



20 June 2024

Dear Councillor,

Your attendance is requested at an Ordinary Council Meeting of the Blayney Shire Council to be held in the Chambers, Blayney Shire Community Centre on Tuesday, 25 June 2024 at 6.00pm for consideration of the following business -

- (1) Livestreaming Video and Audio Check
- (2) Acknowledgement of Country
- (3) Recording of Meeting Statement
- (4) Apologies for non-attendance
- (5) Disclosures of Interest
- (6) Public Forum
- (7) Mayoral Minute
- (8) Confirmation of Minutes
 - (a) Ordinary Council Meeting held on 21.05.24
 - (b) Extraordinary Council Meeting held on 11.06.24
- (9) Matters arising from Minutes
- (10) Reports of Staff
 - (a) Executive Services
 - (b) Corporate Services
 - (c) Infrastructure Services
 - (d) Planning and Environmental Services
- (11) Delegates Reports
- (12) Closed Meeting

Mark Dicker
General Manager

Meeting Calendar 2024

June

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
6.00pm	25 June 2024	Council Meeting	Community Centre
8.30am	26 June 2024	Orange 360 Board Meeting	Orange

July

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
6.00pm	23 July 2024	Council Meeting	Community Centre
8.30am	24 July 2024	Orange 360 Board Meeting	Orange

August

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
5.00pm	1 August 2024	Disability Inclusion Working Group Meeting	Community Centre
8.30am	9 August 2024	Country Mayors Meeting	Sydney
10.00am	9 August 2024	Traffic Committee Meeting	Community Centre
5.00pm	12 August 2024	Financial Assistance Committee Meeting	Community Centre
9.00am	21 August 2024	Audit, Risk and Improvement Committee Meeting	Online
12.00pm	21 August 2024	Central NSW Joint Organisation Board Meeting	Canberra
6.00pm	27 August 2024	Council Meeting	Community Centre
8.30am	28 August 2024	Orange 360 Board Meeting	Orange

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HELD ON TUESDAY 25 JUNE 2024

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LIVE STREAMING OF COUNCIL MEETINGS

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

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

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

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

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

01) MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 21 MAY 2024**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 21 May 2024, being minute numbers 2405/001 to 2405/018 be confirmed.

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY
CENTRE, ON 21 MAY 2024, COMMENCING AT 6.00PM**

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

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

ACKNOWLEDGEMENT OF COUNTRY**RECORDING OF MEETING STATEMENT****APOLOGIES****2405/001****RESOLVED:**

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

(Gosewisch/Somervaille)

CARRIED

DISCLOSURES OF INTEREST

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

Councillor /Staff	Interest	Item	Pg	Report	Reason
Cr Newstead	Pecuniary	13	71	DA2023/29 – Boundary Adjustment and Addition to an Existing Centre-Based Childcare – 2 George Street and 56 Victoria Street, Millthorpe	Cr Newstead is related to the owner.

PUBLIC FORUM

Lyndall Harrison – Item 7 – Draft 2024/25 – 2027/28 Delivery Program and 2024/25 Operational Plan

Mark Logan – Item 13 – DA2023/29 – Boundary Adjustment and Addition to an Existing Centre-Based Childcare – 2 George Street and 56 Victoria Street, Millthorpe

CONFIRMATION OF MINUTES

MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 16 APRIL 2024

2405/002

RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 16 April 2024, being minute numbers 2404/001 to 2404/018 be confirmed.

(Ewin/Reynolds)

CARRIED

MATTERS ARISING FROM THE MINUTES

Cr Somerville suggested it would be appropriate for a Councillor to be on the selection panel regarding the appointment of an Independent Member to the Audit, Risk and Improvement Committee.

Cr Reynolds asked if there was an update on the Church Hill Rotary Lookout. General Manager confirmed further information had been sought by Rotary and project was progressing.

Cr Gosewisch questioned whether the previous minutes should be signed by the Acting General Manager. General Manager confirmed he is able to sign.

EXECUTIVE SERVICES REPORTS

QUESTIONS TAKEN ON NOTICE AT THE PREVIOUS COUNCIL MEETING HELD 16 APRIL 2024

2405/003

RESOLVED:

That the questions taken on notice at the Ordinary Council Meeting held on 16 April 2024 and subsequent response be received and noted.

(Gosewisch/Reynolds)

CARRIED

**CENTRAL NSW JOINT ORGANISATION PLACEMAT
REPORT**

2405/004

RESOLVED:

That Council note the Central NSW Joint Organisation PlaceMat report.

(Newstead/Somervaille)

CARRIED

ORANGE360 FUNDING AGREEMENT 2024 - 2026

MOTION:

That Council:

1. Note the Orange 360 Annual Report.
2. Approve the execution of a 2-year Funding Agreement between Council and TDO Limited trading as Orange360 for \$71,650.84 p.a. (CPI indexed annually).
3. Endorse Cr Michelle Pryse Jones as the nominated Council representative and delegate on the Orange360 Board for the remaining term of Council (September 2024).

(Newstead/Ewin)

An **AMENDMENT** was moved by Cr Reynolds and seconded by Cr Newstead:

That Council defer this item to the next Council meeting.

(Reynolds/Newstead)

The amendment became the substantive motion and was put.

2405/005

RESOLVED:

That Council defer this item to the next Council meeting.

(Reynolds/Newstead)

CARRIED

CORPORATE SERVICES REPORTS

REPORT OF COUNCIL INVESTMENTS AS AT 30 APRIL 2024

2405/006

RESOLVED:

That Council;

1. Note the report indicating Council's investment position as at 30 April 2024.
2. Note the certification of the Responsible Accounting Officer.

(Reynolds/Gosewisch)

CARRIED

QUARTERLY BUDGET REVIEW STATEMENT - MARCH 2024**2405/007****RESOLVED:**

1. That the Quarterly Budget Review Statement for the quarter ending 31 March 2024 be received.
2. That the supplementary votes of \$78k nett proposed in the Quarterly Budget Review Statement be adopted, resulting in a decrease to capital expenditure of (\$35k), an increase to operating expenditure of \$953k and an increase in income of \$996k.

(Reynolds/Newstead)

CARRIED**DRAFT 2024/25 - 2027/28 DELIVERY PROGRAM AND 2024/25 OPERATIONAL PLAN****2405/008****RESOLVED:**

That Council:

1. Note on 14 May 2024 the NSW Independent Pricing and Regulatory Tribunal (IPART) approved the Blayney Shire Council application to implement a Special Variation.
2. Endorse the draft 2024/25 - 2027/28 Delivery Program and 2024/25 Operational Plan which includes 2 scenarios for the increase to general rate income;
 - a) Scenario 1 – Base Case being 5.7% rate peg, and
 - b) Scenario 2 – Sustainability SV 10% approved by IPART.
3. Place the draft 2024/25 - 2027/28 Delivery Program and 2024/25 Operational Plan on public exhibition for a period of 28 days.
4. Place the draft 2024/25 – 2033/34 Long Term Financial Plan on public exhibition for a period of 28 days.

(Somerville/Reynolds)

CARRIED**REVIEW OF RECORDS MANAGEMENT POLICY****2405/009****RESOLVED:**

That Council:

1. Endorse the Records Management Policy and it be placed on public exhibition for a period of not less than 28 days.
2. Note that should no submissions be received that it be adopted and updated to Council's Policy Register.

(Newstead/Ewin)

CARRIED**MINUTES OF THE DISABILITY INCLUSION WORKING GROUP MEETING HELD 9 MAY 2024****2405/010****RESOLVED:**

That Council receive the minutes of the Disability Inclusion Working Group meeting held 9 May 2024.

(Gosewisch/Reynolds)

CARRIED

INFRASTRUCTURE SERVICES REPORTS

- 2405/011** **INFRASTRUCTURE SERVICES MONTHLY REPORT**
RESOLVED:
 That Council note the Infrastructure Services Monthly Report for May 2024.
(Newstead/Ewin)
CARRIED

- 2405/012** **LAND ACQUISITION ERROWANBANG ROAD -
 MIDWESTERN HIGHWAY - DP1000547**
RESOLVED:
 That Council approve;
 1. The compulsory acquisition of Lot 1 in DP 1000547 registered 10 June 1999; and
 2. The making of an Application to the Minister for Local Government and the Governor for approval of such compulsory acquisition; and
 3. Upon acquisition, the land to be classified as “operational land” under s.31 of the Local Government Act (1993); and
 4. The execution by the Mayor and General Manager under Council seal, if required, on all documents associated with the compulsory acquisition for Lot 1 DP 1000547.
(Gosewisch/Ewin)
CARRIED

- 2405/013** **PROPOSED ROAD CLOSURE - LOT 4 DP 1238468**
RESOLVED:
 That Council:
 1. Endorse the closure of the old Newbridge Road alignment being Lot 4 DP1238468, in accordance with s.38 Roads Act 1993.
 2. Exhibit public notification of Council’s intention to classify the land as operational land.
 3. Have a further report presented to a future Council meeting to consider any submissions lodged during the notification period and to make a decision on approval for the proposal.
(Newstead/Gosewisch)
CARRIED

Cr Newstead, having declared an interest, left the Chambers.

PLANNING AND ENVIRONMENTAL SERVICES REPORTS

DA2023/29 - BOUNDARY ADJUSTMENT AND ADDITION TO AN EXISTING CENTRE-BASED CHILDCARE - 2 GEORGE ST & 56 VICTORIA ST MILLTHORPE

2405/014

RESOLVED:

That Council consent to Development Application 29/2023 for a Boundary Adjustment and Addition to an Existing Centre-Based Childcare Facility at Lot 2 DP 1274914 and Lot 3 Section G DP 3361, 2 George Street and 56 Victoria Street, Millthorpe subject to the recommended conditions of consent.

(Gosewisch/Reynolds)

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

FOR

AGAINST

Councillor Ewin
Councillor Ferguson
Councillor Somervaille
Councillor Reynolds
Councillor Gosewisch

Total (5)

Total (0)

CARRIED

Cr Newstead returned to the Chambers.

PLANNING PROPOSAL TO AMEND THE BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012 - CLARKE STREET RECLASSIFICATION

2405/015

RESOLVED:

That Council

1. Submit the Planning Proposal to the Minister for Planning in accordance with Section 3.34(1) of the Environmental Planning and Assessment Act 1979, requesting a Gateway Determination, pursuant to Section 3.34(2) of the Environmental Planning and Assessment Act 1979.
2. Request delegation to finalise and make the draft Local Environmental Plan, pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979.

(Somervaille/Gosewisch)

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

FOR

AGAINST

Councillor Ewin
Councillor Ferguson
Councillor Somervaille
Councillor Reynolds

Councillor Newstead
Councillor Gosewisch
Total (6)

Total (0)

CARRIED

CLOSED MEETING

2405/016 RESOLVED:

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

SALE OF LAND GERTY STREET BLAYNEY

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.

(Somervaille/Reynolds)

CARRIED

CONFIDENTIAL MEETING REPORTS

SALE OF LAND GERTY STREET BLAYNEY

2405/017 RESOLVED:

That Council:

1. Decline the lease offer made for lot 222 DP 1175708 being 31 Gerty Street Blayney.
2. Decline the purchase offer made for lot 222 DP 1175708 being 31 Gerty Street Blayney.
3. Delegate to the General Manager, authority to negotiate the sale price of lot 222 DP 1175708 being 31 Gerty Street Blayney, subject to Council approval.

(Newstead/Reynolds)

CARRIED

2405/018 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/Gosewisch)

CARRIED

AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOME OF RESOLUTION NUMBER 2405/017.

There being no further business, the meeting concluded at 8.07pm

The Minute Numbers 2405/001 to 2405/018 were confirmed on 25 June 2024 and are a full and accurate record of proceedings of the Ordinary Meeting held on 21 May 2024.

Cr S Ferguson
MAYOR

Mr M Dicker
GENERAL MANAGER

02) MINUTES OF THE PREVIOUS EXTRAORDINARY COUNCIL MEETING HELD 11 JUNE 2024**Department:** Executive Services**Author:** General Manager**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** GO.ME.3**Recommendation:**

That the Minutes of the Extraordinary Council Meeting held on 11 June 2024, being minute numbers 2406/E001 to 2406 be confirmed.

**MINUTES OF THE BLAYNEY SHIRE COUNCIL EXTRAORDINARY MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY CENTRE, ON 11 JUNE 2024, COMMENCING AT 9.30AM**

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

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

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

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

Councillor/ Staff	Interest	Item	Pg	Report	Reason
Cr Somervaille	Non Pecuniary (Less than Significant)	1	5	Orange360 Funding Agreement 2024-2026	Cr Somervaille's wife is a financial member of Orange360. Wife is not an officeholder in Orange360.

EXECUTIVE SERVICES REPORTS

2406/E001 ORANGE360 FUNDING AGREEMENT 2024 - 2026

RESOLVED:

That Council:

1. Note the Orange 360 Annual Report.
2. Approve the execution of a 2-year Funding Agreement between Council and TDO Limited trading as Orange360 for \$71,650.84 p.a. (CPI indexed annually).
3. Endorse Cr Michelle Pryse Jones as the nominated Council representative and delegate on the Orange360 Board for the remaining term of Council (September 2024).

(Newstead/Somervaille)

CARRIED

Cr Reynolds requested his name be recorded against this resolution.

CLOSED MEETING

2406/E002 RESOLVED:

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

TENDER FOR MANAGEMENT OF CENTREPOINT SPORT AND LEISURE CENTRE

This matter is considered to be confidential under Section 10A(2) (c) (di) 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; AND commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it.

(Reynolds/Ewin)

CARRIED

CONFIDENTIAL MEETING REPORTS

2406/E003 TENDER FOR MANAGEMENT OF CENTREPOINT SPORT AND LEISURE CENTRE

RESOLVED:

That Council:

1. Accept the tender submission from Belgravia Leisure to provide management of the CentrePoint Sport and Leisure Centre for a period of 5 years for the total price and annual breakup outlined in the report (noting that this equates to an average of \$353,552.20 per annum) with an option of a 1 year extension.
2. Delegate authority to the General Manager to negotiate with

Belgravia Leisure on the final terms of the draft Management Agreement (noting Councillor input will be sought into the final document, prior to execution, and the subsequent development of Key Performance Indicators which will be a requirement of the agreement).

3. Invite a senior representative of Belgravia Leisure to attend a Councillor workshop during the transition period to provide an introduction and allow the opportunity to discuss expectations.

(Ewin/Somervaille)
CARRIED

2406/E004 RESOLVED:

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

(Pryse Jones/Gosewisch)
CARRIED

AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBER 2406/E003.

There being no further business, the meeting concluded at 10.27am

The Minute Numbers 2406/E001 to 2406/E004 were confirmed on 25 June 2024 and are a full and accurate record of proceedings of the Extraordinary Meeting held on 11 June 2024.

Cr S Ferguson
MAYOR

Mr M Dicker
GENERAL MANAGER

03) REPORT OF COUNCIL INVESTMENTS AS AT 31 MAY 2024

Department: Corporate Services

Author: Chief Financial Officer

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

File No: FM.AU.1

Recommendation:

That Council;

1. Note the report indicating Council's investment position as at 31 May 2024.
2. Note the certification of the Responsible Accounting Officer.

Reason for Report:

For Council to endorse the Report of Council Investments as at 31 May 2024.

Report:

This report provides details of Council's Investment Portfolio as at 31 May 2024.

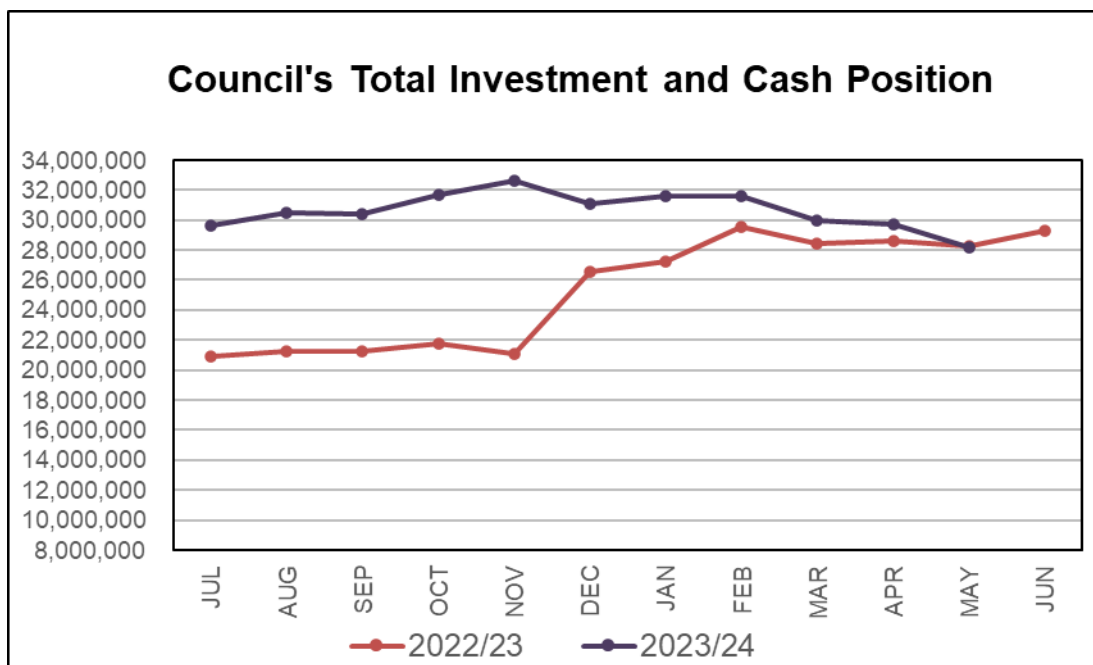
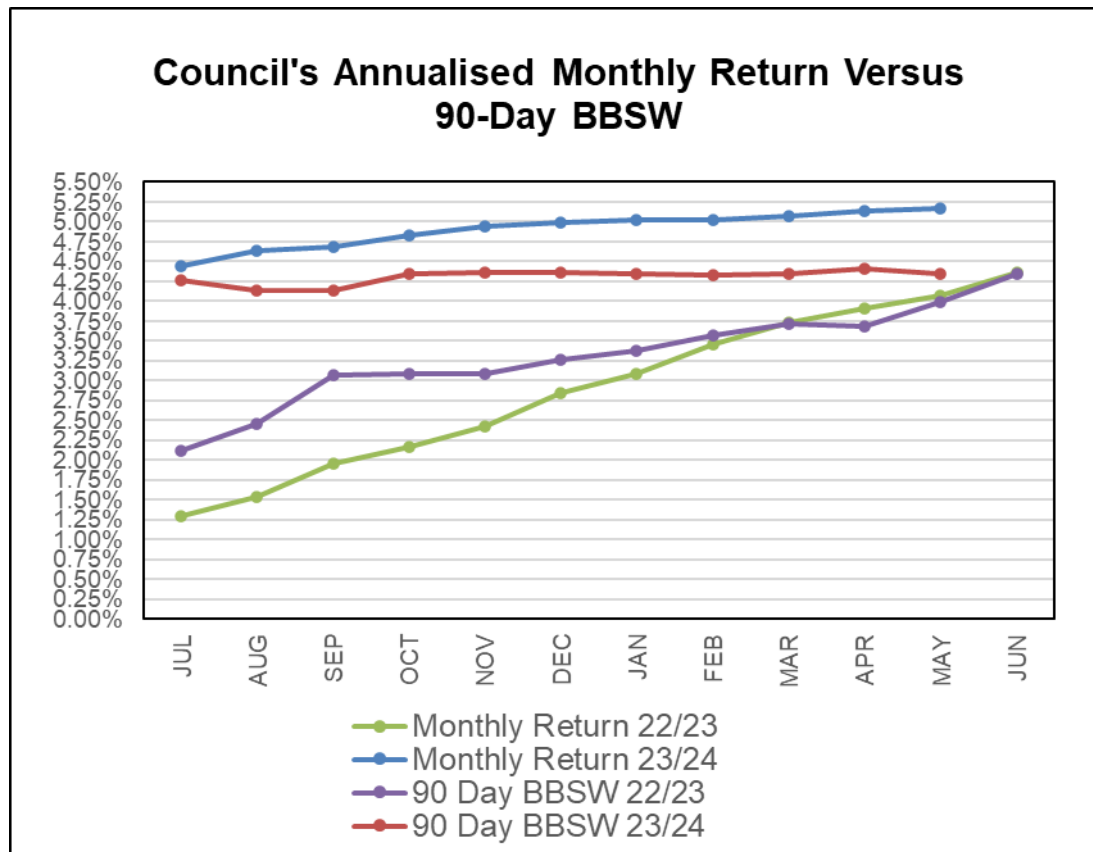
Council's total investment and cash position as at 31 May 2024 is \$28,131,312. Investments earned interest of \$125,680 for the month of May 2024.

