



21 November 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, 26 November 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) Statement of Ethical Obligations
- (5) Apologies for non-attendance
- (6) Disclosures of Interest
- (7) Public Forum
- (8) Mayoral Minute
- (9) Confirmation of Minutes - Ordinary Council Meeting held on 22.10.24
- (10) Matters arising from Minutes
- (11) Reports of Staff
  - (a) Executive Services
  - (b) Corporate Services
  - (c) Infrastructure Services
  - (d) Planning and Environmental Services
- (12) Delegates Reports

Mark Dicker  
**General Manager**

## **Meeting Calendar 2024 / 2025**

### **November**

<b><u>Time</u></b>	<b><u>Date</u></b>	<b><u>Meeting</u></b>	<b><u>Location</u></b>
6.00pm	25 November 2024	McPhillamys CCC Meeting	Community Centre
6.00pm	26 November 2024	Council Meeting	Community Centre
8.30am	27 November 2024	Orange 360 Board Meeting	Community Centre

### **December**

<b><u>Time</u></b>	<b><u>Date</u></b>	<b><u>Meeting</u></b>	<b><u>Location</u></b>
10.00am	6 December 2024	Traffic Committee Meeting	Community Centre
10.00am	11 December 2024	Central Tablelands Water Meeting	Canowindra
6.00pm	17 December 2024	Council Meeting	Community Centre

### **January**

Nil

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**HELD ON TUESDAY 26 NOVEMBER 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.

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

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

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

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

## **STATEMENT OF ETHICAL OBLIGATIONS**

Councillors are reminded of their oath or affirmation of office made under section 233A of the Local Government Act and their obligations under the Council's Code of Conduct to disclose and appropriately manage conflicts of interest.



**01) MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 22 OCTOBER 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 22 October 2024, being minute numbers 2410/001 to 2410/032 be confirmed.

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY CENTRE, ON 22 OCTOBER 2024, COMMENCING AT 6.00PM**

**Present:** Crs B Reynolds (Mayor), R Scott (Deputy Mayor), I Dorsett, C Gosewisch, K Hutchings, J Newstead and M Pryse Jones (via audio visual link)

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)

**2410/001 REQUEST FOR REMOTE ATTENDANCE****RESOLVED:**

That Council approve the attendance of Councillor Pryse Jones to the October 2024 Council Meeting by audio visual link.

(Scott/Gosewisch)

**CARRIED**

**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 Gosewisch	Pecuniary	11	48	Cadia Valley Operations Community Consultative Committee	Employee of Cadia Valley Operations

## **CONFIRMATION OF MINUTES**

### **MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 27 AUGUST 2024**

**2410/002**

#### **RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 27 August 2024, being minute numbers 2408/001 to 2408/018 be confirmed.

(Newstead/Gosewisch)  
**CARRIED**

### **MATTERS ARISING FROM THE MINUTES**

Nil

### **MINUTES OF THE PREVIOUS EXTRAORDINARY COUNCIL MEETING HELD 3 OCTOBER 2024**

**2410/003**

#### **RESOLVED:**

That the Minutes of the Extraordinary Council Meeting held on 3 October 2024, being minute numbers 2410/E001 to 2410/E008 be confirmed.

(Scott/Hutchings)  
**CARRIED**

### **MATTERS ARISING FROM THE MINUTES**

Nil

## **EXECUTIVE SERVICES REPORTS**

### **2023/24 AUDITED FINANCIAL STATEMENTS**

**2410/004**

#### **RESOLVED:**

That Council adopt the 2023/24 Financial Statements and accept the Auditor's Report, as submitted by the NSW Audit Office.

(Pryse Jones/Newstead)  
**CARRIED**

### **PRESENTATION**

Presentation of Financial Statements – Farisha Ali from NSW Audit Office and Katy Henry from Intentus

### **QUARTERLY OUTSTANDING RESOLUTION REPORT**

**2410/005**

#### **RESOLVED:**

That Council note the Outstanding Resolution Report to September 2024.

(Newstead/Dorsett)  
**CARRIED**

**COUNCIL MEETING DATES**

**2410/006 RESOLVED:**

That Council:

1. Adopt the following dates for Ordinary Meetings of Council for the next 12 months, to be held at 6.00pm predominantly in the Blayney Shire Community Centre:
  - 26 November 2024
  - 17 December 2024
  - 25 February 2025
  - 25 March 2025
  - 22 April 2025
  - 27 May 2025
  - 24 June 2025
  - 22 July 2025
  - 26 August 2025
  - 23 September 2025
2. Amend and update section 3.1 of Policy 1C – Code of Meeting Practice to reflect the change in meeting day and time.

(Scott/Pryse Jones)

**CARRIED**

**COUNTRY MAYORS ASSOCIATION**

**2410/007 RESOLVED:**

That Council confirm the Mayor and General Manager as Blayney Shire Council delegates to the Country Mayors Association of NSW.

(Dorsett/Gosewisch)

**CARRIED**

**ASSOCIATION OF MINING AND ENERGY RELATED COUNCILS NSW**

**2410/008 RESOLVED:**

That Council confirm the Mayor and General Manager as Blayney Shire Council delegates to the Mining and Energy Related Councils NSW.

(Newstead/Dorsett)

**CARRIED**

**CENTRAL NSW JOINT ORGANISATION (CNSWJO) BOARD**

**2410/009 RESOLVED:**

That Council confirm the Mayor as Blayney Shire Council Delegate and Deputy Mayor as the Alternate Delegate to the Central NSW Joint Organisation (CNSWJO) Board.

(Dorsett/Pryse Jones)

**CARRIED**

**MCPHILLAMYS GOLD PROJECT COMMUNITY  
CONSULTATIVE COMMITTEE****2410/010****RESOLVED:**

That Council;

1. Appoint Councillor Reynolds as Blayney Shire Council representative to the McPhillamys Gold Project Community Consultative Committee.
2. Appoint the General Manager as Blayney Shire Council alternate representative to the McPhillamys Gold Project Community Consultative Committee.

(Newstead/Pryse Jones)

**CARRIED****FLYERS CREEK COMMUNITY CONSULTATIVE COMMITTEE****2410/011****RESOLVED:**

That Council;

1. Appoint Councillor Pryse Jones as Blayney Shire Council representative to the Flyers Creek Community Consultative Committee.
2. Appoint the Director of Planning & Environmental Services as Blayney Shire Council alternate representative to the Flyers Creek Community Consultative Committee.

(Newstead/Pryse Jones)

**CARRIED**

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

**CADIA VALLEY OPERATIONS COMMUNITY CONSULTATIVE  
COMMITTEE****2410/012****RESOLVED:**

That Council;

1. Appoint Councillor Pryse Jones as Blayney Shire Council representative to the Cadia Valley Operations Community Consultative Committee.
2. Appoint the Director of Planning & Environmental Services as Blayney Shire Council alternate representative to the Cadia Valley Operations Community Consultative Committee.

(Newstead/Pryse Jones)

**CARRIED**

Cr Gosewisch returned to the Chambers.

**2410/013** **ORANGE360 BOARD DELEGATE****RESOLVED:**

That Council:

1. Appoint Councillor Pryse Jones as the nominated Council representative and as the Director to the Board of TDO Limited trading as Orange360, and
2. Appoint Councillor Gosewisch as the alternate Council representative to the Board of TDO Limited trading as Orange360.

