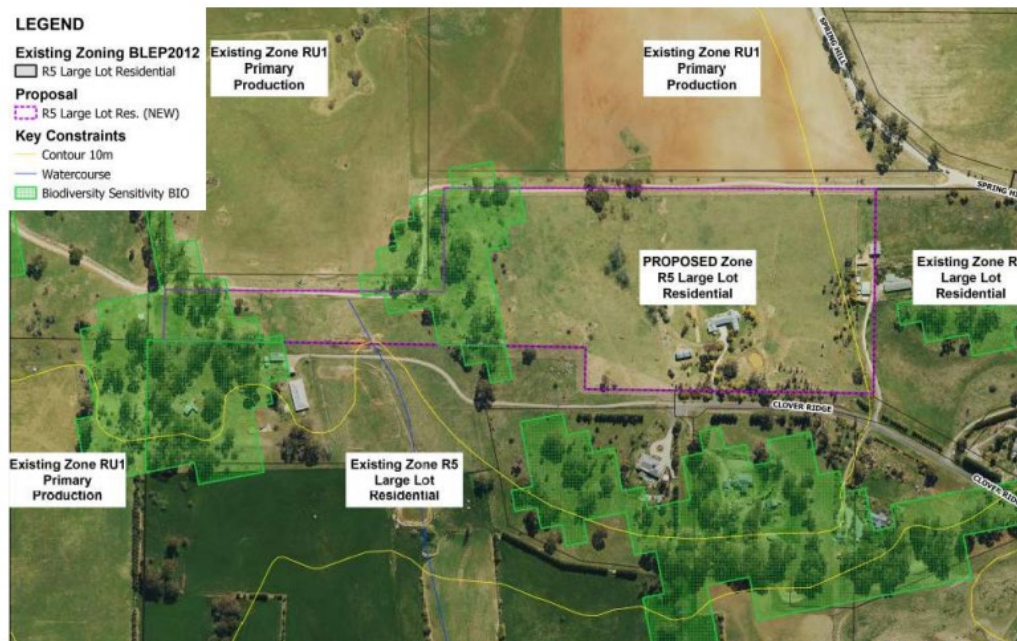


Figure 16: 2019 aerial photo for Site PP2D showing Proposed Zoning and Site constraints including Biodiversity overlay (BLEP2012).

Staff are of the view that proceeding with the rezoning of this land to R5 Large Lot Residential is appropriate in Planning terms. In order to alleviate concerns expressed in the negative submission it would be appropriate to limit

the potential lot yield from a possible 6 to 5. This would limit development potential on lands near the nearby dwelling and shed. Other measures would still be available at future DA stage to limit possible impacts. These include layout; building envelopes; potential sealing of access roads and landscaping.

Following due process and review of submissions it is now considered appropriate for Council to endorse the Planning Proposal. Should Council agree, final mapping can be prepared and liaison occur with the Parliamentary Counsel to prepare the appropriate wording for the amending LEP.

Risk/Policy/Legislation Considerations:

The Planning Proposal, PP2: Millthorpe & Surrounds is consistent with the Blayney Settlement Strategy 2020, adopted at the Ordinary Meeting of 15 February 2021.

Budget Implications:

Allocation within the 2020/21 operational plan has already been made for IPLAN PROJECTS to prepare the PP. Council staff will be required to facilitate the PP if a favourable Gateway determination from DPIE is received.

Enclosures (following report)

Nil

Attachments (separate document)

- 1 First Round Submissions 20 Pages

This matter is considered to be confidential under Section 10A(2) (e) of the Local Government Act, as it deals with information that would, if disclosed, prejudice the maintenance of law.

- 2 Second Round Submissions 5 Pages

This matter is considered to be confidential under Section 10A(2) (e) of the Local Government Act, as it deals with information that would, if disclosed, prejudice the maintenance of law.

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) CONTRACT 05/2022: DESIGN AND CONSTRUCTION OF BELUBULA WAY BRIDGE OVER ICELY CREEK

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.

18) LEGAL MATTER

This matter is considered to be confidential under Section 10A(2) (g) of the Local Government Act, as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.