Council's monthly net return on Term Deposits annualised for May was 5.16% which outperformed the 90-day Bank Bill Swap Rate of 4.35%.

Creditor payments in May totalled \$2,969,866 which is an increase from April. There were not many cash inflows to offset this large expenditure leading to Council having a twelve-month low in our total cash position.

Rate offerings have been holding steady with inflation data causing uncertainty about what the RBA will do next regarding the cash rate and timing.

Council has outstanding debtors of \$2.22m relating to grant funding claimed on incurred expenditure. Council is working with the department to ensure that claims are finalised to facilitate the release of the relevant funds prior to 30 June 2024.



Register Of Investments and Cash as at 31 May 2024					
Institution	Method	Rating	Maturity	Amount \$	Interest Rate
Westpac	Direct	A1+/AA-	04/06/2024	500,000	5.040%
Auswide Bank Ltd	IAM	A2/BBB+	11/06/2024	500,000	5.370%
NAB	Direct	A1+/AA-	11/06/2024	500,000	5.500%
Westpac	Direct	A1+/AA-	18/06/2024	500,000	5.450%
Macquarie Bank	IAM	A1/A+	25/06/2024	500,000	5.250%
Westpac	Direct	A1+/AA-	02/07/2024	500,000	5.420%
CBA	Direct	A1+/AA-	09/07/2024	500,000	5.300%
IMB Bank Ltd	Direct	A2/BBB+	16/07/2024	500,000	5.000%
Macquarie Bank	IAM	A1/A+	16/07/2024	500,000	5.100%
ING Bank	Curve	A1/A	23/07/2024	500,000	5.200%
Westpac	Direct	A1+/AA-	30/07/2024	500,000	5.050%
ING Bank	Curve	A1/A	30/07/2024	500,000	5.200%
NAB	Direct	A1+/AA-	06/08/2024	500,000	5.150%
Westpac	Direct	A1+/AA-	06/08/2024	500,000	5.150%
CBA	Direct	A1+/AA-	13/08/2024	500,000	5.170%
CBA	Direct	A1+/AA-	20/08/2024	500,000	4.900%
NAB	Direct	A1+/AA-	20/08/2024	500,000	5.200%
CBA	Direct	A1+/AA-	27/08/2024	500,000	5.090%
Westpac	Direct	A1+/AA-	03/09/2024	500,000	5.050%
Bank of Queensland	Curve	A2/BBB+	10/09/2024	500,000	5.350%
ING Bank	Curve	A1/A	10/09/2024	500,000	5.050%
NAB	Direct	A1+/AA-	17/09/2024	500,000	5.310%
IMB Bank Ltd	Direct	A2/BBB+	24/09/2024	500,000	5.150%
Bank of Queensland	Curve	A2/BBB+	01/10/2024	500,000	5.150%
Westpac	Direct	A1+/AA-	08/10/2024	500,000	5.280%
CBA	Direct	A1+/AA-	15/10/2024	500,000	4.850%
CBA	Direct	A1+/AA-	15/10/2024	500,000	5.150%
ING Bank	Curve	A1/A	22/10/2024	500,000	5.350%
CBA	Direct	A1+/AA-	29/10/2024	500,000	5.250%
MyState Bank Ltd	Curve	A2/BBB+	05/11/2024	500,000	5.400%
B & A Bank	IAM	A2/BBB+	12/11/2024	500,000	4.990%
Westpac	Direct	A1+/AA-	12/11/2024	500,000	5.320%
Reliance Bank	Direct	Unrated	19/11/2024	500,000	5.200%
Macquarie Bank	IAM	A1/A+	26/11/2024	500,000	5.220%
Defence Bank Ltd	Curve	A2/BBB	03/12/2024	500,000	5.300%
NAB	Direct	A1+/AA-	10/12/2024	500,000	5.060%
NAB	Direct	A1+/AA-	10/12/2024	500,000	5.100%
ING Bank	IAM	A1/A	17/12/2024	500,000	5.230%
CBA	Direct	A1+/AA-	14/01/2025	500,000	4.830%
B & A Bank	Curve	A2/BBB+	21/01/2025	500,000	5.000%
NAB	Direct	A1+/AA-	28/01/2025	500,000	5.150%
CBA	Direct	A1+/AA-	04/02/2025	500,000	4.810%
NAB	Direct	A1+/AA-	11/02/2025	500,000	5.050%
CBA	Direct	A1+/AA-	18/02/2025	500,000	4.940%
NAB	Direct	A1+/AA-	25/02/2025	500,000	5.050%
Reliance Bank	Direct	Unrated	04/03/2025	500,000	5.050%

Register Of Investments and Cash as at 31 May 2024					
Institution	Method	Rating	Maturity	Amount \$	Interest Rate
ING Bank	IAM	A1/A	11/03/2025	500,000	5.140%
NAB	Direct	A1+/AA-	18/03/2025	500,000	5.150%
Westpac	Direct	A1+/AA-	15/04/2025	500,000	5.100%
Westpac	Direct	A1+/AA-	22/04/2025	500,000	5.170%
Westpac	Direct	A1+/AA-	29/04/2025	500,000	5.320%
NAB	Direct	A1+/AA-	06/05/2025	500,000	5.300%
Total Investments				26,000,000	5.161%
Commonwealth Bank - At Call Account ⁽¹⁾				891,349	4.350%
Commonwealth Bank Balance - General ⁽¹⁾				1,166,126	4.200%
Reliance Bank ⁽¹⁾				73,837	0.000%
Total Cash and Investments				28,131,312	
Benchmarks:		BBSW 90 Day Index ⁽¹⁾			4.350%
		RBA Cash Rate ⁽¹⁾			4.350%

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

Summary of Investment Movements - May 2024		
Financial Institution	Amount \$	Commentary
Westpac	500,000	New term deposit 01/05/2024
NAB	(523,436)	Term deposit matured 07/05/2024
NAB	500,000	Term deposit reinvested 07/05/2024
CBA	(516,512)	Term deposit matured 14/05/2024
CBA	500,000	Term deposit reinvested 14/05/2024
NAB	(524,433)	Term deposit matured 21/05/2024
NAB	500,000	Term deposit reinvested 21/05/2024
Westpac	(524,598)	Term deposit matured 28/05/2024
Westpac	500,000	Term deposit reinvested 28/05/2024

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%	62%	16,000,000
A- Category	40%	17%	4,500,000
BBB+ Category	25%	15%	4,000,000
BBB Category	5%	2%	500,000
BBB- Category and below: Local ⁽²⁾ ADI's	10%	4%	1,000,000
BBB+ / BBB / BBB- & below categories combined	25%	21%	
2. ADI's located within the Local Government Area			26,000,000

Individual Institution Limit	Rating	Policy Maximum \$	Current Holding \$
Auswide Bank	A2/BBB+	1,000,000	500,000
Bank of Queensland	A2/BBB+	1,000,000	1,000,000
Bendigo & Adelaide Bank	A2/BBB+	1,000,000	1,000,000
CBA	A1+/AA-	8,000,000	5,000,000
Defence Bank Ltd	A2/BBB	500,000	500,000
IMB Bank Ltd	A2/BBB+	1,000,000	1,000,000
ING Bank	A1/A	3,000,000	3,000,000
Macquarie Bank	A1/A+	3,000,000	1,500,000
MyState Bank Ltd	A2/BBB+	1,000,000	500,000
NAB	A1+/AA-	8,000,000	5,500,000
Reliance Bank	Unrated	1,000,000	1,000,000
Westpac	A1+/AA-	8,000,000	5,500,000
Total Investments			26,000,000

Summary of Restricted, Allocated and Unrestricted Cash & Investments			
	Actual 30/06/2023 \$ 000's	Actual 31/05/2024 \$ 000's	Forecast ⁽¹⁾ 30/06/2024 \$ 000's
External Cash Restrictions	20,329	20,802	9,958
Internal Cash Allocations	8,751	5,930	5,330
Total Restricted, Allocated Cash & Investments	29,080	26,732	15,288
Unrestricted Cash	191	1,399 ⁽²⁾	4,959 ⁽²⁾
Total Restricted, Allocated and Unrestricted Cash & Investments	29,271	28,131	20,247

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

⁽²⁾ Unrestricted cash is forecast to be higher as of 30 June 2024 as a result of Council substituting funding dedicated from general revenue for the current year capital works program with approved grant funded programs. It is not anticipated that Council will be afforded this opportunity with future grant funding under these programs.

CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

I, Tiffaney Irlam, certify that the investments listed in this report have been made in accordance with s625 of the Local Government Act (1993), the Local Government (General) Regulation (2021) and Council Policy.

Risk/Policy/Legislation Considerations:

The Responsible Accounting Officer must table a written report to Council on money invested pursuant to s.625 of the Local Government Act (1993). Investments made are in accord with the framework established within Council's Investment Policy.

Budget Implications:

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

Enclosures (following report)

Nil

Attachments (separate document)

Nil

04) RICHARDS LANE - STAGE 1 CULVERT AND APPROACHES**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 1. Maintain and Improve Public Infrastructure and Services**File No:** RD.DC.14

Recommendation:

That Council:

1. Note the report in relation to Richards Lane Stage 1 Project in particular the need for additional works to be undertaken and completed in 2023/24.
2. Approve the supplementary vote of expenditure for the Richards Lane Culvert Project of \$904,000 in 2023/24 (brought forward from 2024/25).
3. Reduce budgeted expenditure for in the 2024/25 Operational Plan by \$904,000.
4. Undertake a review regarding the Council processes that has resulted in the increase to expenditure in 2023/24 for the Richards Lane Stage 1 culvert and approaches project, and;
 - a) Refer the review to Council's Audit Risk and Improvement Committee, and
 - b) Report back to Council at or before the August 2024 Council meeting.

Reason for Report:

To update Council on the Richards Lane culvert and approaches project.

To seek a supplementary vote for expenditure in the 2023/24 financial year (brought forward from 2024/25).

Report:

At the 23 June 2023 meeting when considering the 2023/24 Operational Plan for adoption, and following receipt of submissions during the public exhibition, Council resolved to commence the culvert upgrade and improvement works, seeking to reopen a closed section of Richards Lane, Millthorpe, by bringing forward the culvert part of the project. A budget allocation of \$145k was included to construct a new culvert seeking to expediate re-opening of the closed section of road prior to 30 June 2024.

The Richards Lane project is now split into 3 stages (shown in image1);

- Stage 1 – Culvert and approaches (approx. 351m)
- Stage 2 – Richards lane / Millthorpe Road intersection (approx. 120m of Richards Lane plus Millthorpe Road)
- Stage 3 – Richards Lane between stages 1 and 2 (approx. 960m)

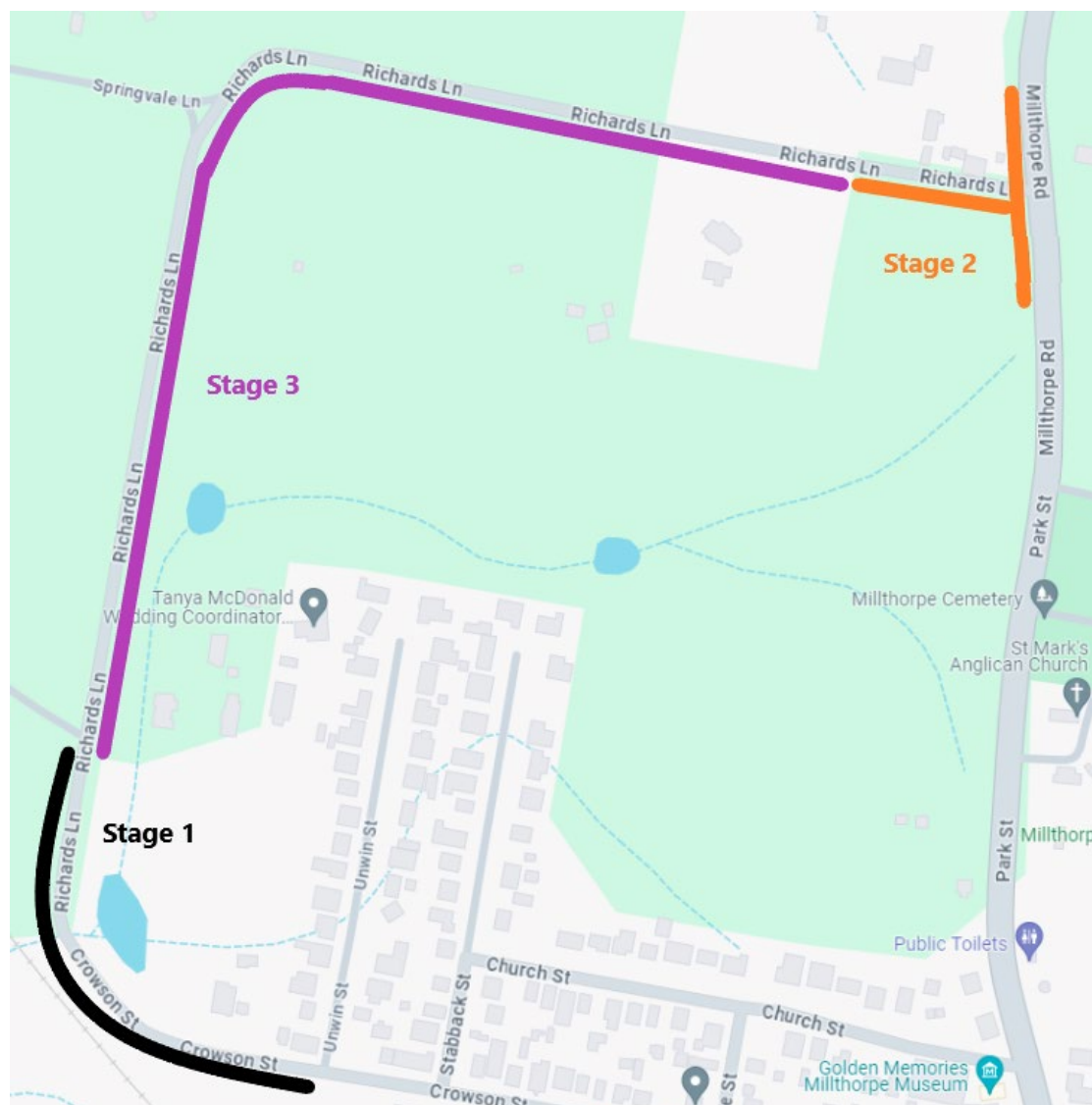


Image 1: Staging plan diagram for Richards Lane project

The revised budget figure of \$192k has been exceeded for stage 1 for a number of factors, most of which sit primarily outside the control of Council, including;

- A significantly larger culvert has been required than first anticipated and originally allowed for, to cater for significant rain events and because of the numerous limitations of the site (including the existing culvert under the railway line),
- The additional height of the culvert directly resulted in the need for longer approaches (40m either side (80m total length) was originally envisaged). The total length of works completed in stage 1 is approximately 351m.
The longer approaches were required to provide and enable safe movement (for both vehicles and pedestrians) and for the closed section of road to reopen before 30 June 2024.
- A wider culvert and pavement surface was constructed to enable compliant sweep paths for vehicles and for the safe movement of pedestrians around the corner.

- Site conditions varied from geotechnical investigations undertaken resulting in additional costs being incurred for; sub road drainage (geofabric and rock either side of the road), additional excavation, additional subbase material and therefore additional plant and equipment costs to place, compact and shape material and drains.
- An efficiency opportunity was identified to continue the established civil contractor onsite to complete all works within the current closed section of Richards Lane (bringing forward works scheduled to be completed in 2024/25).

Council needed to provide safe access to 2 new lots of a recently completed subdivision in the closed section of road.

The project needed to complete works for the entirety of the closed section (to the driveway of approximately 108 Richards Lane) as this is a transition point to ensure the work completed for the culvert and approaches would not be impacted by a rain event.

- The closed section of Richards Lane needed to be reopened prior to Council commencing stage 2 of the project to create alternate property access during stage 2 construction (this should also reduce traffic control costs for stage 2).

Risk/Policy/Legislation Considerations:

The abovementioned reasons have resulted in a significant exceedance of the revised \$192k budget allocation for 2023/24 and requires budget allocation from 2024/25 to be brought forward into 2023/24.

A budget adjustment at the March 2024 quarterly budget review statement (approved at the April 2024 Council meeting) was intended and expected to be made (but was inadvertently overlooked), hence the reason for this Council report.

Council engaged the civil contractor to provide plant and labour services for the project utilising Council's Goods and Services Panel contract which was compiled under Request For Tender (RFT08/21). Additionally, the civil contractor is on the Local Government Procurement (LGP) Panel for supply Minor + Major Civil Works and Materials (LGP420), which is compliant mechanism for engagement under Part 7 of the Local Government (General) Regulation 2021 and under s.55(3)(a) of the Local Government Act 1993.

It is recommended that Council undertake a review of Council's internal processes, to identify gaps and improvements that can be made to Council processes.

This review would be referred to Council's Audit, Risk and Improvement Committee and subsequently to Council. The review is also to be provided to Council prior to or at the August 2024 Council meeting.

Council is still working with Transport for NSW to obtain concept approval for the stage 2 Richards Lane / Millthorpe Road intersection works. Once obtained, this approval will allow a cost estimate to be developed for the stage 2 intersection works.

It will now be highly probable Council will not be able to complete both stage 2 and stage 3 only utilising Resources for Regions Round 9 grant funding as the remaining budget will not be sufficient.

It is proposed stage 2 and stage 3 will be delivered by a contractor through an open tender process. It is highlighted to Council this will provide a critical hold point in the process and project for Council.

Council will be able to decide at that point based on tender submissions a way to proceed and/or progress, including if the scope requires alteration (reduction) and/or if additional funds are required to be allocated to the project. If additional funds are required, sources will be identified for Council's consideration as part of the tender assessment report.

Budget Implications:

The current project budget for the Richards Lane and culvert project is \$2.345m (fully grant funded);

- \$145k from Flood Recovery Grant (culvert), and
- \$2.2m from Resources for Regions round 9

If the recommended supplementary vote of an additional \$904k for 2023/24 is approved, the respective Operational Plan allocations would be;

- 2023/24 revised budget: \$1.096m (\$145k for the culvert and \$951k for approaches and design).
- 2024/25 budget: \$1.249m (stage 2 and stage 3)

A tabular summary of changes is shown below for reference:

Year	Current Approved Budget \$'000	Revised Budget \$'000	Variation \$'000
2023/24	192	1,096	+904
2024/25	2,153	1,249	-904
Total:	2,345	2,345	

Enclosures (following report)

Nil

Attachments (separate document)

Nil

05) CABONNE AFTER SCHOOL CARE PROGRAM**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 4. Enhance facilities and networks that support Health and Wellbeing of the Community, Sport, Heritage and Cultural interests**File No:** CS.AG.1**PREVIOUS ITEMS:** 12 - Cabonne After School Care - Council - 21 Nov 2023**Recommendation:**

That Council;

1. Receive the report on the Cabonne After School Care program and acknowledge its importance to assist families within the Blayney township;
2. Continue with its commitment of a contribution of \$5,000 towards the After School Care in Blayney operated by Cabonne Council; and
3. Would consider any future request from Cabonne Council for an increase to the contribution upon demonstration of business need.