(Gosewisch/Scott)

**CARRIED****2410/014** **BLAYNEY SHIRE FINANCIAL ASSISTANCE PROGRAM COMMITTEE****RESOLVED:**

That Council;

1. Endorse the Blayney Shire Financial Assistance Program Committee;
  - a. as a Committee of Council to exercise its functions on Council's behalf as per section 355(b) of the NSW Local Government Act (1993) and division 5 (s259-271) of the Local Government Regulations (2005);
  - b. with a quorum of 5; and
  - c. with the appointment of the following members:
    - 2 Councillors; and
    - General Manager (or their delegate) of Newmont Mining; and
    - Delegate from the Flyers Creek Wind Farm; and
    - 5 community representatives.
2. Delegate the role to the Blayney Shire Financial Assistance Program Committee, in accordance with s356 of the Local Government Act (1993), the Blayney Shire Community Financial Assistance Policy and current Blayney Shire Community Financial Assistance Guidelines, to;
  - a. undertake the assessment of applications received;
  - b. provide detailed recommendations to Council for the granting or otherwise of such financial assistance;
  - c. review on an annual basis and make recommendations to Council Recurrent Annual Donations List.
3. Appoint Councillor Scott as Chair, of the Blayney Shire Financial Assistance Program Committee.
4. Appoint Councillor Hutchings as a member and alternate chair, of the Blayney Shire Financial Assistance Program Committee.
5. Proceed to undertake a public Expression of Interest process seeking nominations for community members interested in being appointed by Council to the committee.

(Newstead/Hutchings)

**CARRIED**

**WESTERN REGIONAL PLANNING PANEL****2410/015****RESOLVED:**

That Council:

1. Endorse and nominate Heather Nicholls – Deputy General Manager, Cabonne Council as one member of the Blayney Shire Council Western Regional Planning Panel.
2. That Council endorse and nominate Councillor Scott as one member of the Blayney Shire Council Western Regional Planning Panel.
3. That Council endorse and nominate Councillor Newstead as an alternate member of the Blayney Shire Council Western Regional Planning Panel.

(Newstead/Gosewisch)

**CARRIED****BLAYNEY SHOWGROUND USER GROUP****2410/016****RESOLVED:**

That Council:

1. Proceed to create a Blayney Showground User Group Committee.
2. Develop a charter for the Showground User Group.
3. Appoint Councillor Gosewisch as Chair of the Blayney Showground User Group.
4. Appoint Councillor Pryse Jones to the Blayney Showground User Group (and as alternate Chair).

(Pryse Jones/Newstead)

**CARRIED****NSW RURAL FIRE SERVICE CANOBOLAS ZONE BUSHFIRE MANAGEMENT AND LIAISON COMMITTEES****2410/017****RESOLVED:**

That Council, for both the NSW Rural Fire Service Canobolas Zone Bushfire Management Committee and Liaison Committee;

1. Appoint Councillor Reynolds and the Director Infrastructure Services as Council representatives
2. Appoint Councillor Dorsett as the alternate representative.

(Newstead/Scott)

**CARRIED****BLAYNEY SHIRE AUSTRALIA DAY COMMITTEE****2410/018****RESOLVED:**

That Council:

1. Appoint the Mayor as Blayney Shire Council delegate to the Blayney Shire Australia Day Committee.
2. Review the structure of the Australia Day Committee following the 2025 Australia Day event.

(Gosewisch/Newstead)

**CARRIED**

**BLAYNEY SHIRE AUDIT, RISK AND IMPROVEMENT COMMITTEE****2410/019****RESOLVED:**

That Council appoint Councillor Pryse Jones to the Blayney Shire Audit, Risk and Improvement Committee as a non-voting member.

(Scott/Pryse Jones)

**CARRIED**

**DISABILITY INCLUSION WORKING GROUP****2410/020****RESOLVED:**

That Council:

1. Appoint Councillor Scott as chair of the Disability Inclusion Working Group.
2. Appoint Councillor Hutchings (as alternate), to the Disability Inclusion Working Group.
3. Proceed to undertake a public Expression of Interest process seeking nominations for community members interested in being appointed by Council to the committee.

(Newstead/Pryse Jones)

**CARRIED**

**BLAYNEY SHIRE FLOODPLAIN RISK MANAGEMENT COMMITTEE****2410/021****RESOLVED:**

That Council;

1. Appoint Councillor Gosewisch as Chair of the Blayney Shire Floodplain Management Committee.
2. Appoint Councillor Dorsett to the Blayney Shire Floodplain Management Committee.

(Dorsett/Hutchings)

**CARRIED**

**TOURISM DEVELOPMENT PROGRAM APPLICATION****2410/022****RESOLVED:**

That Council approve \$2,000 under the Tourism Development Program 2024/25 for the 2025 River Yarn Fibre Festival to the Carcoar Community Association.

(Newstead/Pryse Jones)

**CARRIED**

## **CORPORATE SERVICES REPORTS**

### **REPORT OF COUNCIL INVESTMENTS AS AT 31 AUGUST 2024**

**2410/023**

#### **RESOLVED:**

That Council;

1. Note the report indicating Council's investment position as at 31 August 2024.
2. Note the certification of the Responsible Accounting Officer.  
(Gosewisch/Dorsett)

**CARRIED**

### **REPORT OF COUNCIL INVESTMENTS AS AT 30 SEPTEMBER 2024**

**2410/024**

#### **RESOLVED:**

That Council;

1. Note the report indicating Council's investment position as at 30 September 2024.
2. Note the certification of the Responsible Accounting Officer.  
(Newstead/Gosewisch)

**CARRIED**

### **DISCLOSURES OF INTEREST BY COUNCILLORS AND DESIGNATED PERSONS**

**2410/025**

#### **RESOLVED:**

That Council receive the "Disclosures by Councillors and Designated Persons" Returns for the period ending 30 June 2024.

(Scott/Newstead)  
**CARRIED**

Audio visual link of Cr Pryse Jones froze.

### **2023/24 ANNUAL REPORT**

**2410/026**

#### **RESOLVED:**

That Council:

1. Endorse the 2023/24 Annual Report for lodgement with the Office of Local Government.
2. Note the 2023/24 Annual Report snapshot.  
(Hutchings/Gosewisch)

**CARRIED**

### **STATE OF THE SHIRE REPORT 2021-2024**

**2410/027**

#### **RESOLVED:**

That Council receive and endorse the attached 2021-2024 State of the Shire Report.

(Newstead/Gosewisch)  
**CARRIED**



**INFRASTRUCTURE SERVICES REPORTS****INFRASTRUCTURE SERVICES MONTHLY REPORT****2410/028****RESOLVED:**

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

(Dorsett/Newstead)

**CARRIED**

Audio visual link of Cr Pryse Jones reestablished.

**2024/25 ROAD ALLOCATIONS AND CAPITAL WORKS****PRIORITISATION****2410/029****RESOLVED:**

That Council:

1. Note the proposed work locations for the 2024/25 renewal/capital maintenance programs.
2. Note the 2024/25 capital works program prioritisation.

(Newstead/Gosewisch)

**CARRIED****UPPER MACQUARIE COUNTY COUNCIL - ROADSIDE WEED CONTROL SERVICES****2410/030****RESOLVED:**

That Council:

1. Approve a supplementary vote for 2024/25 of \$27,028 for roadside weed control.
2. Reduce the 2025/26 budget for roadside management from \$61,589 to \$15,550 to balance a shortfall in budget.
3. Accept the changes to the Roadside Weed Control Services Agreement and delegate to the General Manager authority to negotiate and execute the Roadside Weed Control Services Agreement with Upper Macquarie County Council.