Reason for Report:

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

Report:

Council is in receipt of correspondence from Cabonne Council requesting an increase to funding for the Blayney Service from \$5,000 p.a. to \$10,000 p.a. to assist the defraying of costs associated with delivery of this service.

This matter was considered by Council at its meeting held 23 November 2023 and resolved to defer consideration of this item. The intent was to seek more information and include it in 2024/25 budget deliberations. Discussion of this matter has also been undertaken at a number of Council Workshops.

Cabonne Council has provided After School Care services in the Blayney Shire since 2013 and was formed through the then WBC (Wellington, Blayney Cabonne Councils) Alliance. The service, now only existent in Blayney, is delivered weekdays during school terms with sessions 6am – 9am and 3pm – 6pm. They operate from the Blayney Public School and have 15 approved places for before school and 20 approved places for after school. Data on service utilisation requested by Council is provided.

Clarification was also sought on how the funding would be used. Council has been informed that it would be applied to increases to wages and the need for office staff to support the local Blayney team (who are local people), following a relocation of management back to the Molong Office, and an increase in support of the service overall, including all the After School Care team and travel from Molong to backfill staff for leave. The operating surplus of the service has also decreased each year.

It was also indicated that user charges increase in small increments annually, however, are constrained as childcare costs need to remain appropriate for families in particularly the current financial climate.

Cabonne have indicated they have a licence agreement with the Department of Education (DoE) until 2029 and are committed to the Blayney service and staff. The service could be run by a private operator, if deemed viable, noting that the DoE approaches currently Cabonne to pick up gaps where private providers have failed to deliver.

Risk/Policy/Legislation Considerations:

The Cabonne After School Care program is considered an important service to families in need of the service and has supported the Cabonne After School Care program for 11 years with no indexation to contributions. Decline of this request may jeopardise continuation by Cabonne Council beyond the current licence period (2029) and any service beyond this point in the event of market failure.

Budget Implications:

Council has allocated in the 2024/25 Operational Plan an amount of \$5,000. Approval of an additional contribution of \$5,000 will require an additional vote of funds in 2024/25 by Council. An additional provision of \$5,000 p.a. would also be required in future years of Council's Long Term Financial Plan.

A financial summary of the Blayney operation of the Cabonne After School Care program has been furnished to Council. This information outlines operating performance and excludes attribution of supervision and administrative overheads. It shows that that the service is currently viable and does not warrant any further subsidy.

Enclosures (following report)

Nil

Attachments (separate document)

- 1 Cabonne After School Care - Blayney Operations
Financial Report 2018/19 to 2023/24 (Oct. 2023) 1 Page

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

- 2** Cabonne After School Care - Blayney Operations
Financials 2023/24 (May 2024) to 2024/25 1 Page

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

- 3** Blayney Operations - Service Utilisation 1 Page

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

06) ADOPTION OF 2024/25 - 2027/28 DELIVERY PROGRAM AND 2024/25 OPERATIONAL PLAN

Department: Corporate Services

Author: Director Corporate Services

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

File No: GS.LI.1

Recommendation:

That Council:

- 1) Pursuant to the requirements of the Local Government Act 1993, adopt the 2024/25 – 2027/28 Delivery Program and 2024/25 Operational Plan inclusive of the approved special variation as attached to this report.
- 2) Adopt the draft 2024/25 – 2033/34 Long Term Financial Plan.
- 3) Note the 2 community submissions received during the public exhibition period (summarised and attached to this report).
- 4) Adopt the Revenue Policy for 2024/25, as outlined in the 2024/25 Operational Plan.
- 5) Adopt the Statement of Rating Structure, inclusive of the approved special variation, and their respective short names as contained in the 2024/25 Operational Plan and make the Ordinary Rate and charges, including sewer charges and domestic waste management charges, pursuant to s.494 and s.496 of the Local Government Act 1993 and Waste Management Levy pursuant to s.501 of the Local Government Act 1993 detailed below:

Rating Structure for the 2024/25 Rating Year: SV Increase of 10%						
Name of Category/ Subcategory	No. of Assessments	Base Rate	Ad Valorem	Land Value	Total Yield	% Yield from Base Amount
Residential						
Ordinary Rate	1,194	\$405	0.00124281	\$407,747,000	\$990,322	48.83%
Blayney & Carcoar	1,468	\$405	0.00253536	\$246,694,700	\$1,220,000	48.73%
Millthorpe	351	\$405	0.00121112	\$119,811,500	\$287,261	49.49%
Business						
Ordinary Rate	142	\$523	0.00393601	\$32,407,670	\$201,823	36.80%
Blayney	173	\$523	0.00668638	\$25,109,000	\$258,367	35.02%
Millthorpe & Carcoar	56	\$523	0.00356320	\$14,756,900	\$81,870	35.77%
Farmland						
Ordinary Rate	707	\$660	0.00140135	\$1,515,829,430	\$2,590,828	18.01%
Mining						
Ordinary Rate	1	\$1,320	0.04066333	\$564,000	\$24,254	5.44%
Mining Gold		\$1,320	0.04793790			
Mining Gold / Copper Combined	1	\$1,320	0.04594300	\$116,400,000	\$5,349,086	0.02%
Total Yield	4,093			\$2,479,320,200	\$11,003,811	

2024/25 Waste Charges

Charge Category and Description	Annual Charge	No. of Properties
Waste Management Levy <i>This is waste management charge is applied to all properties funding waste disposal services for the Blayney Shire</i>	\$62	4,198
Domestic Waste Management		
Domestic Waste Management Service Charge <i>This is applied to properties that have a residence within the waste collection area.</i>	\$390	2,699
Domestic Waste Management Availability Charge <i>This charge is applied to properties within the waste collection area that do not have a service but is available - i.e. vacant land</i>	\$70	369
Commercial (Non-Domestic) Waste Management		
Non-Domestic Waste Management Service Charge <i>This is applied to properties for non-domestic properties within the waste collection area</i>	\$504	334
Non-Domestic Waste Management Availability Charge <i>This charge is applied to properties within the waste collection area that do not have a service but it is available i.e. vacant land</i>	\$70	92
Non-Domestic Waste Service Management Charge for Charity and Not Profit Organisations <i>This is applied to the above properties for non-domestic properties within the waste collection area</i>	\$138	15
Extra Services		
Additional Garbage Charge – per red bin	\$358	95
Additional Recycling Charge – per yellow bin	\$146	33
Total Yield		\$1,554,390

2024/25 Non-Residential and Residential Sewer Charges

Residential			
	Access Charge	No. of Properties	Total Yield
Connected	\$832	1,564	\$1,301,248
Vacant (Unconnected)	\$428	185	\$79,180
Estimated Total Yield			\$1,380,428

Non-Residential				
	Annual Charge (Prior to SDF Factor)	No. of Properties	Quarter Charge before SDF applied	Min. quarterly amount charged
20mm Water Service	\$696	162	\$ 174	\$208
25mm Water Service	\$1060	21	\$ 265	\$208
32mm Water Service	\$1,728	18	\$ 432	\$208
40mm Water Service	\$2,708	11	\$ 677	\$208
50mm Water Service	\$4,220	24	\$1,055	\$208
80mm Water Service	\$10,796	1	\$2,699	
100mm Water Service	\$16,924	6	\$4,231	
150mm Water Service	\$38,084	2	\$9,521	
Vacant/Unmetered	\$428	57		
Usage Charge (per kl)	\$1.78			
Estimated Total Yield				\$470,303

Future Sewerage Infrastructure Subsidy Charge

	Access Charge	No of Properties	Total Yield
Connected - Residential	\$55	1534	\$84,370
Connected - Business	\$55	243	\$13,365
Vacant (Unconnected)	\$55	185	\$10,175
Estimated Total Yield			\$107,910

2024/25 Trade Waste Charges

Commercial (Non-Residential)		
	Annual Fee	No. of Properties
Annual Trade Waste Fee	\$129	67
Annual Trade Waste Fee (Large Dischargers Category 3)	\$475	1
Liquid Trade Waste User Charges with Trade Waste Agreement (Category 1, Category 2/2s)	\$2.57	55
Liquid Trade Waste User Charges with No Trade Waste Agreement	\$25.70	12
Excess Mass Chargers for Category (3 Dischargers)	\$ As per the table in fees and charges	3
Water Testing Charges (if required)	\$333.00 per quarter	1
Estimated Total Yield		\$75,254

- 6) Adopt the following programs which financially assist others under s.356 Local Government Act (1993), including the Community Financial Assistance Program, Local Heritage Assistance Program, Youth Week Grants Program, Tourism Event Development Fund and Village Enhancement Program.
- 7) Adopt the schedule of financial assistance under the Community Financial Assistance Program, pursuant to s.356 Local Government Act.

Reason for Report:

For Council to consider and adopt the 2024/25 – 2027/28 Delivery Program and 2024/25 Operational Plan following public exhibition, pursuant to s.404 and s.405 of the Local Government Act.

Report:

Public exhibition of Council's 2024/25 – 2027/28 Delivery Program and 2024/25 Operational Plan concluded on 19 June 2024, in accordance with the Council resolution of 21 May 2024. Council adhered to the mandatory exhibition period of 28 days as required under the Local Government Act 1993, in order to allow sufficient time for all members of the community to become aware of the plans and programs proposed in the Long Term Financial Plan.

Fundamentally, the legislation requires the development and adoption of an operational plan and revenue policy annually. Council's 2024/25 Operational Plan identifies the specific actions to be completed in year 1 under each of the 4 year objectives expressed in the 2024/25 – 2027/28 Delivery Program. All councils in NSW are required to develop long term, medium term and short term plans as part of the Local Government Act.

Submissions

It is a requirement that any submissions received be considered by Council in the process of finalisation and adoption of the draft plans. Council has received 2 submissions on the 2024/25 – 2027/28 Delivery Program and 2024/25 Operational Plan. Submissions made are on the following matters and are attached:

Submission 1Maria Street, Blayney

A number of issues in the area including water ponding and not flowing; inadequate drainage, attraction of undesirable animals, pests and insects. Submission outlines concerns of around risk of own children falling in the water and drowning in the causeway and proximity of snakes in yard because of the water. Other issues include pine trees with shallow roots that run along fence line of property near powerlines and that the property is also flood prone zoned land and not fixing issue can result in flooding.

A number of proposed solutions sought are outlined in the submission.

Response:

Maintenance works have been completed by Council in this area during 2023/24. There is currently no scope or budget allocation to include the works requested. Any works in this area would need to be cognisant of the review of the Town of Blayney Flood Study to not create or intensify flooding elsewhere in the town of Blayney.

Submission 2Blayney Showground Fees

In reference to Individual/Group Horse Riders (per hour minimum 2 hours) for up to 5 Horse Riders PC \$ 116.00.

Submission outlines that proposed fee is out of reach for an individual rider as it would cost a minimum of \$232. Submission proposes an annual 'membership' for users, similar to something like a gym membership.

Submission also asks why the yards are not open as a camping area for travellers with horses for overnight stays.

Response:

It is acknowledged the cost is greater for a single rider than if split by up to 5 riders, however this rate is substantially less than major events, reflecting the lesser impact from small groups.

The Blayney Showground currently operates at a cost of \$232k p.a. with a 7.8% subsidy by users. Fees are structured to balance community benefit and the long-term serviceability by Council. The proposed fee for small groups has remained the same as the current fee, despite increasing maintenance and administrative costs.

The showground does not have approval for a permanent campground and would likely require significant investment to do so which would require substantial investigation and Business Case to demonstrate financial viability.

Creation of a campground would also result in Council directly competing with the Blayney Caravan Park (a private business).

Adoption of Council Fees and Charges for 2024/25

Council's Annual Charges and Schedule of Fees & Charges have also been exhibited. The Annual Charges for adoption are as shown in the recommendation of this report.

Capital Works Program 2024/25

Council's principal mechanism for carrying out capital works is a four year rolling capital works program and has been incorporated into the Delivery Program 2024/25 – 2027/28. The 2024/25 Capital Works Program included in the Operational Plan details the individual projects and works that will be undertaken in 2024/25 to achieve the commitments made in the Delivery Program.

Amendments to the program since exhibition of the draft 2024/25 – 2027/28 Delivery Plan and 2024/25 Operational Plan include changes as proposed:

Additions:	Amendment \$	Revised \$	Year
IT – Assetfinda Field App	14,000	14,000	2024/25
Other – Blayney Rotary Lookout	157,560	157,560	2024/25
Sewer – Pump Replacement Program	50,000	50,000	2024/25
Sewer – Recycled Water Treatment Plant	30,000	30,000	2024/25

The Capital Works Program:

- Defines the capital projects that will help ensure the continued delivery of Council services;
- Allows advance planning of projects, including investigation, design and documentation;
- Is a key component of Council's infrastructure financing, planning maintenance and replacement strategy;

While inevitably refinements to the program will be made, it is appropriate and necessary to have the basis of a longer term schedule to allow appropriate planning both within the community and Council.

Section 356 Financial Assistance

Also detailed within Council's Operational Plan is the Schedule of Annual Financial Assistance funded through the Blayney Shire Council Community Financial Assistance Program under s.356 of the Local Government Act. An amount of \$145,000 has been provided for in 2024/25 under this program. Council also has provision in the 2024/25 Operational Plan for other programs that provide financial assistance including the Local Heritage Assistance

Program, Youth Week Grants Program, Tourism Event Development Fund and Village Enhancement Program.

Amendments since exhibition of the draft Operational Plan

Amendments to the draft 2024/25 Operational Plan are detailed below:

Type	Description	Impact \$	Year
Operating Expenditure			
Materials & Contracts	CentrePoint – YMCA		
	➤ Operating Deficit incl Management Fee	61,088	2024/25
	➤ Repairs & maintenance	(3,604)	2025/26
	<i>Increased to \$25k p.a anticipated due to changes in the management agreement</i>	(62,158)	2026/27
		(69,565)	2027/28
		10,370	Annually
	Councillor Induction		
		10,000	2024/25
	Asset Management		
	➤ Revaluation – sealed network*		
	➤ Revaluation – peer review	18,691	2024/25
	<i>*Increased from \$51,309 to \$70,000</i>	24,000	2024/25
	IT Subscriptions & Licence Fees		
Other Expenditure	➤ Appentate (new - online forms)**	15,000	2024/25
	➤ Assetfinda (new - field app)	8,000	2024/25
	➤ IT Vision (higher than forecast)	15,000	2024/25
	<i>**Proposed efficiency improvement subject to further investigation prior to implementation</i>		
	Overarching Risk Assessment Project		
	➤ General Fund	26,000	2024/25
	➤ Sewer Fund	18,000	2024/25
	Contribution to Emergency Services Levy		
	➤ Rural Fire Service (2% decrease)		2024/25
	➤ SES (8% decrease)		2024/25
	➤ Fire & Rescue (0% increase)		2024/25

A comparison of financial implications to Council's budget with the draft Operational Plan reported to the May Council meeting is as follows:

Scenario 1	Draft DP/OP	Final DP/OP	Variance
Base Case: 5.7%	\$'000	\$'000	\$'000
General Fund	(1,428)	(1,585)	(157)
Sewer Fund	151	133	(18)
TOTAL	(1,277)	(1,452)	(175)

Scenario 2	Draft DP/OP	Final DP/OP	Variance
SV Sustainability Model: 10%	\$'000	\$'000	\$'000
General Fund	(1,523)	(1,681)	(158)
Sewer Fund	151	133	(18)
TOTAL	(1,372)	(1,548)	(176)

As reported to Council at the May meeting, whilst it appears above that the Base Case model produces a better result in year 1 compared to the Special Variation Sustainability model it should be noted that the special variation (SV) provides for a higher allowance of expenditure relating to Council's infrastructure assets in an attempt to reduce Council's backlog and ensure the assets remain in a satisfactory condition, which extends the life and timing of required renewals.

With the adoption of the SV over years 2 and 3, the Sustainability Special Variation Sustainability model will provide a more financially sustainable outcome for Council over the life of the Long Term Financial Plan (LTFP), providing other LTFP assumptions made come to fruition.

The 2024/25 Operational Plan should be read in conjunction with the attached 2024/25 – 2027/28 Delivery Plan and 2024/25 – 2033/34 Long Term Financial Plan which demonstrates the long term impacts and merits of the Special Variation Sustainability model, which seeks to address the ongoing deficits over the course of the plan.

Financial Sustainability

The development of the suite of IP&R documents presented for endorsement has considered the Principles of Sound Financial Management as outlined under Section 8B of the Local Government Act 1993 (NSW).

Section 8B of the Act provides that Council spending should be responsible and sustainable, aligning general revenue and expenses.

To this end, this report recommends that Council adopt the approved SV of 10% for 2024/25.

As outlined earlier in the report and highlighted in the below table, without the application of the approved SV Council's General Fund is forecasting consistent deficits across the 2024/25 – 2027/28 Delivery Plan and the 2024/25 – 2033/34 Long Term Financial Plan attached.

Scenario 1 (Base Case: 5.7%)

Fund	2024/25 \$'000	2025/26 \$'000	2026/27 \$'000	2027/28 \$'000
General	(1,585)	(2,244)	(2,041)	(1,688)
Sewer	133	173	118	243
Consolidated	(1,452)	(2,071)	(1,923)	(1,445)

Under Scenario 1 the 2024/25 budget was prepared on the basis of retention of existing services and the forecast rate peg as determined by IPART determined at 5.7% this year and 2.5% for the remainder of the LTFP, as recommended by IPART. Going forward this presents difficulty and financial risk for Council with forecast deficits over the life of the Delivery Program. A continuation of this strategy will only result in current service levels being maintained in the short term.

Asset renewal backlogs and associated deterioration to Council infrastructure will continue to increase over time. This will increase costs in the medium to long term placing a financial burden on future generations with limited options to fund infrastructure renewal or new assets and initiatives to help facilitate growth in the shire.

Scenario 2 (SV Sustainability Model: 10%)

Fund	2024/25 \$'000	2025/26 \$'000	2026/27 \$'000	2027/28 \$'000
General	(1,681)	(1,536)	(457)	(202)
Sewer	133	173	118	243
Consolidated	(1,548)	(1,363)	(339)	41

Under Scenario 2 the 2024/25 budget was prepared on the basis of retention of existing services and an uplift in both maintenance and renewal expenditure for Council's infrastructure to help address the backlog and ensure Council's assets are maintained to a satisfactory level into the future.

The following risks are noted in the LTFP in relation to the mining rate category;

- A significantly high proportion of rating income being generated from the Mining rate category (being 3 ratepayers).
- It is unknown when the mining lease for McPhillamys Gold Project will be issued which allows a mining rate to be levied. (Currently forecast in 2025/26 previously anticipated in 2024/25)
- Both Cadia mine and McPhillamys mine operational approvals that currently have relatively short timeframes (both to 2031 respectfully), which are now within the current 10-year Long Term Financial Plan (LTFP).
- Council's need to identify and implement strategies that diversifies its rating income distribution, which will in turn minimise reliance and risk exposure relating to the mining rate category over the 10-year LTFP.

Council has implemented measures to monitor and report activities to ensure compliance with the SV approval by IPART that requires Council to disclose in its Annual Report for years 2024/25 – 2031/32 the following:

- The program of expenditure actually funded and any differences to the proposed program;
- Any significant differences between Council's actual revenues, expenditure and operating result to that proposed in the LTFP and reasons for the differences;
- Outcomes achieved as a result of the additional income;
- Whether or not implementation of productivity improvements has occurred and associated justification of why;
- Other productivity and cost containment measures in place, the annual savings achieved and what these equate to as a proportion to total annual expenditure.

Conclusion

Adoption of the 2024/25 – 2027/28 Delivery Program and 2024/25 Operational Plan is part of the bigger picture that will set us on a path to the Blayney Shire that all stakeholders – the community, Councillors and staff would all like to experience in the future.

This report recommends that Council adopt the following documents:

- Delivery Program 2024/25 – 2027/28
- 2024/25 Operational Plan and Budget
- Revenue Policy 2024/25; and
- Fees and Charges 2024/25.