(Gosewisch/Pryse Jones)

**CARRIED****MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 17 OCTOBER 2024****2410/031****RESOLVED:**

That Council;

1. Receive and note the minutes of the Blayney Traffic Committee Meeting, held Wednesday 17 October 2024.
2. Endorse the Orange Running Festival, to be held on 8 & 9 March 2025 on roads in the vicinity of Forest Reefs and Spring Terrace, in the Orange City LGA, as a Class 2 event, and subject to the conditions detailed in the Director Infrastructure Services' Report.
3. Endorse the Blayney section of the 2024 Rally of Bathurst, to be staged on various roads in the LGA. The event to be classified as a Class 2 event, and approved subject to the

conditions detailed in the Director Infrastructure Services' Report.

4. Support the 2024 Alpine Classic, to be staged on 26 & 27 October 2024 on various roads across the Blayney Shire, as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report.
5. Endorse the Event Management Plans for the Ride for Resilience event to be staged on 15-17 May 2025. The event is to be classified as a Class 2 event, and approved subject to the conditions detailed in the Director Infrastructure Services' Report.
6. Endorse the Millthorpe Market events, to be staged on 1 December 2024 & 6 April 2025 on Redmond Oval as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report.

(Pryse Jones/Newstead)

**CARRIED**

### **DELEGATES REPORTS**

#### **REPORT OF THE CENTRAL NSW JOINT ORGANISATION BOARD MEETING HELD 21 AND 22 AUGUST 2024**

**2410/032 RESOLVED:**

That Council note the report of the Central NSW Joint Organisation (CNSWJO) Board Meeting held 21 and 22 August 2024.

(Gosewisch/Newstead)

**CARRIED**

There being no further business, the meeting concluded at 7.23pm.

The Minute Numbers 2410/001 to 2410/032 were confirmed on 26 November 2024 and are a full and accurate record of proceedings of the Ordinary Meeting held on 22 October 2024.

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Cr B Reynolds  
**CHAIR**

**02) ARTS OUTWEST MEMORANDUM OF UNDERSTANDING 2025 - 2028**

**Department:** Executive Services

**Author:** General Manager

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

**File No:** GO.ME.1

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**Recommendation:**

That Council:

1. Note the Arts OutWest Annual Report 2023.
2. Approve execution of the Memorandum of Understanding with Arts OutWest 2025 – 2028.
3. Appoint Bradley Bradley as the Blayney Shire Council representative on the Arts OutWest Advisory Council.

**Reason for Report:**

For Council to receive the Arts OutWest Annual Report, consider the endorsement of the Memorandum of Understanding (MOU) with Arts OutWest and appoint a representative for the Arts OutWest Advisory Council for the 2025 – 2028 period.

**Report:**

Arts OutWest (AOW) is the regional arts board of Central New South Wales. It promotes, facilitates and advocates for arts and cultural development for the Central West of New South Wales and services the contributing local government areas of:

- Blayney Shire Council
- Bathurst Regional Council
- Cabonne Council
- Cowra Shire Council
- Forbes Shire Council
- Lachlan Shire Council
- Lithgow City Council
- Oberon Council
- Orange City Council

Established in 1974 as the first of the now 15 NSW Regional Arts Development Organisations (RADO) funded to deliver services in regional NSW. As a RADO, it receives funding from all three levels of government and member councils receive the benefits of pooled funding e.g. in 2023, Blayney Shire Council's contribution was \$5,311 and AOWs total income was \$839,544. A copy of the 2023 Annual Review is attached for reference.

Key projects in the Blayney LGA have included:

- Ongoing support at Blayney MPS - Virtual Art Snacks & Hospital development advice
- Support for Acoustic Sunday sessions at Millthorpe, coordinated by Genni Kane, funded through the Country Arts Support Program
- Culture Maps: Locations pinned on maps at [www.centralnsw.com](http://www.centralnsw.com) (as at June 2024) 605 total across the region 34 in the Blayney LGA
- Exhibiting and selling of work by Aboriginal artists through National Parks and Wildlife Service's Kew-Y-Ahn Gallery at Hartley, including Blayney based artist Nyree Reynolds
- Regional touring exhibition featuring 20 Central West artists (1x Blayney LGA), travelling to 4 additional venues in 2023 and 8 in 2022.
- Attendance at events such as gallery openings, performances, consultations sessions, judged art competitions, met with individuals and organisations, provided advice by phone and email.
- Hosted Sing Out Choir event in Blayney

The endorsement of the MOU between AOW and Council for the 2025 – 2028 period will see a continuation of this long-standing partnership.

If Blayney Shire Council chose not to proceed with support of AOW:

- Locals would lose access to the funding program - CASP (Country Art Support Program)
- Council, Artists, Community members, businesses in the LGA would not have access to the advice, support or promotions from AOW
- AOW would not be able to write letters of support for grant applications
- Local artists would not be able to partake in any exhibitions (e.g. Regional Futures)

The financial contribution to AOW is on a per capita basis is fixed at \$0.70 per person for the period of the Memorandum of Understanding.

#### Advisory Committee

As part of the MOU, Council is to appoint a person to the AOW Advisory Committee. This person will attend two meetings a year and will provide a conduit for AOW to the LGA and its issues.

The Advisory Committee member will represent the interests of the LGA and will contribute to ensuring that the AOW Strategic Plan and the Annual Activity Plan for AOW meet the needs of the LGA.

It is recommended we continue with Mr Bradley Bradley as the representative given his knowledge, experience and contacts within the arts community and he is an active local member of the arts community, photographer and gallery/shop owner in Blayney (The Odd Sock Gallery).

Mr Bradley was initially nominated for the position and was endorsed by Council at the August 2021 meeting (**Resolution No. 2108/003**) and has confirmed his willingness to continue in this role.

**Risk/Policy/Legislation Considerations:**

The NSW Local Government Act (1993) s377 provides for Council to delegate functions to others to act on their behalf. This representative position does not bind Council to any expenditure, decision making or action.

**Budget Implications:**

The starting point for this MOU is a payment of \$5,363.40 (+GST) for the 2024/25 year, based on the ABS Estimated Regional Population (ERP) for 2023 of 7,662.

Budget allocation for Councils continuation with Arts OutWest is included in the 2024/25 Operational Plan and Long-Term Financial Plan.

**Enclosures (following report)**

- |   |  |         |
|---|--|---------|
| 1 | Advisory Committee Terms of Reference              | 2 Pages |
| 2 | Arts OutWest Memorandum of Understanding 2025-2028 | 3 Pages |

**Attachments (separate document)**

- |   |                            |          |
|---|----------------------------|----------|
| 3 | Arts OutWest Annual Report | 36 Pages |
|---|----------------------------|----------|



## ARTS OUTWEST ADVISORY COMMITTEE TERMS OF REFERENCE

### 1. Background

The Arts OutWest Advisory Committee is a body established in 2018, set up as a consultative body to inform the decisions of the Arts OutWest Board. The structure builds on the representative structure that Arts OutWest had in place for the Board from 2007-2018 and will sit alongside the skills-based board structure adopted in May 2018.