The report also requests that Council note the 2024/25 budgeted results identified in the Long Term Financial Plan for the General Fund and the identified need for adoption of the SV.

Risk/Policy/Legislation Considerations:

Council is obligated under s.405 to adopt the Operational Plan before the beginning of each year and details the activities to be engaged in by the council during the year as part of the delivery program covering that year. As part of the adoption process consideration must be given to submissions that have been made concerning the draft plan.

Budget Implications:

The financial implications of this report are detailed in the 2024/25 – 2027/28 Delivery Program and 2024/25 Operational Plan.

As recommended by the 2022 Financial Sustainability Review the following Responsible Accounting Officer certification by Council's Chief Financial Officer is provided:

CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

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

- The draft 2024/25 – 2027/28 DP/OP attached has been prepared in accordance with the following:
 - having considered the recommendations as detailed in the Financial Sustainability Review and further Independent Financial Assessment during preparation of the application to IPART for a Special Variation,
 - the current resource capabilities of Council and the impact of significant funding received by Council to deliver valuable services to the community,
 - Using the most up to date forecasts and assumptions at the time of preparation including assumptions for factors that are outside Council's control,
- To the best of my knowledge and belief, this draft 2024/25 – 2027/28 DP/OP:
 - present fairly the Council's operating result and financial forecast for the year,

- present fairly the operating result and financial forecast for each of Council's declared business activities for the year,
- That the detailed schedule of capital works reflects projects identified and prioritised in Council's current asset management plans and roads strategy.

Enclosures (following report)

- | | | |
|----------|---|---------|
| 1 | Submission 1: Flood prone area - Maria Street, Blayney | 2 Pages |
| 2 | Submission 2: Blayney Showground fees - Individual / Group Horse Riders | 1 Page |

Attachments (separate document)

- | | | |
|----------|---|----------|
| 3 | 2024/25 - 2027/28 Delivery Program and 2024/25 Operational Plan | 97 Pages |
| 4 | 2024/25 - 2033/34 Long Term Financial Plan | 61 Pages |

From: [REDACTED]
Sent: Wednesday, 19 June 2024 11:49 AM
To: Blayney Shire Council
Subject: IS/86358 - Submission - Draft 2024/25 – 2027/28 Delivery Program and 2024/25 Operational Plan

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Council,

I have noted there is funding available for the new 2024 Budget and putting forward my issue that has been ongoing for years where this money can be spent wisely.

Location - Maria Street, Blayney NSW 2799

Issues -

- Water ponding and not flowing
- attraction of undesirable animals, Since purchasing our residency here we have had Brown snakes, rats, mice, mosquitoes and slugs
- No drainage for the water to flow into, causing still water
- Having small children in our home, We cannot let them outside out of sight with having the raised issues pointed out. We have concerns of our children falling in the water and drowning in the causeway due to it not draining away, animals being in our backyard/close to proximity biggest issue being extremely venomous snakes around because of the water. A simple example is last year I was putting my child into the car and a brown snake was no less than 1meter away from my feet only realising this as I was backing out of our driveway and one of our children had noticed it this snake was at least 1.5meter long.
- Pine trees that run along our properties fenceline, we would like these removed as they have a shallow root system and will eventually fall over which being in the location they are, will either land on our house,shed and or in backyard taking along with taking down a power line that runs to our neighbouring properties as well. This is also an issue if the children were to play outside and a tree fall over in the backyard whilst playing could potentially lead to death.
- This property is also flood prone zoned land, not fixing this issue can result in us losing our home to floods if not fixed

Resolution -

Permanent solution to my situation noting alongside with speaking to our neighbouring properties in Maria Street, we would like the following money used to fix these issues for this financial year

- Install concrete pipes from the Linfox yard that interconnect to each culvert driveway until the very end of Maria Street
- Use land fill to cover over the concrete pipes which will eliminate the majority of the water issues
- remove all trees along Maria Street which will promote more sunlight and less dampness in the ground, which in theory should steer these undesirable animals clear of us.

As mentioned I have spoken with our neighbours in Maria Street and as a community we are willing to fund out of our own pockets, To reinstate the landscape with a better choice of trees and plants

which will be compliant with council to clean this street up and make it a safe place for the rest of the community.

Please note; Our culvert driveway was installed many years ago and is not the same height or size as the adjoining culvert driveway, As a result we will need to upgrade our culvert driveway before council can connect the concrete pipes. We will endeavor to have it upgraded within the next 2-3months.

If this submission is approved the business holders in Maria Street and ourselves would like to arrange a meeting to voice our ideas for the near future planning.

Please do not hesitate to contact me if need any further,

Kind Regards

A black rectangular redaction box covering the signature and name of the sender.

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 19 June 2024 2:43 PM
To: Blayney Shire Council
Subject: IS/86359 - Submission - Draft Long Term Financial Plan 2024/25 - 2033/34

Follow Up Flag: Follow up
Flag Status: Flagged

My submission is solely about the hire of the Blayney Showground for individual horse riders.

As per the “Draft Long Term Financial Plan 2024/25 - 2033/34”:

*** Blayney Showground - Individual/Group Horse Riders (per hour minimum 2 hours) for up to 5 Horse Riders PC \$ 116.00 ***

I do not know how many individuals/groups would take up this offer, but from my point of view it is totally out of reach for an individual rider. It would cost \$232 - even if the user wanted to ride for only an hour! Does the council currently get any revenue from these individual/group users? I would suggest very little, and surely a more reasonable rate would promote more usage, thereby bringing in a small amount of revenue.

Given that the area discussed is mown every fortnight anyway, is there any other maintenance costs that the fee would have to cover?

A proposal might be for prospective users to pay an annual ‘membership’ similar to something like a gym membership which allows unlimited usage between certain hours and on days when there’s nothing else on. It could even be run through the CentrePoint facility. Plenty of room to park the float out the front and dash into get the key.

Oh and another thing - why not open the yards and camping area for travellers with horses for overnight stays? I guess we need a caretaker to go around and collect monies like a lot of council facilities do (caravan parks and showgrounds).

Thankyou

[REDACTED]
[REDACTED]
[REDACTED]

07) ADOPTION OF AUDIT, RISK AND IMPROVEMENT COMMITTEE TERMS OF REFERENCE**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** CM.ME.17**Recommendation:**

That Council;

1. Adopt the Audit, Risk and Improvement Committee Terms of Reference document taking effect from 1 July 2024.
2. Appoint existing Audit, Risk and Improvement Committee delegate, Cr Somervaille, as the non-voting Councillor member for the remainder of the term of Council (September 2024).
3. Formalise the appointment timeframes for the current Audit, Risk and Improvement Committee Independent Members as follows:

Name	Appointment Date for Current Term	Proposed Term End Date
Donna Rygate	17/01/2022	16/01/2026
Ron Gillard	21/03/2022	20/03/2026

4. Note the recruitment process for the 3rd Independent Member in progress to come to Council for endorsement at the July Council meeting.
5. Formalise the appointment of Donna Rygate as the Audit, Risk and Improvement Committee Chairperson.

Reason for Report:

For Council to:

- adopt the Audit, Risk and Improvement Committee Terms of Reference to come into effect from 1 July 2024;
- endorse appointment of its non-voting Councillor; and
- receive an update on the recruitment of the 3rd Independent Member of the Audit, Risk and Improvement Committee.

Report:

Council at its meeting held 16 April 2024 resolved to exhibit the draft Audit, Risk and Improvement Committee Terms of Reference (TOR). This was to provide the opportunity for Council to engage with other Councils that share the Independent Members, being Central Tablelands Water and Central Tablelands Weeds Authority, to align TOR documents per the recommendation of the Audit Risk and Improvement Committee meeting held 8 February 2024.

The endorsement of the draft TOR also assisted with Council promoting the recruitment of the 3rd Independent Member, required under the new framework, by having a document for reference.

The TOR document replaces the current Committee Charter and outlines the purpose, scope, roles and responsibilities and process for the committee. It will be used to provide guidance and clarity to those involved as well as to set the expectations and standards for the work to be undertaken and reported. The TOR has been developed to comply with the new guidelines for local government Audit, Risk and Improvement Committees (ARIC) legislated to take effect on 1 July 2024.

Amendments made to the document since the April Council meeting are very minor and include:

- Removal of committee names in the TOR document.
- Update of the Further Information clause.
- Amendment of the review by ARIC and Council clauses to a table format.

Appointment of Non-Voting Councillor

Amongst the key changes under the new framework and included in the TOR is the requirement for the Councillor representative (that excludes the Mayor) to be non-voting. To formalise this change it is proposed to seek Council's endorsement of its current nominated delegate to the ARIC, Cr. Somerville, to continue in a non-voting capacity for the remaining term of Council (September 2024).

Formalisation of Independent Member Terms of Appointment

The proposed TOR (clause 4) outlines that the independent members are to be appointed for terms of up to 4 years and cannot serve more than exceed 8 years in any 10 year period.

An error was found to have been made with the report to the April Council meeting where it was resolved that the appointment of the ARIC Chairperson, Donna Rygate, be extended to 22/11/2026 subject to a request for reappointment. The term period was found to be beyond 4 years, noting Council's appointment date for the second term of 17/01/2022. A revised timeframe is proposed below with appointment dates and proposed Term end dates of the current Independent Members are as follows:

Name	Commencement Date	Appointment Date for Current Term	Proposed Term End Date
Donna Rygate	23/11/2018	17/01/2022	16/01/2026
Ron Gillard	23/03/2022	21/03/2022	20/03/2026*

*Independent member may seek reappointment for further 4 year period.

There is also a requirement in the TOR to preserve knowledge retention within ARIC, that Council ideally have no more than one member retire from the committee because of rotation in any one year. To this end is proposed to stagger term end dates going forward.

A recommendation has been made formalising the above term dates.

Recruitment of 3rd Independent Member

Pursuant to the new framework and proposed TOR, Council is required to appoint a 3rd Independent Member to the ARIC. Recruitment is currently underway with applications closing 30 May 2024. An assessment panel has been formed comprising the ARIC Chairperson, Donna Rygate, and a Councillor representative from each of the participating Councils as follows:

- Cr. David Somerville – Blayney Shire Council
- Cr. Bruce Reynolds – Central Tablelands Weeds Authority
- Cr. Michelle Cook – Central Tablelands Water.

It is anticipated that a recommendation from the assessment panel for appointment of the 3rd Independent Member will be made in the coming weeks with a report seeking endorsement by Council at the July meeting. This will precede Council's next ARIC meeting proposed for 21 August 2024.

Formalisation of Appointment of Committee Chairperson

The TOR also requires that Council appoint the ARIC Chairperson. A recommendation is proposed to formalise the appointment of the current ARIC Chair, Donna Rygate.

Risk/Policy/Legislation Considerations:

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

The objective of the Committee is to provide independent assurance and assistance to Council with respect to the following key areas as per Section 428A of the Local Government Act 1993. Such areas include compliance; risk management; fraud control; internal control; financial management; governance; service reviews; other matters prescribed by the regulations, and execution of Council functions.

Budget Implications:

Costs associated with holding of Committee meetings, sitting fees for independent members and associated service reviews / audits are provided for in Council's Operational Plan for this purpose. The new Framework is envisaged to burden Council with additional costs however the exact nature of these are not known at this stage. An additional \$3,000 has been provided for in the proposed 2024/25 Operational Plan for an additional independent member. No additional funding has been provided for training with it proposed to be absorbed into the existing budget allocation.

Enclosures (following report)

- | | | |
|---|--|----------|
| 1 | Audit, Risk and Improvement Committee Terms of Reference | 16 Pages |
|---|--|----------|

Attachments (separate document)

Nil

Terms of Reference



Audit, Risk and Improvement Committee

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Council has established an audit, risk and improvement committee in compliance with section 428A of the *Local Government Act 1993*, the *Local Government (General) Regulation 2021* and the Office of Local Government's *Guidelines for risk management and internal audit for local government in NSW*. These terms of reference set out the committee's objectives, authority, composition and tenure, roles and responsibilities, reporting and administrative arrangements.

1. Objective

The objective of Council's audit, risk and improvement committee is to provide independent assurance to Council by monitoring, reviewing and providing advice about its governance processes, compliance, risk management and control frameworks, external accountability obligations and overall performance.

2. Independence

The committee is to be independent to ensure it has no real or perceived bias or conflicts of interest that may interfere with its ability to act independently and to provide Council with robust, objective and unbiased advice and assurance.

The committee is to have an advisory and assurance role only and is to exercise no administrative functions, delegated financial responsibilities or any management functions of the Council. The committee will provide independent advice to the Council that is informed by the Council's internal audit and risk management activities and information and advice provided by staff, relevant external bodies and subject matter experts.

The committee must always ensure it maintains a direct reporting line to and from the Council's internal audit function and act as a mechanism for internal audit to report to the governing body and the General Manager on matters affecting the performance of the internal audit function.

3. Authority

Council authorises the committee, for the purposes of exercising its responsibilities, to:

- access any information it needs from Council
- use any Council resources it needs
- have direct and unrestricted access to the General Manager and senior management of Council
- seek the General Manager's permission to meet with any other Council staff member or contractor
- discuss any matters with the external auditor or other external parties
- request the attendance of any employee at committee meetings, and
- obtain external legal or other professional advice in line with Councils' procurement policies.

Information and documents pertaining to the committee are confidential and are not to be made publicly available. The committee may only release Council information to external parties that are assisting the committee to fulfil its responsibilities with the approval of the General Manager, except where it is being provided to an external investigative or oversight agency for the purpose of informing that agency of a matter that may warrant its attention.

4. Composition and tenure

The committee consists of an independent chairperson and two (2) independent members who have voting rights and one (1) non-voting Councillor, as required under the *Local Government (General) Regulation 2021*.

The governing body is to appoint the chairperson and members of the committee.

All committee members must meet the independence and eligibility criteria prescribed under the *Local Government (General) Regulation 2021*.

Members will be appointed for up to a four-year term. Members can be reappointed for one further term, but the total period of continuous membership cannot exceed eight years. This includes any term as chairperson of the committee. Members who have served an eight-year term (either as a member or as chairperson) must have a two-year break from serving on the committee before being appointed again. To preserve the committee's knowledge of the Council ideally, no more than one member should retire from the committee because of rotation in any one year.

The terms and conditions of each member's appointment to the committee are to be set out in a letter of appointment. New members will be thoroughly inducted to their role and receive relevant information and briefings on their appointment to assist them to meet their responsibilities.

Prior to approving the reappointment or extension of the chairperson's or an independent member's term, the governing body is to undertake an assessment of the chairperson's or committee member's performance. Reappointment of the chairperson or a committee member is also to be subject to that person still meeting the independence and eligibility requirements prescribed under the *Local Government (General) Regulation 2021*.

Members of the committee must possess and maintain a broad range of skills, knowledge and experience relevant to the operations, governance and financial management of the Council, the environment in which the Council operates, and the contribution that the committee makes to the Council. At least one member of the committee must have accounting or related financial management experience with an understanding of accounting and auditing standards in a local government environment. All members should have sufficient understanding of Council financial reporting responsibilities to be able to contribute to the committee's consideration of Council's annual financial statements.

4.1 Remuneration

Remuneration will be reviewed by the Council at least once every Council term and more frequently where required.

The fees paid to independent ARIC members will increase annually by the percentage allocated to Councillors by the Local Government Remuneration Tribunal determination. This will take effect for each independent ARIC member, including the Chair, on the anniversary date each year commencing at the completion of the first year.

With prior approval from the General Manager, the Council will reimburse reasonable travel and accommodation expenses associated with attending ARIC meetings in person. Wherever possible, the Council will book services directly with providers of its choosing, and members travelling by car will be reimbursed for their return trip using the current Australian Tax Office cents per kilometre rate.

The Council encourages independent ARIC members to keep their skills current and supports professional development. The Council will consider reimbursement of, or pro-rated contribution to, related professional development expenses upon approval by General Manager.

4.2 Public Liability and Professional Indemnity Insurance

The Council will provide Public Liability and Professional Indemnity Insurance to the Independent Chair and Independent Members under the same arrangements as provided to Councillors. This coverage provides indemnification in respect of claims for all loss or damage potentially made against them in their capacity as members of the ARIC.

5. Role

As required under section 428A of the *Local Government Act 1993* (the Act), the role of the committee is to review and provide independent advice to the Council regarding the following aspects of its operations:

- compliance
- risk management
- fraud control
- financial management
- governance
- implementation of the strategic plan, delivery program and strategies
- service reviews
- collection of performance measurement data by the Council, and
- internal audit.

The committee must also provide information to Council for the purpose of improving the Council's performance of its functions.

The committee's specific audit, risk and improvement responsibilities under section 428A of the Act are outlined in Schedule 1 to these terms of reference.

The committee will act as a forum for consideration of the Council's internal audit function and oversee its planning, monitoring and reporting to ensure it operates effectively.

The committee has no power to direct external audit or the way it is planned and undertaken but will act as a forum for the consideration of external audit findings.

The committee is directly responsible and accountable to the governing body for the exercise of its responsibilities. In carrying out its responsibilities, the committee must at all times recognise that primary responsibility for management of the Council rests with the governing body and the General Manager.

The responsibilities of the committee may be revised or expanded in consultation with, or as requested by, the governing body from time to time.

6. Responsibilities of members

6.1 Independent members

The chairperson and members of the committee are expected to understand and observe the requirements of the Office of Local Government's *Guidelines for risk management and internal audit for local government in NSW*. Members are also expected to:

- make themselves available as required to attend and participate in meetings
- contribute the time needed to review and understand information provided to it
- apply good analytical skills, objectivity and judgement
- act in the best interests of the Council
- have the personal courage to raise and deal with tough issues, express opinions frankly, ask questions that go to the fundamental core of the issue and pursue independent lines of inquiry
- maintain effective working relationships with the Council
- have strong leadership qualities (chairperson)
- lead effective committee meetings (chairperson), and
- oversee the Council's internal audit function (chairperson).

6.2 Councillor members (if applicable)

To preserve the independence of the committee, the Councillor member of the committee is a non-voting member. Their role is to:

- relay to the committee any concerns the governing body may have regarding the Council and issues being considered by the committee
- provide insights into local issues and the strategic priorities of the Council that would add value to the committee's consideration of agenda items
- advise the governing body (as necessary) of the work of the committee and any issues arising from it, and
- assist the governing body to review the performance of the committee.

Issues or information the councillor member raises with or provides to the committee must relate to the matters listed in Schedule 1 and issues being considered by the committee.

The Councillor member of the committee must conduct themselves in a non-partisan and professional manner. The Councillor member of the committee must not engage in any conduct that seeks to politicise the activities of the committee or the internal audit function or that could be seen to do so.

If the Councillor member of the committee engages in such conduct or in any other conduct that may bring the committee and its work into disrepute, the chairperson of the committee may recommend to the Council, that the Councillor member be removed from membership of the committee. Where the Council does not agree to the committee chairperson's recommendation, Council must give reasons for its decision in writing to the chairperson.

6.3 Conduct

Independent committee members are required to comply with the Council's Code of Conduct.

Complaints alleging breaches of the Code of Conduct by an independent committee member are to be dealt with in accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*. The General Manager must consult with the governing body before taking any disciplinary action against an independent committee member in response to a breach of the Code of Conduct.

6.4 Conflicts of interest

Once a year, committee members must provide written declarations to Council stating that they do not have any conflicts of interest that would preclude them from being members of the committee. Independent committee members are 'designated persons' for the purposes of the Code of Conduct and must also complete and submit returns of their interests.

Committee members and observers must declare any pecuniary or non-pecuniary conflicts of interest they may have in a matter being considered at the meeting at the start of each meeting or as soon as they become aware of the conflict of interest. Where a committee member or observer declares a pecuniary or a significant non-pecuniary conflict of interest, they must remove themselves from committee deliberations on the issue. Details of conflicts of interest declared at meetings must be appropriately minuted.

6.5 Standards

Committee members are to conduct their work in accordance with the International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors and relevant current Australian risk management standards, where applicable.

7. Work plans

The work of the committee is to be thoroughly planned and executed. The committee must develop a strategic work plan every four years to ensure that the matters listed in Schedule 1 are reviewed by the committee and considered by the internal audit function when developing their risk-based program of internal audits. The strategic work plan must be reviewed at least annually to ensure it remains appropriate.

The committee may, in consultation with the governing body, vary the strategic work plan at any time to address new or emerging risks. The governing body may also, by resolution, request the committee to approve a variation to the strategic work plan. Any decision to vary the strategic work plan must be made by the committee.

The committee must also develop an annual work plan to guide its work, and the work of the internal audit function over the forward year.

The committee may, in consultation with the governing body, vary the annual work plan to address new or emerging risks. The governing body may also, by resolution, request the committee to approve a variation to the annual work plan. Any decision to vary the annual work plan must be made by the committee.

When considering whether to vary the strategic or annual work plans, the committee must consider the impact of the variation on the internal audit function's existing workload and the completion of pre-existing priorities and activities identified under the work plan.

8. Assurance reporting

The committee must regularly report to Council to ensure that it is kept informed of matters considered by the committee and any emerging issues that may influence the strategic direction of the Council or the achievement of the Council's goals and objectives.

The committee will provide an update to the governing body and the General Manager of its activities and opinions after every committee meeting.

The committee will provide an annual assessment to the governing body and the General Manager on the committee's work and its opinion on how the Council is performing.

The committee will provide a comprehensive assessment every council term of the matters listed in Schedule 1 to the governing body and the General Manager.

The committee may at any time report to the governing body or the General Manager on any other matter it deems of sufficient importance to warrant their attention. The Mayor and the Chairperson of the committee may also meet at any time to discuss issues relating to the work of the committee.

Should the governing body require additional information, a request for the information may be made to the chairperson by resolution. The chairperson is only required to provide the information requested by the governing body where the chairperson is satisfied that it is reasonably necessary for the governing body to receive the information for the purposes of performing its functions under the Local Government Act. Individual Councillors are not entitled to request or receive information from the committee.

9. Administrative arrangements

9.1 Meetings

The committee will meet at least for a minimum of four (4) times per year, including a meeting to review Council's financial statements.

The committee can hold additional meetings when significant unexpected issues arise, or if the chairperson is asked to hold an additional meeting by a committee member, the General Manager or the governing body.

Committee meetings can be held in person, by telephone or videoconference. Proxies are not permitted to attend meetings if a committee member cannot attend.

A quorum will consist of a majority of independent voting members. Where the vote is tied, the chairperson has the casting vote.

The chairperson of the committee will decide the agenda for each committee meeting. Each committee meeting is to be minuted to preserve a record of the issues considered and the actions and decisions taken by the committee.

The Mayor, General Manager and the Internal Audit Coordinator should attend committee meetings as non-voting observers. The external auditor (or their representative) is to be invited to each committee meeting as an independent observer. The chairperson can request Council's Chief Financial Officer, WHS & Risk Coordinator, Directors, any Councillors, any employee/contractor of the Council and any subject matter expert to attend committee meetings. Where requested to attend a meeting, persons must attend the meeting where possible and provide any information requested. Observers have no voting rights and can be excluded from a meeting by the chairperson at any time.

The committee can hold closed meetings whenever it needs to discuss confidential or sensitive issues with only voting members of the committee present.

The committee must meet separately with the Internal Audit Coordinator and the Council's external auditor at least once each year.

9.2 Dispute resolution

Members of the committee and the Council's management should maintain an effective working relationship and seek to resolve any differences they may have in an amicable and professional way by discussion and negotiation.

In the event of a disagreement between the committee and the General Manager or other senior managers, the dispute is to be resolved by the governing body.

Unresolved disputes regarding compliance with statutory or other requirements are to be referred to the Departmental Chief Executive of the Office of Local Government in writing.

9.3 Secretariat

The General Manager will nominate a staff member to provide secretariat support to the committee. The secretariat will ensure the agenda for each meeting and supporting papers are circulated after approval from the chairperson at least 3 business days, and no later than Friday prior to the scheduled meeting, if on a Wednesday.

Minutes must be approved by the chairperson and circulated within 2 weeks of the meeting to each member.

9.4 Resignation and dismissal of members

Where the chairperson or a committee member is unable to complete their term or does not intend to seek reappointment after the expiry of their term, they should give 2 months' notice to the chairperson and the governing body prior to their resignation to allow the Council to ensure a smooth transition to a new chairperson or committee member.

The governing body can, by resolution, terminate the appointment of the chairperson or an independent committee member before the expiry of their term where that person has:

- breached the council's code of conduct
- performed unsatisfactorily or not to expectations
- declared, or is found to be in, a position of a conflict of interest which is unresolvable
- been declared bankrupt or found to be insolvent
- experienced an adverse change in business status
- been charged with a serious criminal offence
- been proven to be in serious breach of their obligations under any legislation, or
- experienced an adverse change in capacity or capability.

The position of a Council member on the committee can be terminated at any time by the governing body by resolution.

9.5 Review arrangements

At least once every council term, the governing body must review or arrange for an external review of the effectiveness of the committee.

These terms of reference must be reviewed annually by the committee and once each council term by the governing body. Any substantive changes are to be approved by the governing body.

10. Further information

For further information on Council's Audit, Risk and Improvement Committee, contact Council by email council@blayney.nsw.gov.au or by telephone (02) 6368 2104.

11. Schedule 1 – Audit, Risk and Improvement Committee responsibilities

11.1 Audit

11.1.1 Internal Audit

- Provide overall strategic oversight of internal audit activities
- Act as a forum for communication between the governing body, General Manager, senior management, the internal audit function and external audit
- Coordinate, as far as is practicable, the work programs of internal audit and other assurance and review functions
- Review and advise the Council:
 - on whether the Council is providing the resources necessary to successfully deliver the internal audit function
 - if the Council is complying with internal audit requirements, including conformance with the International Professional Practices Framework
 - if the Council's Internal Audit Charter is appropriate and whether the internal audit policies and procedures and audit/risk methodologies used by the Council are suitable
 - of the strategic four-year work plan and annual work plan of internal audits to be undertaken by the Council's internal audit function
 - if the Council's internal audit activities are effective, including the performance of the internal audit coordinator and the internal audit function
 - of the findings and recommendations of internal audits conducted, and corrective actions needed to address issues raised
 - of the implementation by the Council of these corrective actions
 - on the appointment of the internal audit coordinator and external providers, and
 - if the internal audit function is structured appropriately and has sufficient skills and expertise to meet its responsibilities

11.1.2 External Audit

- Act as a forum for communication between the governing body, General Manager, senior management, the internal audit function and external audit
- Coordinate as far as is practicable, the work programs of internal audit and external audit
- Provide input and feedback on the financial statement and performance audit coverage proposed by external audit and provide feedback on the audit services provided
- Review all external plans and reports in respect of planned or completed audits and monitor council's implementation of audit recommendations
- Provide advice to the governing body and/or General Manager on action taken on significant issues raised in relevant external audit reports and better practice guides

11.2 Risk

11.2.1 Risk Management

Review and advise the Council:

- if the Council has in place a current and appropriate risk management framework that is consistent with the Australian risk management standard
- whether the Council is providing the resources necessary to successfully implement its risk management framework
- whether the Council's risk management framework is adequate and effective for identifying and managing the risks the Council faces, including those associated with individual projects, programs and other activities
- if risk management is integrated across all levels of the Council and across all processes, operations, services, decision-making, functions and reporting
- of the adequacy of risk reports and documentation, for example, the Council's risk register and risk profile
- whether a sound approach has been followed in developing risk management plans for major projects or undertakings
- whether appropriate policies and procedures are in place for the management and exercise of delegations
- if the Council has taken steps to embed a culture which is committed to ethical and lawful behaviour
- if there is a positive risk culture within the Council and strong leadership that supports effective risk management
- of the adequacy of staff training and induction in risk management
- how the Council's risk management approach impacts on the Council's insurance arrangements
- of the effectiveness of the Council's management of its assets, and
- of the effectiveness of business continuity arrangements, including business continuity plans, disaster recovery plans and the periodic testing of these plans.

11.2.2 Internal controls

Review and advise the Council:

- whether the Council's approach to maintaining an effective internal audit framework, including over external parties such as contractors and advisors, is sound and effective
- whether the Council has in place relevant policies and procedures and that these are periodically reviewed and updated
- whether appropriate policies and procedures are in place for the management and exercise of delegations
- whether staff are informed of their responsibilities and processes and procedures to implement controls are complied with
- if the Council's monitoring and review of controls is sufficient, and
- if internal and external audit recommendations to correct internal control weaknesses are implemented appropriately.

11.2.3 Compliance

Review and advise the Council of the adequacy and effectiveness of the Council's compliance framework, including:

- if the Council has appropriately considered legal and compliance risks as part of the Council's risk management framework
- how the Council manages its compliance with applicable laws, regulations, policies, procedures, codes, and contractual arrangements, and
- whether appropriate processes are in place to assess compliance.

11.2.4 Fraud and corruption

Review and advise the Council of the adequacy and effectiveness of the Council's fraud and corruption prevention framework and activities, including whether the Council has appropriate processes and systems in place to capture and effectively investigate fraud-related information.

11.2.5 Financial management

Review and advise the Council:

- if the Council is complying with accounting standards and external accountability requirements
- of the appropriateness of the Council's accounting policies and disclosures
- of the implications for the Council of the findings of external audits and performance audits and the Council's responses and implementation of recommendations
- whether the Council's financial statement preparation procedures and timelines are sound
- the accuracy of the Council's annual financial statements prior to external audit, including:
 - management compliance/representations
 - significant accounting and reporting issues
 - the methods used by the Council to account for significant or unusual transactions and areas of significant estimates or judgements
 - appropriate management signoff on the statements
- if effective processes are in place to ensure financial information included in the Council's annual report is consistent with signed financial statements
- if the Council's financial management processes are adequate
- the adequacy of cash management policies and procedures
- if there are adequate controls over financial processes, for example:
 - appropriate authorisation and approval of payments and transactions
 - adequate segregation of duties
 - timely reconciliation of accounts and balances
 - review of unusual and high value purchases
- if policies and procedures for management review and consideration of the financial position and performance of the Council are adequate
- if the Council grants and tied funding policies and procedures are sound.

11.2.6 Governance

Review and advise the Council regarding its governance framework, including the Council's:

- decision-making processes
- implementation of governance policies and procedures
- reporting lines and accountability
- assignment of key roles and responsibilities
- committee structure
- management oversight responsibilities
- human resources and performance management activities
- reporting and communication activities
- information and communications technology (ICT) governance, and
- management and governance of the use of data, information and knowledge

11.3 Improvement

11.3.1 Strategic Planning

Review and advise the Council:

- of the adequacy and effectiveness of the Council's integrated, planning and reporting (IP&R) processes
- if appropriate reporting and monitoring mechanisms are in place to measure progress against objectives, and
- whether the Council is successfully implementing and achieving its IP&R objectives and strategies.

11.3.2 Service reviews and business improvement

- Act as a forum for communication and monitoring of any audits conducted by external bodies and the implementation of corrective actions (for example, NSW government agencies, Commonwealth government agencies, insurance bodies)
- Review and advise the Council:
 - If the Council has robust systems to set objectives and goals to determine and deliver appropriate levels of service to the community and business performance
 - if appropriate reporting and monitoring mechanisms are in place to measure service delivery to the community and overall performance, and
 - how the Council can improve its service delivery and the Council's performance of its business and functions generally

11.3.3 Performance data and measurement

Review and advise the Council:

- if the Council has a robust system to determine appropriate performance indicators to measure the achievement of its strategic objectives
- if the performance indicators the Council uses are effective, and
- of the adequacy of performance data collection and reporting.

Review by Audit, Risk and Improvement Committee

Endorsed:	Date: 22/05/2024
Last Reviewed:	Date: 22/05/2024
Next Review:	Date: 20/05/2025

Review by Council

Adopted:	Date: XX/XX/2024	Minute:
Last Reviewed:	Date: XX/XX/2024	Minute:
Next Reviewed:	Date: 24/06/2025	

08) DATA BREACH POLICY**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** GO.PO.1

Recommendation:

That Council:

1. Endorse the Data Breach Policy and it be placed on public exhibition for a period of not less than 28 days.
2. Note that should no submissions be received that it be adopted and updated to Council's Policy Register.

Reason for Report:

For Council to endorse the Data Breach Policy for public exhibition and be adopted should no submissions be received during the period of public exhibition.

Report:

Amendments to the Privacy and Personal Information Protection Act 1998 (PPIP Act) came into effect on 28 November 2023. A key change to the Act was the creation of a Mandatory Notification of Data Breach (MNDB) Scheme which requires public sector agencies (such as Council) to comply with the PPIP Act and notify the Privacy Commissioner and affected individuals of data breaches involving personal or health information likely to result in serious harm.

The objective of this Policy is to set out Council's approach to identifying and managing a Data Breach, including:

- providing examples of situations considered to constitute a Data Breach;
- the five key steps involved in responding to a Data Breach;
- the considerations around notifying persons whose privacy may be affected by a Data Breach on a mandatory basis where required, or on a voluntary basis where warranted, to ensure that the Council responds appropriately to a Data Breach; and
- to assist the Council in avoiding or reducing possible harm to both the affected individuals and the Council.

The Policy will assist Council to meet its legal obligations in respect of mandatory reporting of data breaches under the Privacy and Personal Information Protection Act 1998 (PPIP Act) and Privacy Act 1988 and complies with best practice guidelines.

Risk/Policy/Legislation Considerations:

Adoption of the policy will assist Council's compliance with the MNDB scheme and associated legislative compliance with the PPIP Act and Privacy Act.

Budget Implications:

Nil

Enclosures (following report)

1 Data Breach Policy

10 Pages

Attachments (separate document)

Nil



Data Breach Policy

Policy	
Officer Responsible	Manager Information Technology
Last Review Date	xxx

Strategic Policy

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DRAFT

Policy Statement

Council is committed to ensuring, as far as practicable, that the data it holds is secure from potential data breaches and will regularly review, develop, maintain and test its systems and procedures to support data security and this Policy.

The Blayney Shire Council (the Council) has adopted this Data Breach Policy (Policy) to inform the public of Council's procedure for identifying, responding to and reporting Data Breaches of Council Held Information.

The objective of this Policy is to set out Council's approach to identifying and managing a Data Breach, including:

- providing examples of situations considered to constitute a Data Breach;
- the five key steps involved in responding to a DATA Breach;
- the considerations around notifying persons whose privacy may be affected by a Data Breach on a mandatory basis where required, or on a voluntary basis where warranted, to ensure that the Council responds appropriately to a Data Breach; and
- assists the Council in avoiding or reducing possible harm to both the affected individuals and the Council.

This Policy will assist the Council to meet its legal obligations in respect of Mandatory Reporting Data Breaches under the Privacy and Personal Information Protection Act 1998 (PPIP Act) and Privacy Act and complies with best practice guidelines.

Council will, at all times, maintain appropriate records of all Data Breaches, regardless of the seriousness of the Data Breach or whether it is immediately contained.

Glossary of Terms

'Affected Individual'	Means an 'affected individual' as defined in the PPIP Act.
'Commonwealth Notifiable Data Breach'	means an "eligible data breach" as defined in the Privacy Act.
'Council Held Information'	means any Personal Information in whatever form (including hard copy, and electronically held information), which is held by Council or is otherwise in the possession or control of Council.
'Council Officer'	means any officer or employee of Council.
'Data Breach'	means the unauthorised access to, or inadvertent disclosure, access, modification, misuse or loss of, or interference with Personal Information, and in this Policy includes a potential Data Breach.
'Eligible Data Breach'	means an "eligible data breach" as defined in s59D of the PPIP Act.
HRIP Act'	means the <i>Health Records Information and Privacy Act 2002</i> (NSW).

‘IPC’	means the Information and Privacy Commission of NSW.
‘IT’	means information technology
‘OAIC’	means the Office of the Australian Information Commissioner.
‘Mandatory Reporting Data Breach’	means an Eligible Data Breach or a Commonwealth Notifiable Data Breach.
‘Non-Eligible Data Breach’	means any Data Breach that is not a Mandatory Reporting Data Breach.
‘Personal Information’	means any information defined as “personal information” under the Privacy Act, PPIP Act, or “health information” under the HRIP Act.
‘PPIP Act’	means the <i>Privacy and Personal Information Protection Act 1988</i> (NSW).
‘Privacy Act’	means the <i>Privacy Act 1988</i> (Cth).
‘Privacy Commissioner’	means the NSW Privacy Commissioner, or as otherwise defined in the PPIP Act.
‘Relevant Manger or Director’	means the manager or director to whom a Council officer reports, or the manager or director with responsibility for a contract with a third-party contractor.
‘Response Team’	means the team established for the purposes of responding to a Data Breach that includes the General Manager, Director Corporate Services and Manager Information Technology.
‘TFN’	means a tax file number as defined in Part VA of the <i>Income Tax Assessment Act 1936</i> (Cth).

Scope

This Policy applies to all staff and contractors of Council, including Councillors, volunteers, agency personnel and third party providers who hold personal and health information on behalf of Council.

This Policy includes Council data held in any format (paper based or electronic) however, it does not apply to information that has been classified as public.

Depending on the type and extent of the data breach, management of public relations may be required, including coordinating the timing, content and method of public announcements and similar activities. These activities are outside the scope of this Policy, which is limited to the immediate internal responses of business units.

This Policy sets out a summary of the procedures that all Council officers must follow. A breach of the procedures constitutes a breach of the Council’s Code of Conduct and may lead to disciplinary action.

Legislation

Council has obligations under the PPIP Act, the HRIP Act and the Privacy Act including mandatory reporting obligations in respect of Data Breaches.

This Policy only relates to Data Breaches.

Council's *Privacy Management Plan – Policy* provides more information on how Council may collect, use and disclose Personal Information.

What is a Data Breach?

Data Breach occurs when there is an incident that has caused or has the potential to cause unauthorised access to or disclosure or loss of Council Held Information. Examples include:

- accidental loss or theft of Council Held Information or equipment on which such Council Information is stored;
- unauthorised use, access to or modification of Council Held Information or information systems);
- unauthorised disclosure of classified Council Held Information, or Council Information posted onto the website without consent;
- a compromised Council officer's user account;
- failed or successful attempts to gain unauthorised access to the Council's Information or information systems;
- equipment failure;
- malware infection; and
- malicious disruption to or denial of IT services.

A Data Breach may occur directly from the Council or from a contractor or business partner of the Council who has custody of, or access to, Council Held Information.

This Policy applies to all Data Breaches and provides for mandatory reporting of Eligible Data Breaches under the PPIP Act and Data Breaches in respect of tax file numbers, which must be reported under the Privacy Act.

The mandatory reporting obligations generally apply where there is unauthorised disclosure or access to Personal Information and it is reasonably considered that there could be serious harm to individuals to whom the information relates. Determining whether a Data Breach is subject to mandatory reporting obligations requires a specific assessment by senior Council officers and may also be determined based on legal advice.

Preparation for Data Breaches

Council maintains an effective and integrated risk management framework, allocating resources, responsibility and accountability to manage risks across the organisation in accordance with AS ISO 31000:2018. Refer to Council's Enterprise Risk Management Policy for further information.

Council also has a range of supporting policies to control and mitigate exposures to breaches of data. This includes a Business Continuity

Management Policy, Fraud and Corruption Control Policy and Code of Conduct policies.

In addition to the policy controls, Council has a comprehensive set of information technology controls. This includes robust access controls, data encryption, network and endpoint security measures, data loss prevention systems, and incident response plans. An up-to-date inventory of assets is maintained, along with strong patch and vulnerability management measures, to ensure all IT assets are properly secured and monitored. Regular penetration tests are performed by a third party to identify and remediate any weaknesses in the IT infrastructure.

Training and Awareness

To mitigate the risk of data breaches, Council has established a comprehensive training program to educate employees about the risks associated with data breaches and their responsibilities in recognising, responding, reporting and preventing such incidents. Council will conduct simulation exercises to assess employee readiness for data breach incidents and raise awareness of the dangers of phishing and social engineering.