### 2. Function/role of the Arts OutWest Advisory Committee

The role of the Arts OutWest Advisory Committee is to provide strategic guidance and direction to the Arts OutWest Board. The members of the Arts OutWest Advisory Committee will represent the interests of the local government or other Organisation that they represent to shape the annual program of activities and to feed into the development and delivery of the AOW strategic plan.

Members of the Arts OutWest Advisory Committee are also responsible for ensuring the organisation they represent is informed of Arts OutWest developments as well as updating them about progress, information, changes, successes and challenges.

Arts OutWest Advisory Committee members are to provide a regional update (The Regional Round-up) to be shared with other members. This is to be provided prior to the meeting and will be included with minutes and papers sent to all member organisations following the meeting.

### 3. Term

The terms of reference are effective from the date of being agreed on by the AOW Advisory Committee: 27 June 2018. Updated November 2021. Updated December 2022.

### 4. Membership

The Arts OutWest Advisory Committee will comprise one representative from each organisation contributing financially to Arts OutWest in that calendar year.

At 2022/23 the member organisations of Arts OutWest are: Bathurst Regional Council, Blayney Shire Council, Cabonne Council, Cowra Shire Council, Forbes Shire Council, Lachlan Shire Council, Lithgow City Council, Mid-Western Regional Council, Oberon Council, Orange City Council, Parkes Shire Council, Weddin Shire Council and Charles Sturt University.

Members of the AOW Advisory Committee are appointed by their organisation initially for a two year term. Each financially contributing organisation may appoint a councillor, a staff member or a community member. A term is for a minimum of two years, unless the appointed person needs to step down for any reason, in which case the organisation will be asked to appoint a replacement representative.

There is currently no limit to the time a representative can remain on the Advisory Committee.

Arts OutWest staff will be present to assist in the running of the meeting but do not have a say in the decisions and recommendations of the Advisory committee.

### 5. Chair

The Chair of the AOW Advisory Committee will be responsible for convening the meetings. The Chair and Vice Chair are elected at the April/May meeting for a two-year term. Before the April/May meeting when the Chair's term is due to expire there will be a call for nominations from the membership of the AOW Advisory Committee.

*Amendment March and October 2022 Note: Amended to include Vice Chair, as per November 2021 Minutes . **Approved Dec 6 2022***



If the Chair is unavailable for a meeting and the meeting has a quorum of 5 people to proceed, the Vice Chair will convene the meeting. It is the Vice Chair's responsibility to inform the Chair as to the salient points/decisions raised or agreed to at that meeting.

The Chair of the Arts OutWest Advisory Committee will be a non-voting member of the Arts OutWest Board, unable to hold an Executive position. They will present the views of the Advisory Committee at Board meetings.

#### 6. Meetings

The Advisory Committee will meet twice a year:

##### 1. Late April/early May meeting

At this meeting the Advisory Committee will:

- Appoint the Advisory Committee Chair & Vice Chair for the next year
- Review progress on the forward plan
- Review the previous year's Annual Report
- Review the plans for the AGM (usually held in late May/June)

##### 2. October meeting

At this meeting the Advisory Committee will:

- Set priorities for the next calendar year's forward plan

Advisory Committee meeting will take place during working hours online.

There is no expectation that there will be a need to call any additional meetings.

The agenda will be circulated a week in advance. Items to be included in the agenda will need to be submitted to the Arts OutWest office at least a week before the meeting after consultation with the Chair.

There is an expectation that all members of the Arts OutWest Advisory Committee will work in a collegiate and respectful manner while representing the interests of their organisation.

Advisory Committee members are encouraged to attend the AGM

#### 7. Arts OutWest's responsibilities

Arts OutWest will:

- Listen to the views of the Advisory Committee and consider the recommendations when preparing strategic plans and activity plans.
- Manage the administration of the Advisory Committee including preparing the agenda (in consultation with the Chair), taking minutes, sending out minutes, updating members on relevant developments.
- Ensure that all members are covered by the appropriate insurance.

#### 8. Amendment, modification or variation

The Terms of Reference may be amended, varied or modified in writing after consultation with, and in agreement by the Board.

#### Other relevant documents:

Code of Conduct

Conflict of Interest Policy.

*Amendment March and October 2022* Note: Amended to include Vice Chair, as per November 2021 Minutes . **Approved Dec 6 2022**

**Memorandum of Understanding**

**between**

**Arts OutWest**

**and**

**Blayney Shire Council**

**1 January 2025 – 31 December 2028**

This Memorandum of Understanding (MOU) includes the following:

1. Key understandings for member Councils
2. Undertakings
3. Financial contribution
4. Review process

**1. Key understandings for member Councils**

- a) All member Councils understand effective arts and cultural development to be the strategic planning and management of cultural services, facilities and programs that contribute to local identity, sense of place and quality of life and empower local groups to contribute socially and economically through the arts.
- b) The Councils jointly agree to support Arts OutWest Inc. as key stakeholders in the Regional Arts Development Organisation (RADO) for the region.
- c) The Councils understand that funding by each member Council, matched by State funding is essential for the core operations of Arts OutWest Inc. and its sustainability in the future.
- d) The Councils understand and fully support the core business of Arts OutWest as outlined in its Strategic Plan.
- e) Arts OutWest inc. is a not-for-profit incorporated association managed by a Committee of Management (Board) appointed through a transparent application process.





## 2. Undertakings

### **What Arts OutWest will do:**

1. Arts OutWest Inc. will deliver core services to the region as defined by the Arts OutWest Strategic Plan and any reviews thereof in consultation with all its stakeholders.
2. Arts OutWest will work in active partnership with the local Councils of the region to deliver regional cultural development outcomes.
3. Arts OutWest Inc. will provide all member Councils with an Annual Report showing expenditure of all consolidated revenue and providing details on services rendered to each Council area.
4. Arts OutWest will acknowledge the partnership arrangement with the Councils on all public material in an appropriate manner

### **What The Council will do:**

5. The Council will acknowledge Arts OutWest in programs involving Arts OutWest
6. The Council will appoint a person to the Arts OutWest Advisory Committee. This person will attend two meetings a year and will provide a conduit for Arts OutWest to the LGA and its issues. The Advisory Committee member will represent the interests of the LGA and will contribute to ensuring that the Arts OutWest Strategic Plan and the Annual Activity Plan for Arts OutWest meet the needs of the LGA. See attached Terms of Reference for Advisory Council representatives for more information about this committee.
7. The Council and their communities will provide Arts OutWest with relevant information on cultural issues, activities and events for information and promotion by Arts OutWest Media and Promotion services.
8. The Council and Arts OutWest will share information on cultural matters including the linking of community directories, databases and websites.
9. Arts OutWest will work with individual Councils and their communities to develop specific projects and programs and assist with funding and delivery of projects so far as additional project funding allows with equity across the region.
10. Arts OutWest will provide formal presentations to Councils within the region as required.
11. The Council may make representations to the Board and Executive Officer of Arts OutWest Inc. in respect of any proposed programs and projects arising in the community which need the support of Arts OutWest Inc.
12. The Council will encourage individuals, groups and organizations in their local areas to actively access the services of Arts OutWest for their development.



**3. Financial contribution**

Blayney Shire Council will pay a fee for service to Arts OutWest in each of the financial years of the Memorandum of Understanding. This will be at the starting rate of 70 cents per head of population. CPI will be added each year period. Each year the population will be calculated using ABS figures for the previous year.

**4. Review**

Blayney Shire Council and the Board of Arts OutWest Inc agree to review the terms of this Memorandum of Understanding in preparation for each following financial year.

**Signatures to this Memorandum of Understanding**

FOR COUNCIL:

.....  
Name: Date

FOR ARTS OUTWEST

.....  
Kylie Shead, Executive Director, Arts OutWest Date



**03) CADIA VALLEY OPERATIONS - MODIFICATION 15 AND PANUARA ROAD, PANUARA**

**Department:** Executive Services

**Author:** General Manager

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

**File No:** RD.RC.24

---

**Recommendation:**

That Council:

1. Note that if modification (Mod-15) to Project Approval (PA 06-0295) for Cadia Valley Operations is approved by NSW Department of Planning, Housing and Infrastructure, parts of Panuara Road, Panuara will need to be closed for the modified development to proceed.
2. Note that in order for the relevant parts of Panuara Road to be closed, Cadia Valley Operations will be required to make a formal application to Council as the Roads Authority under the Roads Act 1993 to close any part of Panuara Road which will be considered by Council in its capacity as roads authority and in accordance with the Roads Act 1993.
3. Note that if part of Panuara Road, Panuara is closed with the consent of Council as the roads authority, that Council supports in principle the transfer of the land comprising the closed portion of the road to Cadia for the purpose of the modified development, provided Council does not bear any negative financial impact as a result of any closure and transfer of part of Panuara Road.
4. Delegate Authority to the General Manager to negotiate the terms of any agreement for the transfer of a closed portion of Panuara Road, Panuara to the proponent and execute any such documentation agreed with the proponent.

**Reason for Report:**

For Council to initially consider arrangements which may arise as a consequence of the need of the proponent to make an application to Council as roads authority for a part road closure of Panuara Road, Panuara in connection with state significant development (Mod 15) – Cadia Gold Mine.

**Report:**

Cadia Valley Operations lodged a modification (Mod-15) to Project Approval (PA 06-0295) with the NSW Department of Planning, Housing and Infrastructure (DPHI).

Mod 15 seeks to allow;

- (1) changes to tailings dam embankment footprint and extended construction hours for the embankment works;
- (2) restarting underground mining at the Ridgeway Mine;
- (3) realignment of Panuara Road (Road) and new site access and emergency access roads (Road Realignment);
- (4) new upcast ventilation shafts to support underground mining;
- (5) some infrastructure upgrades, including expansion of the existing 132 kilovolt (kV) electrical substation, upgrades to the existing ore processing plant relating to Potassium Amyl Xanthate (PAX) facility and addition of two hydrofloat cells, and realignment of a section of the Belubula River pipeline;
- (6) train loading during evening and night-time hours at the CVO Dewatering Facility; and
- (7) removal of the Striped Legless Lizard and the Pink-tailed Legless Lizard species credits from the Project Approval following the completion of additional survey and removal of requirements for the Blayney Dewatering Facility that is now decommissioned.

On 13 December 2023, Council made a submission (enclosure 1) regarding Mod-15 to DPHI.

Since lodgement of this submission, Council staff and Newmont staff have had meetings seeking to ascertain the potential impacts (physical and financial) regarding Panuara Road if Mod-15 was approved.

At this point the parts of Panuara Road known to Council to be impacted are shown in the diagram 1.

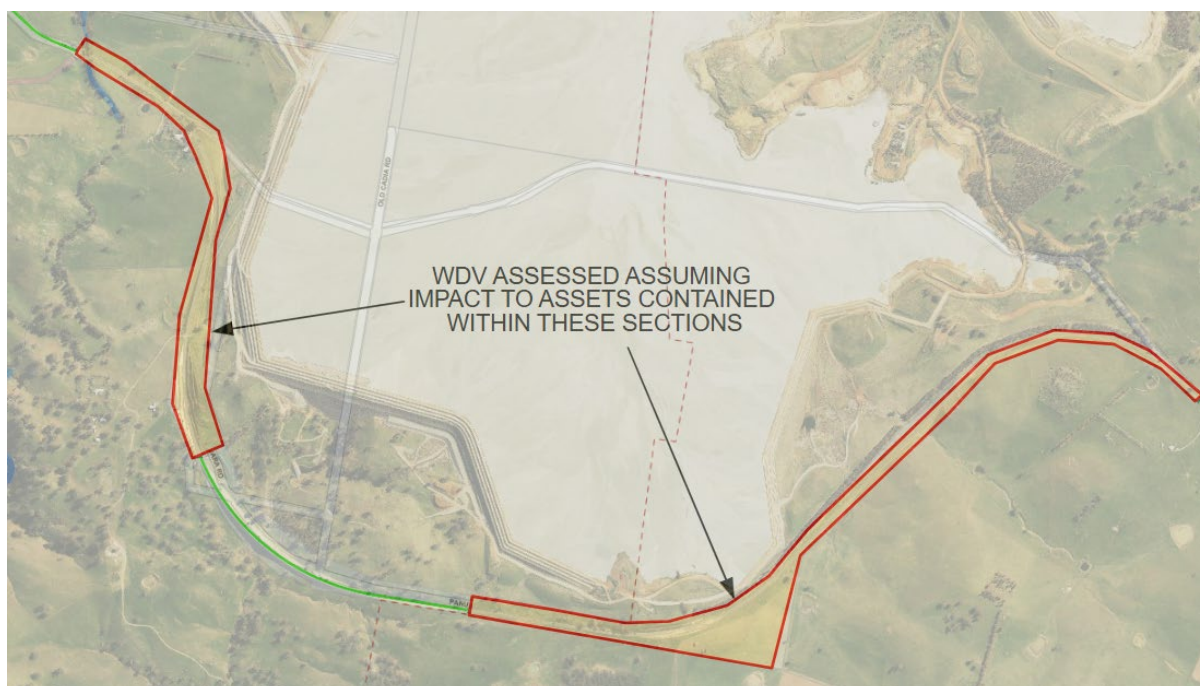


Diagram 1

It took Council staff a significant amount of time to ascertain the potential financial impact to Council which essentially comprises:

- Closing parts of the current Panuara Road.
- Market value of the land.
- Cadia constructing a new Panuara Road (longer than the current road).
- Ongoing negative impacts to Council's financial position.

Over October, Council staff received an independent land valuation and finalised an estimate of the valuation of the assets to be impacted if Mod-15 was approved.

In late October 2024, The General Manager sent a draft letter (enclosure 2) to Newmont staff, DPHI which outlines Council's current position, with the following text in the body of the email:

*Please see attached draft confidential letter in relation to Panuara Road.*

*Please note this is draft as the matter has not gone to Council for formal resolution yet (it will on 26 November 2024), as such technically it is not the formal position of Council until a resolution has been made.*

*I am providing the letter in draft as I acknowledge you have been waiting for this letter from Council and I wanted to get it to you ASAP.*

**Risk/Policy/Legislation Considerations:**

Any sale of the road will only be able to be undertaken if Council, as roads authority under the Roads Act 1993, closes the relevant parts of Panuara Road pursuant to the Roads Act. Any such decision by Council as roads authority must be considered in accordance with the Roads Act and is a separate and distinct matter from any decision by Council to transfer the closed road to the proponent and the terms of any such transfer.