Contractors and Third Parties

Council will require all contracts with contractors who may be provided with, have access to or hold Council Held Information, to contain obligations requiring the contractor to report Data Breaches to Council, take mitigating actions and assist Council in undertaking assessments of the Data Breach. Contracts will also identify who will notify any affected individuals and provide support in the event of a Data Breach.

For Data Breaches that involve other public agencies, the General Manager (or delegate) will directly liaise with other affected agencies in respect of any notification requirements for Mandatory Reporting Data Breaches.

Responding to a Data Breach

There are five steps in the process of responding to a Data Breach, which include:

1. Report and Triage;
2. Contain;
3. Assess and React;
4. Notify relevant authorities and affected individuals;
5. Review

Steps 1 - 3 will be followed for all Data Breaches. Steps 4 and 5 only need to be followed if the preceding steps result in any notification or review requirements. Each step will be considered, and to the extent appropriate, implemented in responding to a Data Breach.

Every response will need to be considered, holistically, and on a case by case basis, depending on the nature, severity and impact of the Data Breach.

RESPONDING TO DATA BREACHES	
1	<p>STEP ONE: REPORT AND TRIAGE</p> <ul style="list-style-type: none"> Any Council Officer who becomes aware of a Data Breach will immediately notify the Relevant Manager or Director. Where a Council Officer and/or a Relevant Manager or Director, believes or has reasonable grounds to believe that the Data Breach is a Mandatory Reporting Data Breach, the Relevant Manager or Director will notify the General Manager (or delegate) immediately. When reporting a possible Mandatory Reporting Data Breach to the General Manager (or delegate), a Council Officer and/or a Relevant Manager or Director will also indicate whether in their opinion it is likely to take more than 30 days to determine if the Data Breach is a Mandatory Reporting Data Breach (if known). For Non-Eligible Data Breaches, a Relevant Manager or Director will notify the Director Corporate Services within 24 hours. The Director Corporate Services, on being notified of a Data Breach will call the Council's insurer.
2	<p>STEP TWO: CONTAIN</p> <ul style="list-style-type: none"> All Council Officers will take all immediate steps to contain any Data Breach, by limiting the extent and duration of the unauthorised access to or disclosure of Council Held Information and preventing the Data Breach from intensifying. This obligation is ongoing as other steps proceed.
3	<p>STEP THREE: ASSESS AND REACT</p> <p>Assessment of whether the Data Breach is a Mandatory Reporting Data Breach</p> <ul style="list-style-type: none"> If it is suspected that an Eligible Data Breach has occurred, the General Manager (or delegate) will assess whether an Eligible Data Breach has actually occurred (Eligible Data Breach Assessment). The General Manager (or delegate) may appoint the Response Team to assist in this regard. After completing an Eligible Data Breach Assessment, the General Manager (or delegate) will make a final decision on whether the Data Breach is, or there are reasonable grounds to believe the Data Breach is an Eligible Data Breach. The General Manager (or delegate) will also assess and consider whether a Data Breach is a Commonwealth Notifiable Data Breach. Commonwealth Notifiable Data Breaches are specific to unauthorised access or disclosure of TFNs. Council has 30 days to complete this assessment from the date of the initial report of the Data Breach. <p>General Assessment</p> <ul style="list-style-type: none"> Council will conduct a preliminary assessment of a Data Breach by gathering all relevant information in respect of the Data Breach. Council will then evaluate the risks of the Data Breach for all Data Breaches.

- Factors to consider include:
 - What Council Held Information has been lost or disclosed?
 - What is the nature of the Council Held Information that has been lost or disclosed?
 - What was the cause of the Data Breach?
 - Who is affected by the Data Breach?
 - What combination of information was lost? Certain combinations of types of Personal Information can lead to increased risk.
 - How long the Information has been accessible? The length of time of unauthorised access to, or unauthorised disclosure will increase risks of harms to individuals.
 - How many individuals were involved? The scale of the Data Breach will likely affect the Council's assessment of likely risks.
 - If the Data Breach involves TFN information?
 - Was it a one-off incident or does it expose a more systemic vulnerability?
 - What steps have been taken to contain the Data Breach? Has the Council Held Information been recovered? Is the Council Held Information encrypted or otherwise not readily accessible?
 - What is the foreseeable harm to affected individuals / organisations?
 - Who is in receipt of the Council Held Information? What is the risk of further access, use or disclosure, including via media or online?
 - Are other public agencies involved in the Data Breach?

Where a third party has gained possession of Council Held Information and declines to return it, the General Manager (or delegate) will engage external legal advice on what action can be taken to recover the Council Held Information. When recovering Council Held Information, the Council will make sure that copies have not been made by a third party or, if they have, that all copies are recovered.

Council will ensure that all actions to manage, contain, mitigate and remediate the impact of a Data Breach to prevent future Data Breaches are considered and implemented.

4 **STEP FOUR: NOTIFY**

Eligible Data Breach Notification

The General Manager (or delegate) will notify the Privacy Commissioner **immediately** after determining that a Data Breach is an Eligible Data Breach.

- Notification to the Privacy Commissioner will be made in the approved form by the Privacy Commissioner as published on the IPC's website.
- The General Manager (or delegate) and Response Team (if appointed) will notify Affected Individuals **as soon as practicable** after identifying an Eligible Data Breach.
- The General Manager (or delegate) and Response Team (if appointed) will determine how to notify and oversee the notification to Affected Individuals of the Eligible Data Breach in accordance with this Policy.

	<p>Commonwealth Notifiable Data Breach Notification</p> <ul style="list-style-type: none"> • The General Manager (or delegate) and Response Team (if appointed) will notify the OAIC and any affected individuals as soon as practicable after identifying a Commonwealth Notifiable Data Breach. • The General Manager (or delegate) and Response Team (if appointed) will determine how to notify and oversee the notification made to the OAIC and any affected individuals of the Commonwealth Notifiable Data Breach. <p>Voluntary Data Breach Notification for Non-Eligible Data Breaches</p> <ul style="list-style-type: none"> • As a matter of best practice, Council will also consider voluntary Data Breach notification to the IPC, affected individuals and others (if the Data Breach is a Non-Eligible Data Breach). <p>Notification of individuals affected by a Mandatory Reporting Data Breach</p> <ul style="list-style-type: none"> • Council will notify affected individuals directly, by telephone, letter, email or in person. Indirect notification - such as information posted on the Council's website, a public notice in a newspaper, or a media release will generally occur where the contact information of individuals who are affected are unknown, or where direct notification is prohibitively expensive or could cause further harm (for example, by alerting a person who stole the laptop as to the value of the information contained). Council will maintain a public notification register in accordance with s.59N(2) and s.59P of the PPIP Act. Council will also maintain an internal register for Eligible Data Breaches. <p>All Notifications</p> <ul style="list-style-type: none"> • Council will at all times and for every Data Breach, consider other internal and external notifications and approvals, and communicate with such external agencies and stakeholders as is reasonably required in the individual circumstances of a particular Data Breach (e.g. the Police, Department of Customer Service, Cyber Security NSW, the Australian Tax Office etc).
5	<p>STEP FIVE: REVIEW</p> <ul style="list-style-type: none"> • Council will conduct a detailed review of all Data Breaches to determine all relevant causes and consider what short or long-term measures could be taken to prevent any reoccurrence. • From its review of a particular Data Breach, Council will undertake any recommended steps to further mitigate and remediate Council's procedures, policies and IT systems to prevent future Data Breaches. • A post incident review will consider: <ul style="list-style-type: none"> ○ a cause analysis of the Data Breach; ○ security audit of both physical, technical and cyber security controls; ○ review of Council's risk management policies and procedures; ○ review of employee training practices; ○ review of contractual obligations with contracted service providers; ○ any other review considerations, recommendations or guidelines published by the IPC or Privacy Commissioner.

A report of all Data Breaches considered to be serious and all Mandatory Reporting Data Breaches will be made to Council's Audit, Risk and Improvement Committee and to Council.

This Policy will be reviewed, tested and updated in accordance with Council's established policy review processes or as required by best practice or legislation changes.

Related Policies

This Policy should be read in conjunction with the Council's other policies, including:

- Code of Conduct for Councillors (01B)
- Code of Conduct for Council Staff (01D)
- Code of Conduct for Council Committee Members, Delegates of Council and Advisers (01E)
- Access to Information Policy (02G)
- Information Technology Security and Usage Policy (08C)
- Privacy Management Plan (11C)

Legislative Context

- Data Sharing (Government Sector) Act 2015
- Health Records and Information Privacy Act 2002
- Privacy Act 1998 (Cth)
- Privacy and Personal Information Protection Act 1998
- State Records Act 1998

The End

	Date	Minute No.
Adopted:	Xx/xx/2024	
Last Reviewed:		
Next Review:	xx/xx/2028	

09) INFRASTRUCTURE SERVICES MONTHLY REPORT

Department: Infrastructure Services

Author: Director Infrastructure Services

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

File No: GO.ME.1

Recommendation:

That Council note the Infrastructure Services Monthly Report for June 2024.

Reason for Report:

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

Report:

Major Contracts

Four Mile Creek Road Bridge (FCB2A)

Pre-casting of beams is now complete. Physical commencement on site is still scheduled for July 2024.

Major Works

Forest Reefs/Tallwood Road Intersection (R4R8)

Works substantially complete, with final signage placement being the only outstanding item – expected to be completed late June.

Unwin & Stabback Street (LRCI)

Unwin Street: Road works are complete. Some private works (for driveways) remain to be undertaken in conjunction with private works applicable on Stabback Street.

Stabback Street: Kerb and gutter works and stormwater main laying are complete. Pit finishing works and pavement construction are underway. Bitumen seal is programmed for the end of June pending inclement weather and pavement temperatures conducive to sealing.

Reseal of both projects will be undertaken next financial year once there is conforming road surface temperature.

Minor Road Works

Maintenance works

Since the previous report, pothole patching has been performed on the following roads: Mandurama Road, Newbridge Road, Guyong Road, Wimbledon Road, Three Brothers Road, Moorilda Road, Hobbys Yards Road, Neville Road, Forest Reefs Road, Garland Road.

Pothole patching has also generally been performed in the following towns/areas: Millthorpe, Blayney.

Maintenance grading has been undertaken on the following roads: Lochewen Lane, Bakers Road, Ellerys Lane, Lummes Lane, Old Errowanbang Road, Meribah Road, Lawson Road, Four Mile Creek Road, Dungeon Road.

Heavy Patching Program 2023/24

Works complete.

Footpaths

Trunkey Street, Newbridge (R4R8)

Works are underway for the section between Stringybark Craft Shop in front of and past the Gladstone Hotel, with works expected to be substantially completed by 21st June 2024.

Minor finishing works such as handrail placement will occur after the Newbridge Winter Solstice event, with the site made safe and accessible for the event. All works are scheduled to be completed prior to end of June 2024.

Belubula River Walk – Stage 4 (SCCF4)

Works substantially complete, with the road sealed and guideposts in place. Minor finishing works are outstanding. All works are scheduled to be completed prior to end of June 2024.

Plumb/Palmer/Orange Road, Blayney (SCCF5)

The footpath has been completed from Piggot Place to Starr Place. Preparation of next pour is currently underway. Footpath works for completion include the remainder of Plumb Street and Palmer Street (Plumb Street to Frape Street).

Open Spaces & Facilities

Maintenance works

The Parks team have been undertaking pruning of street trees and a footpath edging program, as well as the regular cleaning of amenities.

The Parks team recently supported a tree planting day with Blayney Public School, and will soon move onto a weed spraying program.

Wet weather in recent weeks has allowed the team to spend time on minor repairs and maintenance at public sites, and general equipment maintenance.

King George Oval Upgrades (R4R8, SCCF4, SCCF5)

Carpark works now complete.

Accessible viewing areas substantially complete, with rail placement scheduled for late June 2024.

Carrington Park Toilet Refurbishments (R4R8)

Works complete.

Heritage Park New Toilets (R4R8)

The existing amenities block has been decommissioned and dismantled. Inground services have been laid and the slab for the new block successfully poured following wet weather delays. The modules for the new structure have been received and are being assembled on site.

Sewer Treatment Plant (STP)Programmed Works

Cleaning and CCTV inspections of portions of the sewer network are nearing completion. Most lines have been inspected with a few sections inaccessible or requiring traffic control to assist. The STP team continue to assist with accessing / clearing manholes as required. Early advice is there may be some failures of recently completed lining works that will require further investigation.

The team are making preparations for drying of sludge in geobags, as the winter months make natural drying via the drying beds difficult.

Installation of the replacement aerators for the STP has been pushed back until October when the weather improves, making installations frost free and therefore safer. Additionally this timing allows better scheduling with the preferred installer. All materials and replacement components have been procured and are onsite.

Sewer Strategic Business Plan

Public Works visited Blayney and inspected the STP. They completed site testing at the STP and data gathering from Blayney Council offices. The Department of Climate Change, Energy, the Environment and Water (DCCEEW) have extended the program deadline by 12 months to December 2025.

Recycled Water Treatment Plant

In line with the recent feedback from the DCCEEW, council has withdrawn the singular s60 application.

Council intend to resubmit the application as 2 submissions, with the first being an application for RWTP commissioning and irrigation of Napier & King George Oval. Following the commencement of operations, council will submit the second application for RWTP standpipe commissioning, sale of water and use as construction water/dust suppression.

Construction of a levy bank around the wetlands to divert floodwaters from the site is progressing, approximately 90% complete.

Blayney High Pedestrian Area**Lower speed limits in Blayney Town Centre to Boost Pedestrian Safety**

Transport for NSW (TfNSW) have conducted a review of the Mid Western Highway (Adelaide Street) as it passes through Blayney and other adjoining local streets to determine if a High Pedestrian Activity Area should be established. Blayney Shire Council assisted with the initial community consultation.

TfNSW determined that the introduction of a High Pedestrian Activity Area and 40 km/h speed limit for all vehicles throughout the Blayney town centre would boost safety for all road users and pedestrians in this locality.

New signage is currently being installed and TfNSW have advised the new speed limits will come into effect Monday 24 June 2024.



TfNSW are responsible for undertaking communications regarding the speed zone change. Council has contacted TfNSW to ensure communications will reach as many persons as possible.

In this regard Council proceeded to undertake communication via its social media channels on Wednesday 19 July 2024 to provide as much advance warning to the community as possible.

Risk/Policy/Legislation Considerations:

Information report only.

Budget Implications:

Work detailed is undertaken within existing budget allocations.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

10) MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 7 JUNE 2024**Department:** Infrastructure Services**Author:** Director Infrastructure Services**CSP Link:** 1. Maintain and Improve Public Infrastructure and Services**File No:** TT.ME.1

Recommendation:

That Council;

1. Receive and note the minutes of the Blayney Traffic Committee Meeting, held on Friday 7 June 2024.
2. Endorse the Traffic Guidance Scheme for the Millthorpe Winter Fire Festival Night Market, to be staged on 2 August 2024 on Pym Street Millthorpe as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report.
3. Install signage Forest Reefs/Tallwood Intersection:
 - a) No Stopping signage on Long Swamp Road on north and south side for road safety purposes.
 - b) Relocate Give Way signage.
 - c) Bus zone signs in bus bay displaying bus times for pick up and drop off.
4. Investigate one-way for Adelaide Lane (Between Ogilvy & Church Streets, Blayney). Traffic counters to be installed and data provided to TfNSW for consideration of a speed zone review.

Reason for Report:

For Council to endorse the minutes of the Blayney Shire Council Traffic Committee meeting held 7 June 2024.

**MINUTES OF THE BLAYNEY SHIRE COUNCIL TRAFFIC COMMITTEE MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY CENTRE,
ON 7 JUNE 2024, COMMENCING AT 10:00AM**

PRESENT

Members: Cr John Newstead (Blayney Shire Council-Chair), Reg Rendall (State Member for Bathurst Representative), Jackie Barry (TfNSW), Jason Marks (NSW Police).

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

APOLOGIES

Nil.

DECLARATION OF INTEREST

Nil.

CONFIRMATION OF MINUTES**MINUTES OF THE PREVIOUS MEETING BLAYNEY SHIRE
COUNCIL TRAFFIC COMMITTEE MEETING HELD 5 APRIL
2024****Recommendation:**

That the Minutes of the Blayney Shire Council Traffic Committee Meeting held on 5 April 2024, be confirmed to be a true and accurate record of that meeting.

(Marks/Rendall)

MATTERS ARISING FROM THE MINUTES

Discussion on Helicopter Landing Zone for NSW Ambulance, the Netball Courts are now the allocated landing zone area and NSW Ambulance have updated their system to reflect zone. Council's Manager Waste Water & Urban Services, is meeting with NSW Ambulance to do a handover procedure and check allocated keys for access.

REPORTS**20200607:01 STREET EVENT - MILLTHORPE WINTER FIRE FESTIVAL -
2 AUGUST 2024****Recommendation:**

That Council endorse the Traffic Guidance Scheme for the Millthorpe Winter Fire Festival Night Market, to be staged on 2 August 2024 on Pym Street Millthorpe as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report.

(Marks/Barry)

20200607:02 FOREST REEFS /TALLWOOD INTERSECTION - SIGNAGE**Recommendation:**

That Council:

1. Install No Stopping signage on Long Swamp Road on north and south side for road safety purposes.
2. Relocate Give Way signage.
3. Install bus zone signs in bus bay displaying bus times for pick up and drop off.

(Rendall/Marks)

**20200607:03 ADELAIDE LANE (BETWEEN OGILVY & CHURCH
STREETS), BLAYNEY****Recommendation:**

That Council investigate one-way for Adelaide Lane (Between Ogilvy & Church Streets, Blayney). Traffic counters to be installed and data provided to TfNSW for consideration of a speed zone review.

(Rendall/Marks)

TRAFFIC REGISTER

TRAFFIC REGISTER

Noted.

GENERAL BUSINESS

SPEED - NYES GATE ROAD, MILLTHORPE

Actions

Council to investigate and liaise with proponent directly, this item does not come under the Traffic Committee.

LATE REPORTS

RESILIENCE RIDE - FOR YOUTH OFF THE STREETS - 4 TO 7 SEPTEMBER 2024

Actions

The Traffic Committee advised this event would be classified as a Class 2 or 3 and therefore requires to be reported at the August Traffic Committee Meeting for consideration.

FUTURE MEETING DATES - 2024

9 August 2024

4 October 2024

6 December 2024

There being no further business, the meeting concluded at 10:27am.

Enclosures (following report)

- | | | |
|---|--|---------|
| 1 | Conditions - Millthorpe Winter Fire Festival | 1 Page |
| 2 | TGS - Millthorpe Winter Fire Festival | 1 Page |
| 3 | Signage Plan for Forest Reefs Intersection | 2 Pages |

Attachments (separate document)

Nil

Conditions considered appropriate for the Event Organiser to comply with include the following: -

- a. The Event Organiser shall obtain approval from NSW Police, with submission of a Notice of Intention to Hold a Public Assembly (via chifleyrms@police.nsw.gov.au), in accordance with the Summary Offences Act 1988, and a copy provided to Blayney Shire Council, prior to the event.
- b. Council is to be provided with a Certificate of Currency of a \$20M Public Liability Insurance Policy indicating Blayney Shire Council's interests, and the date and location of the event.
- c. A Traffic Management Plan (TMP) and a Traffic Guidance Scheme (TGS) must be prepared for the event by an appropriately qualified person, and shall be provided to the Blayney Traffic Committee for approval prior to the event.
- d. Implementation of the approved Traffic Guidance Scheme (TGS) is to be completed by persons appropriately qualified to do so.
- e. The Event organiser shall provide and install physical barriers (i.e.: vehicles) at temporary road closure locations on Pym, Elliott and Blake Streets for the duration of the event, in accordance with NSW Police requirements for the protection of crowded places.
- f. All Event Marshalls, Traffic Controllers and participants must be consulted and advised of the risk management and contingency arrangements in case of an emergency.
- g. A Risk Assessment must be completed and a Risk Management Plan submitted to Council prior to the event.
- h. The Event Organiser shall ensure high-visibility vests are provided and worn by all volunteers.
- i. The Event Organiser must inform all relevant persons involved in the organisation of the event of the Conditions of Approval.
- j. The Event Organiser is to notify all Emergency Services of the event and associated road closures, including Orange Base and Blayney Hospitals.
- k. The Event Organiser is to notify all business proprietors and residents affected by the event at least 7 days prior to the event.
- l. The Event Organiser is to comply with the requirements of the "Guide to Traffic and Transport Management for Special Events" (version 3.5) dated 1 July 2018, for a Class 2 event.
- m. The Event Organiser will, advertise the temporary road closures, including a contact number for an event organiser, at least seven days prior to the event, in the local media.

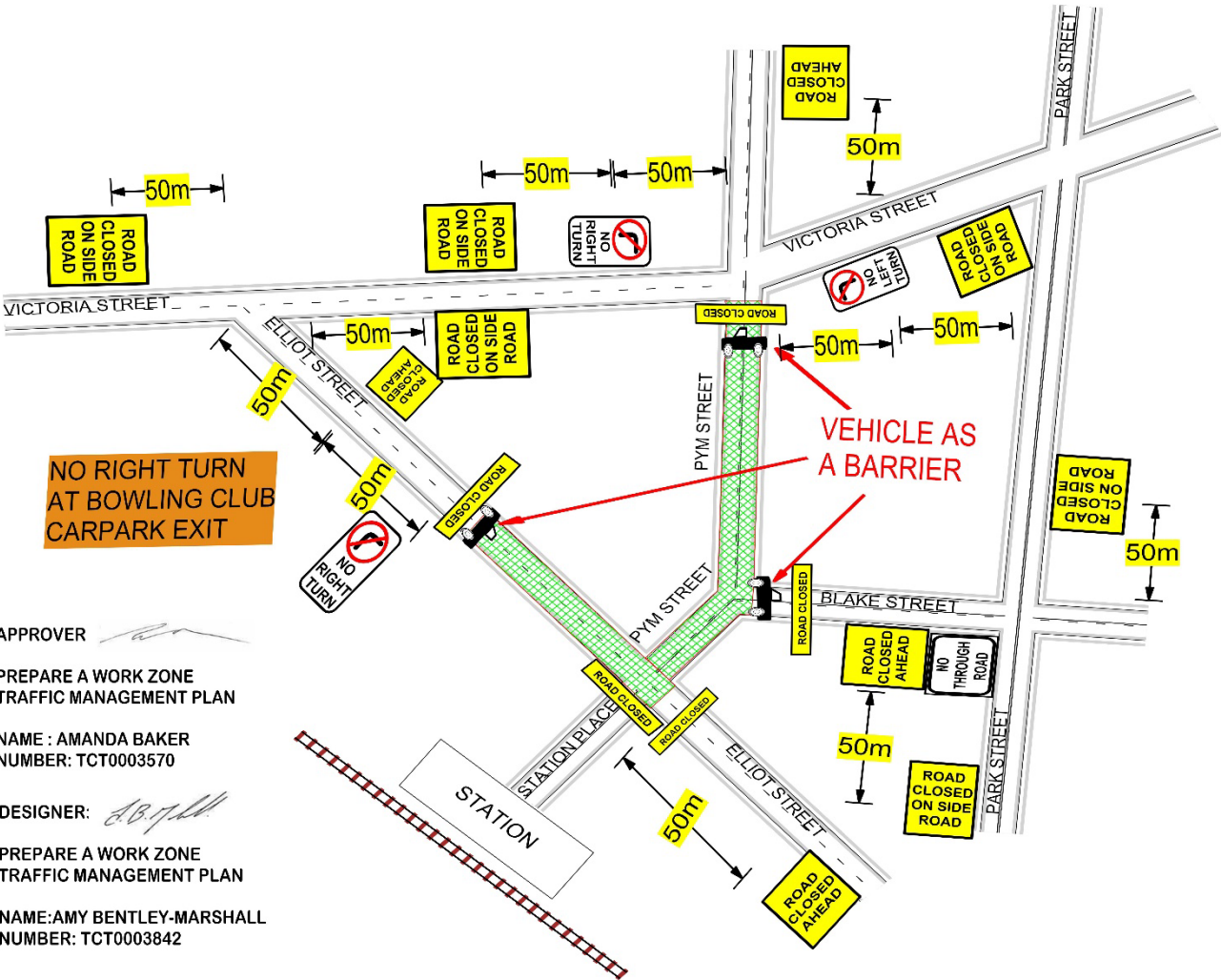
ITEM	YES	NO	N/A
Ganger has TCP on hand			
Spacing of signs as per TCP			
Traffic Controller has escape route			
On site variations noted on plan			
All signs and Traffic Controller clearly visible			
Pedestrian safety addressed			
Public vehicle movement addressed			

Time on_____ Time off_____

Signs checked_____am_____am
_____pm_____pm

Team leaders signature_____

Date_____



APPROVER _____

PREPARE A WORK ZONE
TRAFFIC MANAGEMENT PLAN

NAME : AMANDA BAKER
NUMBER: TCT0003570

DESIGNER: *AB*

PREPARE A WORK ZONE
TRAFFIC MANAGEMENT PLAN

NAME: AMY BENTLEY-MARSHALL
NUMBER: TCT0003842

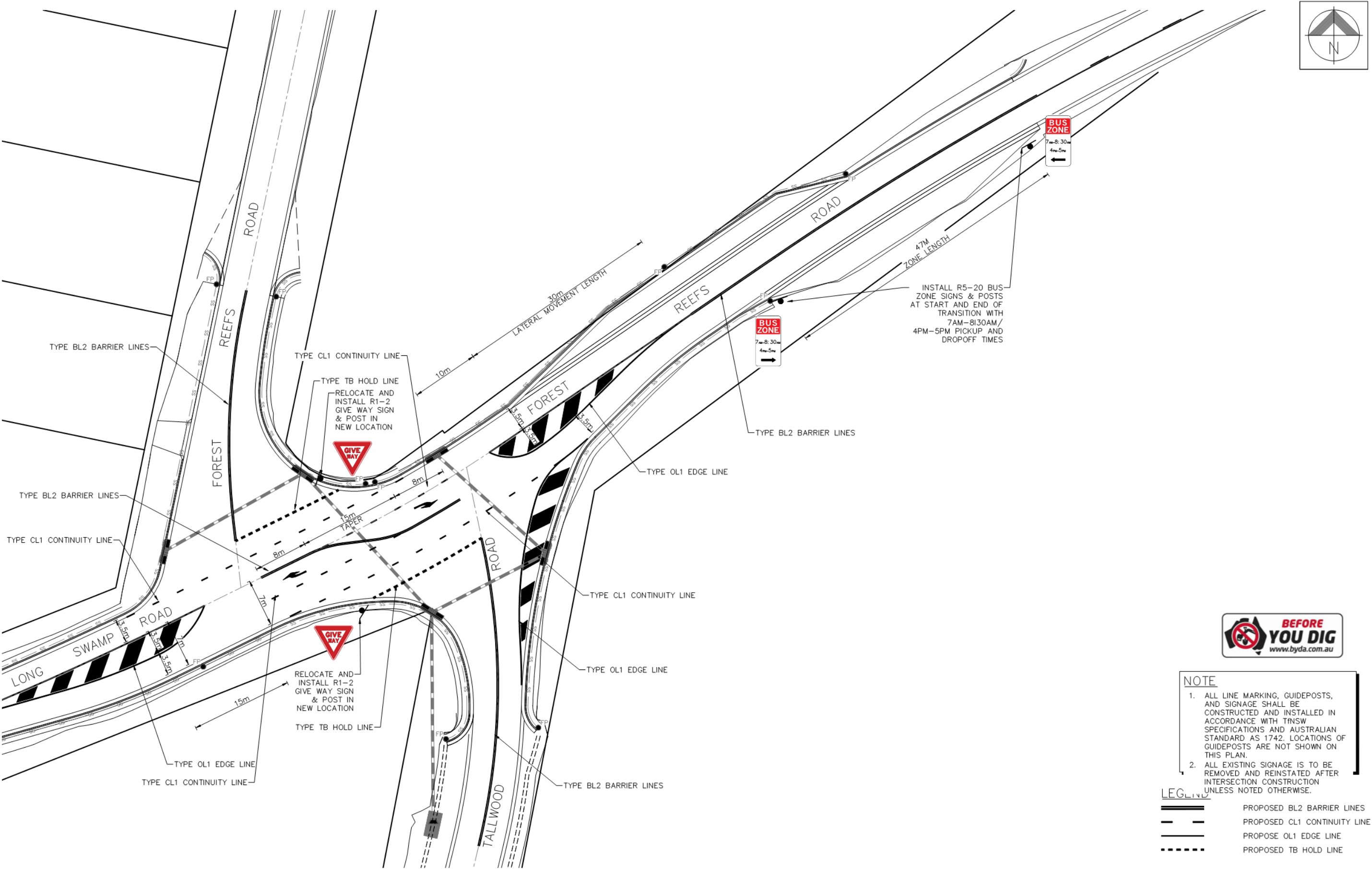
Date: 11/4/2024 Author: AMY BENTLEY-MARSHALL Project: MILLTHORPE MILLFEST

Comments:
TCP# 1142024 - mf



Millthorpe Winter Fire Festival will be held on Friday 2nd August 2024 - Road closure from 12pm -12am.
Site to be set up as per the TCP.
Modifications must only be made by a current Select/Modify ((PREPARE A WORK ZONE TRAFFIC MANAGEMENT PLAN) holder.
Any additional side roads are to be set up in the same manner.
Delineation to be placed as required for the works as set out in traffic control on worksites manual.
Pedestrians and driveways are to be monitored as required.
Signs can be place at +25% or -10% tolerance in distance from original position if required.

MIDWEST TRAFFIC MANAGEMENT





11) REPORT OF THE CENTRAL NSW JOINT ORGANISATION BOARD MEETING HELD 23 MAY 2024

Department: Executive Services

Author: Councillor Scott Ferguson

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

File No: GR.LR.3

Recommendation:

That Council note the report of the Central NSW Joint Organisation (CNSWJO) Board Meeting held 23 May 2024.

Reason for Report:

To provide Council with the Mayor's delegate report on the Central NSW Joint Organisation (CNSWJO) meeting.

Report:

Please find enclosed report from the Central NSW Joint Organisation Board meeting held 23 May 2024 in Lithgow. Mayor and General Manager attended on behalf of Blayney Shire Council.

Risk/Policy/Legislation Considerations:

Nil

Budget Implications:

Nil

Enclosures (following report)

- | | | |
|---|---|---------|
| 1 | Central NSW Joint Organisation Board Report | 8 Pages |
| 2 | Central NSW Joint Organisation Board Meeting Minutes - 23/05/2024 | 5 Pages |

Attachments (separate document)

Nil

**Report from the Mayor attending the
Central NSW Joint Organisation Board meeting
23 May 2024 in Lithgow**

Recommendations

That Council note the report from the Mayor on the Central NSW Joint Organisation (CNSWJO) Board meeting 23 May 2024

Please find following advice from the recent meeting of the Central NSW Joint Organisation Board meeting held in Lithgow on the 23 May 2024.

Board members were welcomed to Lithgow by Cr Maree Statham, Mayor of Lithgow City Council.

The Board welcomed Ms Jenny Aitchison, Minister for Regional Transport and Roads, to the meeting, as well as Ms Zena Bailly, Deputy Chief of Staff and Mr Alistair Lunn, Transport for NSW who accompanied the Minister.



Picture 1: The Central NSW JO Board Meeting in progress with Minister Aitchison

The Minister provided an update on the direction of Regional Transport and Roads which is guided by the Strategic Regional Integrated Transport Plans (SRITPs). The SRITPs will be integral to driving future change and direct transport governmental spending and consultation regarding them will occur in the second half of this calendar year.

The Minister offered members the opportunity to ask questions both within the meeting and on a one-on-one basis. Of note from her presentation is a new corridor strategy for the Great Western Highway over the Blue Mountains being funded by the Australian Government and delivered by the NSW Government. CNSWJO will provide follow-up.

The Board also received advice from Katrina Annis-Brown from the Office of Local Government including a new website to support the upcoming Council elections at [Local Government Elections - Office of Local Government NSW](#)

Finally, Ms Gerry Collins from what is currently the Department of Regional NSW provided an update regarding changes that will come into effect from 1 July 2024 including a name change to the Department of Primary Industries and Regional Development. Members raised concerns that the funding for councils in regional NSW has dropped dramatically including recurrent programs like Resources for Regions and funding through Destination NSW for events. This is having a significant budgetary impact on some members of the Joint Organisation.

The next meeting of CNSWJO will be followed by a day of engagement with federal representatives hosted by the Hon Kristy McBain, Minister for Regional Development, Local Government and Territories. Council is encouraged to provide advice on matters it would like to raise with federal representatives.



Picture 2: Members at the CNSWJO Meeting

Adoption of the Statement of Budget and Revenue

CNSWJO adopted its Statement of Budget and Revenue (the Statement) having put it on exhibition for 30 days. The budget includes a 3% increase in fees, below that of the IPART rate pegged rise for Councils of 4.5% - 5.5%. The Statement is available on the CNSWJO at [Statement-of-Budget-and-Revenue-2024-2025-Endorsed.pdf](#).

Submissions

The following submissions have been lodged since the last Board meeting. All have been at the request of members and/or as part of supporting the advocacy policy of the Board. All Submissions can be viewed on the website [Submissions - Central Joint Organisation \(nsw.gov.au\)](#)

- [Feedback on Draft TOR for Review of NSW Councils Financial Model](#)
- [Submission – Inquiry into Local Government to Funds Infrastructure and Services](#)
- [IPART Dam Safety NSW Levy](#)
- [Feedback on Cemeteries and Crematoria NSW Internment Services Levy](#)
- [MDB Plan V2 and buy-backs-Draft Restoring our Rivers Framework](#)
- [Alternate funding models –NSW Productivity Commission](#)

There are both state and federal inquiries regarding government financial sustainability underway. The CNSWJO submissions provide advice on both cost shifting and the extent to which poor state and federal processes, be they strategic, regulatory or funding frameworks; ultimately expend council resources in inefficient and costly ways. In the case of NSW Government Department strategy, CNSWJO has found that the development of state strategies for the region can take years, includes poorly designed consultation with local government. These processes may or may not lead to an output let alone an outcome, rarely if ever are implemented and have poor if any accountability- certainly not in place in our region.

Current examples are the more than five years of inputting into draft regional transport plans which are then dumped or five years on regional water strategies. The Transport Plan had several repetitive approaches as staff turned over/Machinery of Government changes occurred at Transport for NSW (TfNSW).

In its first iteration, the transport plan for the region undertook substantial cross agency engagement which had senior bureaucrats from agencies across the region working with senior TfNSW bureaucrats in a two day “Benefits Realisation” workshop. See at Picture 3 the output of this work. This approach to the transport plan was superseded by iteration two and this work was lost. The region is about to embark on iteration three as iteration two was axed with the change of government.

Where there are innumerable examples of cost shifting, a recent example is Modern Slavery Legislation. This has also had extensive resourcing impacts on local government and industry. Please find a Case Study on the next page. CNSWJO is undertaking this work collaboratively to try and reduce duplication both for suppliers and councils and as advised below will be receiving a more in-depth report.

Welcoming New Councillors to the Region

With support from two first term Councillors from Blayney Shire, Crs Pryse Jones and Gosewisch, a report was received on welcoming new Councillors to the region.

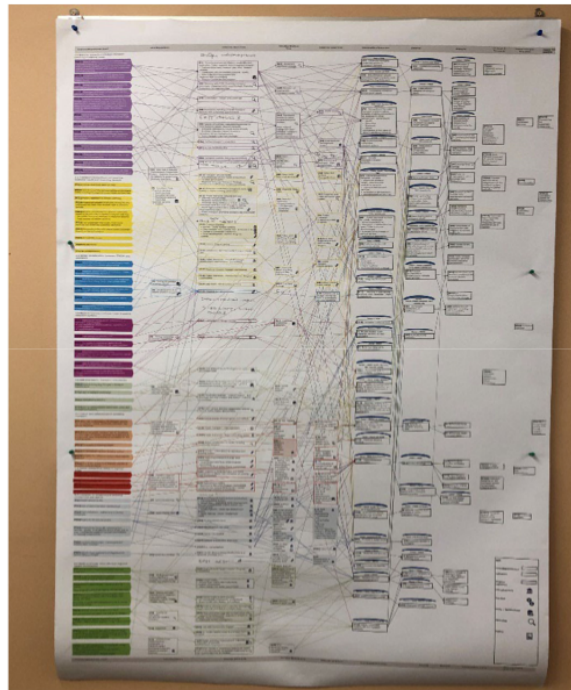
The Board resolved to hold a workshop in the fourth quarter of this year that;

- a. introduces new Councillors to the Joint Organisation providing advice on the value proposition;
- b. provides a deeper dive into one or two areas that incoming Councillors would benefit from for example Code of Conduct and Code of Meeting Practice; and
- c. seeks advice on other support incoming Councillors might like including an informal network.

Proforma reports coming to Council

Council will be receiving three reports in the near future from the Joint Organisation (JO).

This first is on the current status of tourism services delivered by the JO and their value. Where CNSWJO was successful in advocating for a Destination Network for this region, this entity is not allowed to undertake marketing. It is important that Council understands where its funding for destination marketing though the JO is going and the value it is accruing as well as the changing service levels for the visitor economy from regional peak organisations.



Picture 3: Table cloth sized output of a 2 day workshop of key senior staff in TfNSW and other agencies. The font is 9pt. This approach was ultimately superseded. The work was lost.

The second will be on the transition Local Water Utility Strategic Planning into Integrated Planning and Reporting was initiated following recommendations from various pilot studies conducted by the CNSWJO and the Department of Climate Change, Environment, Energy and Water (DCCEEW) through the Town Water Risk Reduction Program (TWRRP)- phase one. Further exploration of this process was recommended by the independent evaluation of the TWRRP but not picked up by DCCEEW in round two of the TWRRP. What was picked up was a recommendation to further explore legislative gaps by the DCCEEW in regulating local water utilities (LWU). The risk here is that the DCCEEW develop a duplicative and resource and cost intensive regulatory framework for LWU strategic planning where council's already have an existing framework- IP&R regulated by the Office of Local Government.

The opportunity is for the CNSWJO Water Utilities Alliance and other councils to demonstrate that this integration of strategic planning is a solution to challenges that the state agency is having in managing their own approvals through their Regulatory and Assurance Framework for LWU introduced on 1 July 2022. CNSWJO has developed a toolkit for members with funding from the Office of Local Government and this will be an attachment to the proforma report.

A previous Auditor General's Report was scathing about NSW Government support for water utilities [Support for regional town water infrastructure | Audit Office of New South Wales \(nsw.gov.au\)](#) and its management of its regulatory framework. There is a significant risk that the previous poor practice of this agency will resurface. This includes being unable to resource its regulatory role and will ultimately lead to greater workloads for Councils, poor funding outcomes and a repeat of the advice from the Auditor General. Resolve from Council supporting the use of IP&R enabled by the toolkit developed by CNSWJO will be sought in the report coming to Council.

The third report will be provided on Modern Slavery. Goal posts continue to change for Council as it seeks to navigate the ongoing guidance and regulation. General Managers of the region expressed concern at the challenges as identified in the Case Study above and are seeking to minimise duplication between the regional effort and what Council is doing locally.

Case Study – Modern Slavery Legislation – how an under resourced State entity drives costs up for Local Government and their suppliers

Everyone supports the idea of fighting modern slavery through better supply chains. How should this be implemented?

As it stands, councils must manage the modern slavery risks of their supply chains including international businesses. Every council, every supply chain. Councils must report their compliance in a Formal Annual Report to the Auditor General, annually online with the Anti-Slavery Commission and as from 1 July, 2024 Online Reporting to the Anti-Slavery Commission for all contracts arising from any high risk procurement with a value of \$150K within 45 days from the date of contract.