Specialist legal advice has been obtained and it is recommended that should Council wish to discuss this advice it do so during a closed part of the meeting on the ground that it is advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the advice in an open meeting would be, on balance, contrary to the public interest because it may prejudice the Council's position and exercise of functions in respect of the matter.

**Budget Implications:**

Any part closure of Panurara Road could have a significant financial impact on Council, mainly the 'write off' of any part of the road to be closed which could negatively impact (millions) on Council's operating result reported in the financial statements for the year in which the write off is incurred.

Following construction of the newly realigned section of Panuara Road, which will be of an increased road length and built to comply with current construction standards, Council will incur increased annual depreciation and ongoing road maintenance expenses for the life of the asset.

This is why Council is seeking to ensure it does not bear any negative financial impact as a result of any closure (or part closure).

The draft letter (enclosure 2) includes the following table which identifies the preliminary assessment of potential financial impacts from the part closure of Panuara Road determined by Council staff.

Item	Estimated Cost	Comment
Cost for Council to perform the road closure (including but not limited to surveys, legal costs etc)	\$100,000	Any costs incurred by Council to be invoiced to Newmont at cost.  Note: Council may also invoice for staff time required to attend / oversee this matter whether administrative or site surveillance.
Value of assets in road reserve (written down value)	\$9,112,000	Written down value as at 30 June 2024.  Note: As of 30 June 2025 this figure will change as Council is required to revalue transportation network infrastructure and is yet to have an updated figure.
Market Valuation of the Land comprising the part of Panuara Road proposed to be closed	\$1,580,000	
Ongoing negative impacts to Council's financial position.	To be determined and negotiated.	The proposal requires further discussion and negotiation, in particular, regarding; <ul style="list-style-type: none"> <li>○ Increased travel time by community and stakeholders.</li> <li>○ Increased depreciation borne by Council as a result of a newly contributed asset built to current construction standards and of an increased road length (new realigned section of Panuara Road).</li> </ul>

**Table 1**

Note\* value of assets in the road reserve is presented as the written down value (or book value) of assets contained within the road reserve for the extent shown in the diagram 1 on the earlier page.

If the proposed modification seeks to increase or decrease the area of road reserve impacted, the figure will need to be redetermined and adjusted accordingly.

The figure will also need to be adjusted pending the exact timing of any closure as Council is required to depreciate, revalue and adjust asset values, on an ongoing basis, as required by the accounting standards.

**Enclosures (following report)**

- |   |                              |         |
|---|------------------------------|---------|
| 1 | Council Submission on Mod 15 | 3 Pages |
| 2 | Draft Council Letter         | 4 Pages |

**Attachments (separate document)**

- |   |                          |          |
|---|--------------------------|----------|
| 3 | Marsdens Law Firm Advice | 12 Pages |
|---|--------------------------|----------|

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



**Blayney Shire Council**

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

13 December 2023

Mr Clay Preshaw  
Executive Director, Energy and Resource Assessment  
NSW Department of Planning and Environment

Lodged by NSW Planning Portal

**Submission – Cadia East Gold / Copper Project Modification 15**

Blayney Shire Council has a long history of productive working relationships with mining companies within the Blayney Shire.

Council acknowledges the positive economic stimulus (including rating income), employment, diversity of income and local business opportunities that are associated and created through hosting a mine such as Cadia Valley Operations.

In particular, Blayney Shire Council is home to;

- Newmont Corporation, Cadia Valley Operations (Cadia) (currently operational), and
- Regis Resources Limited, McPhillamys Gold Project (approved by IPC in 2023 not yet commenced).

Council notes the volume of information supplied with the Modification 15 application is significant and Council has not had the time and/or resources to fully critique all information provided.

Additionally, Council does not employ staff with the specialist skillset to interpret and/or provide comment on the numerous environmental related aspects of the proposed modification.

In this regard, Council and the community are heavily reliant on various NSW Government Agencies (including the NSW Department of Planning and Environment), and/or specialists engaged on their behalf, appropriately assessing any application and subsequently regulating any consent issued on an ongoing basis.

**Voluntary Planning Agreement**

Council believes Newmont should enter into an upgraded and/or new Voluntary Planning Agreement (VPA) for the current project approval.

The existing VPA is now 10 years old and has been subject to 14 previous modifications (which did not trigger any additional VPA contribution).



For Blayney Shire, the 2023/24 VPA annual payment was \$64,502 which is not considered equitable nor adequate for the ongoing impact of the mine on Council's infrastructure.

The modification document indicates there will be an employment uplift as a result of Modification 15 which will have a direct social impact on Council's infrastructure and wider community (housing affordability in particular).

Council acknowledges Cadia does provide a wide range of support to all 3 impacted Councils and direct support to community based / not for profit groups across the wider region. However, Council should also not have to bear additional impacts without an adjustment to offset this impact.

### **Panuara Road**

Council does not agree to the repeated references throughout the Modification 15 documentation stating "*minor realignments of Panuara Road*". The proposed; closure, sale and major relocation of a key Blayney Shire Council public road is considered significant which requires further engagement and agreement.

Blayney Shire Council (as the authority responsible for road closures) highlights to the Department of Planning and Environment, Council is yet to formally resolve a position regarding the closure, sale, and relocation of Panuara Road.

In this regard, Council has contacted Newmont to commence discussions regarding the; closure, sale, realignment, and commercial compensation in relation to Panuara Road. The initial meeting is scheduled for 19 December 2023.

Council additionally needs to determine what will be the impact on Council's surrounding road network whilst Panuara Road is relocated and constructed.

Council also highlights that should Council resolve in the affirmative to close, sell and relocate Panuara Road, a Voluntary Planning Agreement will be required specifically for the relocation and reconstruction of Panuara Road.

### **Cadia Dewatering Facility**

Council seeks clarification regarding the proposed changes to the operating hours of the Cadia Dewatering Facility.

Page 50 of the Modification report states "*Changes in operating hours at the Cadia Dewatering Facility to also allow train arrivals and departure to occur during evening and night-time hours (however wagon loading operations would continue to occur daytime only).*"

Council seeks clarification in relation to Table 6 (on page 50) of which an exact is provided below. Should there be two different specific lines for the Cadia Dewatering facility?

- Train loading
- Train arrival and departure

**Table 3-6**  
Summary of Conditions and Proposed Changes

Conditions No.	Conditions	Proposed Changes																		
Schedule 3, Condition 6	<p>The Proponent shall comply with the operating hours in Table 6.</p> <p><i>Table 6: Operating Hours</i></p> <table> <tr> <th>Activity</th><th>Day</th><th>Time</th></tr> <tr> <td colspan="3"><b>Construction</b></td></tr> <tr> <td>Roads Creek water holding dam raise; tailings storage facilities raises and embankment extensions; new pipelines; NMS Solutioning; Plant construction</td><td>Any day</td><td>Day</td></tr> <tr> <td colspan="3"><b>Operation</b></td></tr> <tr> <td>Blayney Dewatering Facility – train loading</td><td>Any day</td><td>7.00am to 7.00pm</td></tr> <tr> <td>Cadia Dewatering Facility – train loading</td><td>Any day</td><td>Day</td></tr> </table>	Activity	Day	Time	<b>Construction</b>			Roads Creek water holding dam raise; tailings storage facilities raises and embankment extensions; new pipelines; NMS Solutioning; Plant construction	Any day	Day	<b>Operation</b>			Blayney Dewatering Facility – train loading	Any day	7.00am to 7.00pm	Cadia Dewatering Facility – train loading	Any day	Day	<p>Changes in construction hours to also allow TSF raises and embankment extensions to occur in the evening (i.e. 6.00 pm to 10.00 pm).</p> <p>Remove conditions related to the former Blayney Dewatering Facility.</p> <p>Changes in operating hours at the Cadia Dewatering Facility to also allow train arrivals and departure to occur during evening and night-time hours (however wagon loading operations would continue to occur daytime only).</p>
Activity	Day	Time																		
<b>Construction</b>																				
Roads Creek water holding dam raise; tailings storage facilities raises and embankment extensions; new pipelines; NMS Solutioning; Plant construction	Any day	Day																		
<b>Operation</b>																				
Blayney Dewatering Facility – train loading	Any day	7.00am to 7.00pm																		
Cadia Dewatering Facility – train loading	Any day	Day																		
Heading immediately before Schedule 3, Condition 359	Mine Water Management Performance Measures	<p>Include 'affected' in the heading.</p> <p>'Mine Affected Water Management Performance Measures'</p>																		

Council considers “train loading” and “train arrival and departure” as two clearly separate activities which should be clearly articulated in the hours of operation.

Table 6 is currently ambiguous in that it reads train loading can occur “any day” and during “day” time. What is “day” time? It should specify an “a.m. and p.m.” time.

## Conclusion

Council affirms its need to further engage with Newmont regarding the proposed Modification 15, prior to being in a position to provide further detailed comment. The initial meeting is scheduled for 19 December 2023.

Should you require further information regarding this matter please contact myself on 0409742432.

Yours sincerely



Mark Dicker  
**General Manager**

XX October 2024

Rodney Williams  
Manager Approvals & Permitting Strategy & Integrated Planning  
Cadia Valley Operations  
Newmont

By Email: [Rodney.Williams1@newmont.com](mailto:Rodney.Williams1@newmont.com)

Dear Rodney

**RE: Closing and realignment of Panuara Road**

I refer to the Cadia East Modification 15 application currently being assessed by the NSW Department of Planning, Housing & Infrastructure which includes a proposal to close a significant part Panuara Road to enable the proposed mining operations to be undertaken, and also to realign Panuara Road through the construction of a new section of Road.

Council notes the positive meetings have occurred between Council and Newmont over the past 12 months discussing this matter for both parties, however also notes that no binding resolution has been reached between Council and Newmont with respect to the proposed realignment of Panuara Road.

Council's position in relation to Panuara Road and modification 15 has always been based on the premise that Blayney Shire Council should bear no negative financial impact if modification 15 is approved.

This is a unique position for Council, and I thank you for your patience as Council has sought to ascertain the likely financial impacts of proposed modification 15 in relation to Panuara Road.

As requested, a preliminary assessment has been completed in relation to the anticipated financial impacts to Blayney Shire Council which will arise from the proposed partial closure of Panuara road and its realignment because of modification 15.

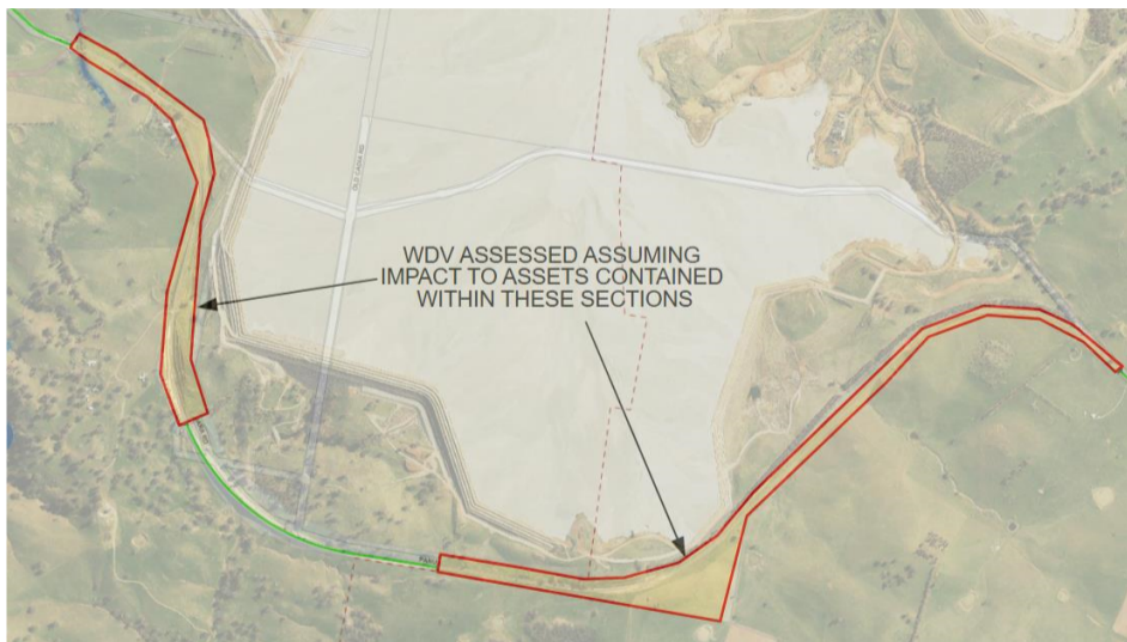
The preliminary assessment is presented in table 1 on the following page and I highlight that this is an estimate/draft at this stage.

Item	Estimated Cost	Comment
Cost for Council to perform the road closure (including but not limited to surveys, legal costs etc)	\$100,000	Any costs incurred by Council to be invoiced to Newmont at cost.  Note: Council may also invoice for staff time required to attend / oversee this matter whether administrative or site surveillance.
Value of assets in road reserve (written down value)	\$9,112,000	Written down value as at 30 June 2024.  Note: As of 30 June 2025 this figure will change as Council is required to revalue all our transport network infrastructure and is yet to have an updated figure.
Market Valuation of the Land comprising the part of Panuara Road proposed to be closed	\$1,580,000	
Ongoing negative impacts to Council's financial position.	To be determined and negotiated.	The proposal requires further discussion and negotiation, in particular, regarding; <ul style="list-style-type: none"> <li>○ Increased travel time by community and stakeholders.</li> </ul> <p>Increased depreciation borne by Council as a result of a newly contributed asset built to current construction standards and of an increased road length (new realigned section of Panuara Road).</p>

Table 1

Note\* Value of assets in the road reserve is presented as the written down value (or book value) of assets contained within the road reserve for the extent shown in the diagram 1 on the next page.

If the proposed modification seeks to increase or decrease the area of road reserve impacted, the figure will need to be redetermined and adjusted accordingly.



**Diagram 1**

In addition to the financial impact to Council on account of the proposed realignment of Panuara Road, Council has also given consideration to the most appropriate mechanism to ensure that Blayney Shire Council should bear no negative financial impact if modification 15 is approved.

In that regard, Council considers that the most appropriate mechanism in that regard would be through a Planning Agreement between Council and the Proponent pursuant to which any material public benefits offered by the Proponent outside of the conditions of consent could be addressed.

Council however notes that neither Council nor the Department can impose a condition of consent requiring the Proponent to enter into such a Planning Agreement, unless and until a voluntary offer is made by the Proponent to enter into that agreement. Council would welcome the opportunity to discuss any such offer with the Department and the Proponent if the Proponent is willing to consider making such an offer.