Suppliers deemed high risk must be surveyed. Surveys alone are not enough, councils must also demonstrate due diligence and show what they are doing to reduce the risks including following up non respondents and offering them support in lowering their risks. All suppliers must be informed of their ratings. The total list of suppliers for Bathurst Regional Council is approximately 4,000, with over 100 currently rated as high risk. The estimate for the CNSWJO region's members is 14,600, with a lot of overlap.

Meanwhile the advice on the Federal Attorney General's website is that though they have a Register for Modern Slavery they do not check the veracity of the advice therein. Checking become councils' job. The Commissioner suggests that this could include contacting business directly – hopefully councils have staff fluent in the languages of those countries viewed as high risk.

To be compliant there are 14 questions on Modern Slavery in every procurement activity the CNSWJO undertakes. Every supplier responding to Requests for Quotation and Tender must respond to these questions. The Commissioner's guidance is suggesting these questions should be weighted between 5-10%. This competes with other criteria like safety, capability, quality, environmental, pricing and supporting local providers.

CNSWJO is undertaking this work collaboratively to try and reduce duplication both for suppliers and councils and can report that suppliers are furious.

Case Study: Modern Slavery Legislation

Water

The water report provided an update on progress on three operational and strategic projects under Priority Six: Regional Water Security and Productive Water as identified in the Water Utilities Alliance Strategic Plan:

- Regional Water Loss Management Centres Project;
- Transitioning Local Water Utility Strategic Planning into Integrated Planning and Reporting; and
- Regional Asset Management Assessments.

It sought Board endorsement of the Toolkit with support funding from the Office of Local Government designed to assist councils to transition local water utility strategic planning into the Integrated Planning and Reporting framework. Support to formally present the Toolkit to the Department of Climate Change, Energy, the Environment-Water and to approach the NSW Water Directorate to set up a practitioner group of interested councils from across the state to raise the profile of using the existing Integrated Planning and Reporting framework for local water utility strategic planning is also sought.

Advice was provided on work under the Water Loss Management project funded by the NSW Government to provide a framework for the economic analysis of the value of water conservation for the inland regional NSW context. This is critically important work as the value of urban water has been broadly overlooked in the prioritisation process for Regional Water Strategies as they make the assumption that no community will run out of water and so the benefit of avoiding the costs of running out of water have not been included.

Planning continues with Charles Sturt University for a Productive Water Policy Lab this year. All Councilors should have received a place holder for 30/31 July in their calendars. The Board resolved to ask Phil Donato, Member for Orange, to organise a round table with state and federal representation to progress advocacy on water for the region.

Disaster Risk Reduction Program

Disaster has varying priority across the region where with climate change there will be more severe storms and longer hotter droughts. Flooding and bushfire have been identified as the two significant disaster challenges for the communities of Central NSW. For some members of CNSWJO the impacts of disasters have been top of mind. For all councils the funding framework for disasters and the challenges of inundated road networks is ongoing.

Using the advocacy strength of eight JOs working together, CNSWJO is seeking to derive systemic change and local outcomes through its collaborative approach to the Disaster Risk Reduction Fund. The Disaster Risk Reduction Fund (DRRF) is jointly funded by the Australian and New South Wales governments. Round One project is near completions and has;

- provided Councils with a needs analysis on disaster risk reduction;
- provided advice to the JO on how Councils can be supported with gaps and optimisation going forward;
- delivered workshops across the region simulating disasters;
- developed a toolkit for embedment in IP&R that recognises that Councils have variable priority for disaster risk preparedness based on their risks; and
- built a network across regional NSW including with State agencies that is seeking to
 - have one source of truth for spatial data owned and administered by the NSW Government through Spatial NSW;
 - improve outcomes for councils in the funding frameworks;
 - systemize response and recovery to offer communities and Council greater certainty during disaster.

Participants in workshops creating the Disaster Risk Reduction IP&R framework identified the necessity of a Regional IP&R Group. This group intends to convene quarterly, comprising council staff and other stakeholders to provide guidance, share information, and oversee the integration of various programs. Its role is to foster collaboration between councils and the state government, aligning with ISO 55000 asset management standards. The Board agreed to establish this group.

A funding application for Round 2 has been lodged to continue this program.

Energy

There is a substantial amount of activity being undertaken to address the energy priority of the CNSWJO. Current work includes;

- delivering the cross Joint Organisation Net Zero Accelerator (JONZA) program, funded by the NSW DCCEEW's Sustainable Councils program to deliver net zero outcomes to member councils;
- leading the Southern Lights program [Southern Lights - Central Joint Organisation \(nsw.gov.au\)](https://www.nsw.gov.au/southern-lights) where the most recent work has been participating in the Australian Energy Regulator program negotiating better pricing for Councils for street lighting; and
- progressing the implementation Business Case for the Nexus Between Energy Security and Emissions, funded under the Regional NSW Business Case and Strategy Development Fund.

Councils have provided advice that they are interested in doing more about waste emissions. The JO is investigating opportunities here where there is no navigable pathway obvious at present.

Meanwhile, the work across the region in EV and low emission fleet has seen growing interest from member Councils. The very successful EV showcase coordinate by the JO in Parkes in October 2023 will be repeated next calendar year – even bigger and better where there has been an offer to bring low emission buses to the region. All Councillors will be welcomed and an invitation will be provided in due course.



Picture 4: Electric truck at Parkes



Picture 5: Electric cars at Parkes

With the change of government and the changes to Regional NSW including funding streams, a rethink of the implementation Business Case for the Nexus Between Energy Security and Emission is needed including buy-in from Essential Energy and NSW Government agencies. CNSWJO staff have begun this work and advice will be provided in due course.

Advice from members

There is an opportunity for members to provide advice on matters of regional interest. Council is welcome to formally raise matters with the JO at any time including seeking grant funding and submission support.

Matters raised by members at the meeting were:

- Oberon – Forestry Corporation has announced the proponents for the wind towers to be built in region;
- Blayney – Western Regional Academy of Sport is amalgamating back of house administration with other academies. An update will be provided to members in due course; and
- Lithgow – the price of fuel – advice will be provided in the next Transport Report to the Board.

Value to Council

80% of CNSWJO resources are dedicated to providing its operational support program. This program delivers a return on investments of 9.4:1 for every dollar Council spends on its membership fees. This value is made up of grant income, monies saved through the CNSWJO procurement program and public relations value from its tourism marketing.

The work the region does in writing submissions, media, supporting projects and project teams, developing collateral and providing opportunities for members in various forums to represent their views is not included in the above figure of 9.4:1 ROI. However, this value is reported quarterly to the Board. Please go to the CNSWJO website to review past Board agendas at <https://www.centraljo.nsw.gov.au/business-papers-agendas/> or to review last year's Annual Statement please go to [2023 STATEMENT \(nsw.gov.au\)](#)

Grant funded projects for the 2022/2023 year were:

- The Joint Organisation Net Zero Acceleration Program;
- Disaster Risk Reduction Fund program;
- Bridge Assessments;
- Come Out We're Open flood recovery program
- A Business Case for Priority Investment in the Nexus between Net Zero and Energy Security;
- A Regional Centre of Excellence in Water Loss Management;
- Transitioning Integrated Water Cycle Management Plans to Integrated Planning and Reporting; and
- A Spare Capacity in Housing Project.

Most of these are being finalised this year or are ongoing. Further applications have been made for programs under the auspices of the Board – please request advice on their status.

This value is delivered primarily by the various operational teams across the region including the CNSWJO;

- General Managers' Advisory Committee
- Water Utilities' Alliance
- Transport Technical Committee
- Tourism Managers Group
- Planners' Group
- Human Resources Managers Group
- WHS/Risk Management Group
- Training, Learning and Development Group
- Net Zero Group
- Regional IT Group
- Building Surveyors Skills Shortages Working Group
- Disaster Risk Reduction Steering Committee
- Fleet Managers Group (new!)
- Integrated Planning and Reporting Group (new!)

Conclusion

The CNSWJO continues to deliver very good value to Council. Please contact the Executive Officer, Ms Jenny Bennett for more information.

Attachment

Draft Minutes of the CNSWJO Board meeting 23 May 2024

Draft Minutes of the Board meeting 23 May 2024 held in Lithgow**In Attendance***

Cr J Jennings	Bathurst Regional Council	Cr P Phillips	Lachlan Shire Council
Cr S Ferguson	Blayney Shire Council	Cr M Statham	Lithgow City Council
Cr K Beatty	Cabonne Council	Cr M Kellam	Oberon Council
Cr R Fagan	Cowra Shire Council	Cr J Hamling	Orange City Council
Cr C Roylance	Forbes Shire Council Deputy Mayor	Cr P Best	Weddin Shire Council Deputy Mayor

Associate Member delegates and others attending

Mr N Southorn	Bathurst Regional Council	Cr A McKibbin	UMCC
Mr M Dicker	Blayney Shire Council	Ms C Weston	RDACW
Mr B Byrnes	Cabonne Council	Ms K Annis-Brown	OLG
Mr P Devery	Cowra Shire Council	Ms G Collins	Regional NSW
Mr S Loane OAM	Forbes Shire Council	Ms J Bennett	CNSWJO
Mr G Tory	Lachlan Shire Council	Ms M Macpherson	CNSWJO
Mr R Gurney	Lithgow City Council	Ms K Barker	CNSWJO
Mr G Wallace	Oberon Council	Ms J Parish	CNSWJO
Mr D Waddell	Orange City Council	Ms E Grimm	CNSWJO
Mr K Boyd PSM	Parkes Shire Council	The Hon Jenny Aitchison MP	Minister for Regional Transport and Roads
Ms N Vu	Weddin Shire Council	Ms Zena Bailly	Deputy Chief of Staff
Cr A Rawson	Central Tablelands Water	Mr Alistair Lunn	Transport for NSW
Mr G Rhodes	Central Tablelands Water		

Weston*Voting members in **bold**

Meeting opened at 10.05am by Chair Cr Kevin Beatty

- The Chair welcomed the Board to the meeting and the Mayor of the City of Lithgow, Cr Maree Statham, welcomed attendees to Lithgow.**
- Acknowledgement of Country**
- Apologies, applications for a leave of absence by Joint Voting representatives**
Cr C Bembrick, Cr P Miller OAM, Cr N Westcott, Mr D Sherley, Mr P Donato MP

Resolved	Cr J Hamling / Cr M Kellam
That the apologies for the Central NSW Joint Organisation Board meeting 23 May 2024 listed above be accepted.	

4. Conflicts of Interest

Resolved	Cr R Fagan / Cr M Kellam
Nil declared	

5. Minutes**5a Noting of the Minutes of the CNSWJO GMAC Meeting held 2 May in Oberon**

Resolved	Cr M Statham / Cr R Fagan
That the Minutes of the CNSWJO GMAC Meeting held 2 May 2024 in Oberon were noted.	

5b Confirmation of the Minutes of the CNSWJO Board Meeting 29 February in Condobolin

Resolved	Cr J Hamling / Cr R Fagan
That the Minutes of the CNSWJO Board Meeting held 29 February in Condobolin were accepted.	

6. Business Arising from the Minutes - Matters in Progress

Resolved	Cr M Kellam / Cr P Best
That the Central NSW Joint Organisation Board note the Matters in Progress, making deletions as suggested.	

7. Reports on Statement of Regional Strategic Priority 2022-2025**Priority One: Leveraging our successful collaboration****7a Financial Report**

Resolved	Cr J Hamling / Cr M Statham
That the Board note the Financial Report.	

7b Budget and Statement of Revenue Policy 2024-2025

Resolved	Cr P Best / Cr P Phillips
That the Board adopt the Budget and Statement of Revenue Policy 2024-2025.	

7c Advocacy Report

Resolved	Cr J Hamling / Cr R Fagan
<p>That the Board note the Advocacy Update and endorse</p> <ol style="list-style-type: none"> the changes to key messaging for water advocacy; quarterly media be issued regarding Council financial sustainability; and the following submissions be endorsed; <ol style="list-style-type: none"> Feedback on Draft TOR for Review of NSW Councils Financial Model Submission – Inquiry into Local Government to Funds Infrastructure and Services IPART Dam Safety NSW Levy Feedback on Cemeteries and Crematoria NSW Internment Services Levy MDB Plan V2 and buy-backs-Draft Restoring our Rivers Framework Alternate funding models –NSW Productivity Commission seek membership from the Board for a subcommittee to provide oversight of the review of the Statement of Strategic Regional Priority; and receive updated advice from staff on advocacy messaging to make critical town water the number one priority of the Water Advocacy Plan. 	

7d Regional Procurement and Contracts

Resolved	Cr M Kellam / Cr P Best
That the Board note the Regional Procurement and Contracts Report and approve the updates to the procurement plan.	

7e Welcoming New Councillors to the Region

Resolved	Cr J Hamling / Cr M Kellam
<p>That the CNSWJO Board note the Welcoming New Councillors to the Region report and;</p> <ol style="list-style-type: none"> hold a workshop in the fourth quarter of this calendar year for new Councillors that: <ol style="list-style-type: none"> introduces new Councillors to the Joint Organisation providing advice on the value proposition; provides a deeper dive into one or two areas that incoming Councillors would benefit from for example Code of Conduct and Code of Meeting Practice; and seeks advice on other support incoming Councillors might like including an informal network; and note that CNSWJO provides incoming Council sessions tailored to Councils' needs; progress the above initiative under the auspices of the Opt in Subcommittee Mayors and interested General Managers; and thank Crs Pryse Jones and Gosewisch for their advice and support of this work to date. 	

10:25 The Minister for Regional Transport and Roads, The Hon Jenny Aitchison MP

Ms Zena Bailly, Deputy Chief of Staff and Mr Alistair Lunn, Transport for NSW accompanied the Minister. The Minister provided an update on the direction of Regional Transport and Roads which is guided by the Strategic Regional Integrated Transport Plans (SRITPs). The Minister emphasised that she needs to hear about any roads and transport issues so they can be identified and assessed. The SRITPs will be integral to driving future change and direct transport governmental spending. The Minister offered members the opportunity to ask questions both within the meeting and on a one-on-one basis.

11:40 The Minister left the meeting to speak to individual Council representatives.**7f Disaster Risk Reduction Fund Program Report**

Resolved	Cr F Fagan / Cr P Best
That the Board note the Disaster Risk Reduction Fund report and;	
1. endorse the GHD Regional Opportunities and Joint Organisation Opportunities reports;	
2. endorse the Disaster Risk Reduction Fund Integrated Planning & Reporting (IP&R) Framework, including supporting tools and templates; and	
3. endorse the draft Terms of Reference for a Regional IP&R Group.	

7g Requirement of CNSWJO to have an Audit Risk and Improvement Regulations

Resolved	Cr J Hamling / Cr P Best
That the Board note the report on the Requirement for CNSWJO to have an Audit Risk and Improvement Committee (ARIC) and	
1. await formal advice from the Office of Local Government on Regulatory and Legislative change for a fit for purpose Audit Risk and Improvement Framework for Joint Organisations;	
2. provide in principle support for a cross Joint Organisation risk management and improvement framework;	
3. receive a report on CNSWJO risk management that considers its alignment with regulation; and	
4. continue to seek exemption until the mooted legislative changes are finalised.	

Priority Five: Regional Transport Planning and Infrastructure Prioritisation**7h Transport**

Resolved	Cr M Kellam / Cr S Ferguson
That the Board note the transport report and endorses the Central NSW Joint Organisation Implications of Severe Weather Events on the Local and Regional Road Network ('Fix Me') report.	

Priority Six: Regional Water Security and Productive Water**7i Regional Water Report**

Resolved	Cr J Hamling / Cr K Kellam
That the Board note the Regional Water Report and:	
1. correspondence be sent to the Department of Climate Change Energy and the Environment - Water thanking them for supporting the work by Frontier Economics on the economic analysis of the value of water conservation;	
2. endorse the Toolkit to assist councils to transition local water utility strategic planning into the Integrated Planning and Reporting framework noting that it will be iterative;	
3. correspondence be sent under the hand of the Chair to Jane Shepherd, Director Local Water Utilities presenting the Toolkit to transition local water utility strategic planning into the Integrated Planning and Reporting framework and thanking her for enabling the engagement of their staff in its design;	
4. correspondence be sent under the hand of the Chair to the Executive Officer of the NSW Water Directorate formally requesting facilitation of a practitioner's group of councils from across the state interested in transitioning their local water utility strategic planning into the Integrated Planning and Reporting framework using the Central NSW Joint Organisation Toolkit;	

5. members receive a proforma report endorsing the Integrated Planning and Reporting framework as the regulatory mechanism for water strategy; and
6. seek to have the Town Water Commissioner reinstated.

7j Charles Sturt University Policy Lab on Productive Water Report

Resolved	Cr R Fagan / Cr M Kellam
That the Board note the Charles Sturt University Policy Lab on Productive Water Report and;	
1. encourage Councillors to attend the Charles Sturt University Policy Lab on productive water; and	
2. correspondence be sent to Charles Sturt University thanking them for their work on the Policy Lab.	

Priority Seven: Transition to a sustainable, secure and affordable energy future**7k Energy Program Report**

Resolved	Cr M Kellam / Cr R Fagan
That the Board note the Energy Program Report and	
1. endorse the activities included in the JONZA Round 2 application to the NSW Dept of Climate Change, Energy, the Environment and Water's (DCCEEW) Sustainable Councils Program;	
2. note the regional application for pools to the Community Energy Upgrades Fund will be delayed until Round 2 to allow more detailed analysis and other funding sources to be identified to assist with co-contribution;	
3. endorse the final reports for the additional 1, 2 and 3 workstream reports for the Business Case on the Nexus Between Energy Security and Emissions Reduction; and	
4. receive a briefing note in due course regarding the impact on councils as a result of the AER's final decision in relation to public lighting through the 2024-2029 Pricing Determination.	

8. Quarterly Review of the Central NSW JO Strategic Plan and Statement of Regional Strategic Priority 2022-2025

Resolved	Cr P Phillips / Cr R Fagan
That the Board note the Quarterly Review of the Central NSW JO Strategic Plan and Statement of Regional Strategic Priority 2022-2025 and;	
1. lodge a Final Report to the Office of Local Government for the second round of funding of 150K to support the inception of Joint Organisations under the hand of the Chair;	
2. note the advice on the value of tourism provided below and request that the Mayoral Board Report include detailed advice on the value of tourism to member councils;	
3. note Chairing and administration of the CNSWJO Tourism meetings is to be updated;	
4. seek advice from Destination NSW regarding funding; and	
5. the value of events.	

12:00 noon: Gifts presented to Mr Gavin Rhodes and Mr Craig Butler for their service to the region as they are leaving their roles. This gift for Mr Butler was accepted by Cr M Statham in his absence.

9. Joint Organisation Transition Report

Resolved	Cr J Hamling / Cr M Kellam
That a meeting be held to manage staff transition as soon as possible.	

10. Regional NSW Update – Ms Gerry Collins**11. Office of Local Government Update – Ms Katrina Annis-Brown****12. Late Reports - Nil**

13. Matters raised by Members

- Oberon – Forestry Corporation has announced the proponents for the wind towers to be built in region.
- Blayney – Western Regional Academy of Sport is amalgamating back of house administration with other academies. An update will be provided to members in due course.
- Lithgow – the price of fuel – advice will be provided in the next transport report to the Board.
- The Chair of RDA Central West advised that a report will be provided from RDACW to the next meeting.

14. Speakers to next meeting – UGL, Destination NSW

15. Next meetings

Board:

- 21 August in the afternoon in Canberra, location TBC.
22 August – Federal Parliament
- 27 November in the afternoon in Sydney, location TBC
28 November – State Parliament

GMAC:

- 25 July 2024 – Parkes

Meeting closed: 12:40

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Matters to be dealt with in closed committee

In accordance with the Local Government Act (1993) and the Local Government (General) Regulation 2021, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

12) CONTRACT S1 2024 FOR SUPPLY AND DELIVERY OF BITUMEN EMULSION

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