In the absence of such an offer being made, Council notes that any closure of Panuara Road, any transfer of the closed road to the Proponent, and any works on parts of Panuara Road, require the consent or agreement of Council as the relevant roads authority.

Should you require any further information, please do not hesitate to contact Council. Additionally, Council would be happy to meet and discuss this matter further.

Yours faithfully,

Mark Dicker  
**General Manager**

Cc: Steve O'Donoghue and Mandana Mazaheri

DRAFT

**04) REPORT OF COUNCIL INVESTMENTS AS AT 31 OCTOBER 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 October 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 October 2024.

**Report:**

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

Council's total investment and cash position as at 31 October 2024 is \$35,192,099.

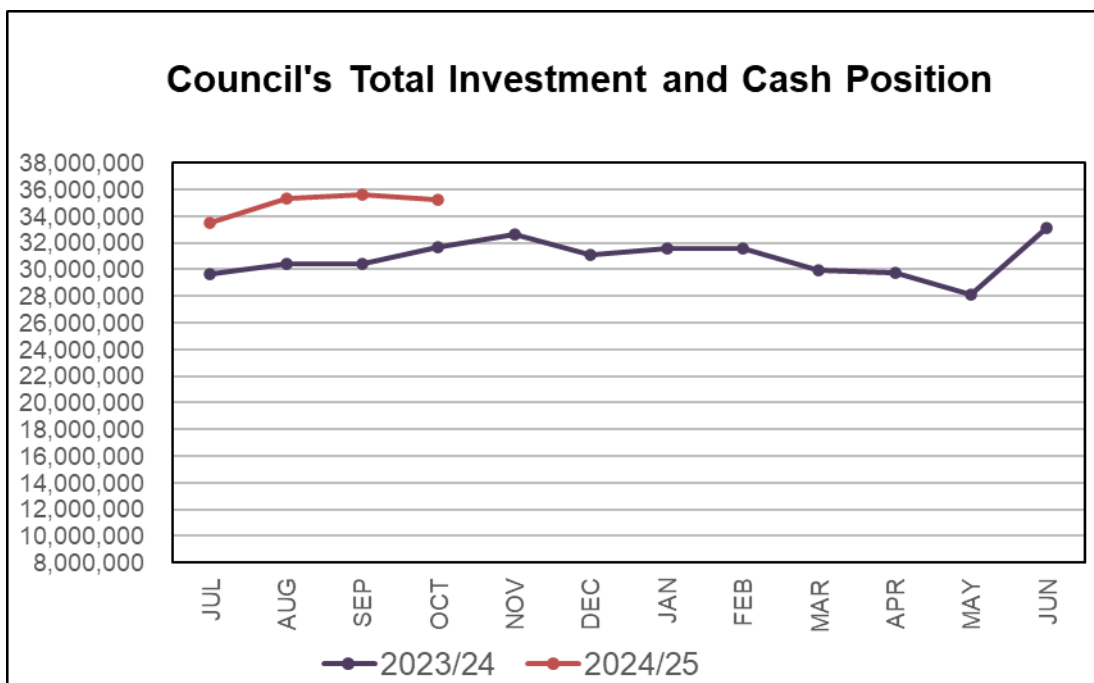
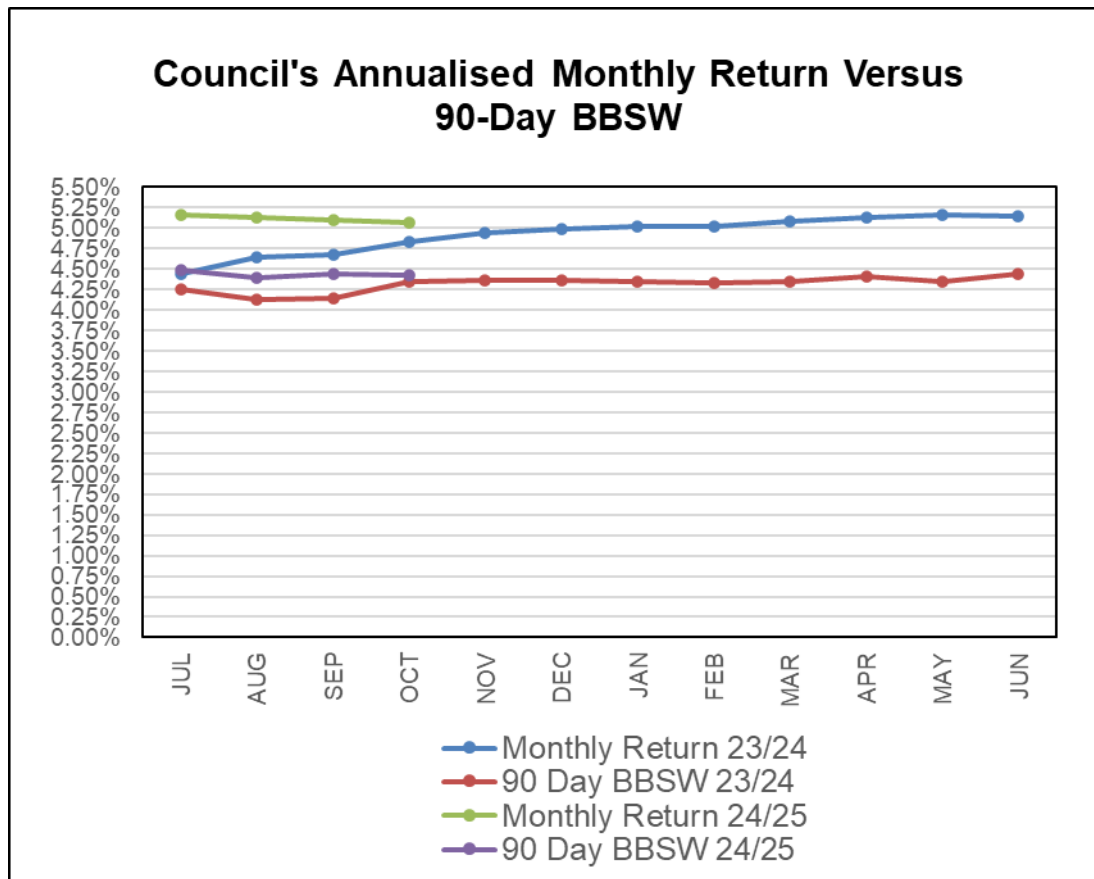
Interest on cash and investments accrued for the month of October was \$151,369. YTD interest accrued on cash and investments is \$559,446.

Council's monthly net return on Term Deposits annualised for October was 5.07% which outperformed the 90-day Bank Bill Swap Rate of 4.42%.

There were no significant cash inflows from grant funding during the month.

Cashflow has remained steady through the month of October with some second instalment rates payments received in advance to offset just over \$2m in creditor payments.

With a drop in interest rate offerings by most of the major banks, observed over recent months, it would indicate there is a possibility of future rate cuts meaning offerings for new investments may track downwards in coming months. Interestingly, TCorp has reported growth in Australia's 10-year bond rates contradicting such predictions of future rate cuts and potentially positively impact future rate offerings.





<b>Register Of Investments and Cash as at 31 October 2024</b>					
<b>Institution</b>	<b>Method</b>	<b>Rating</b>	<b>Maturity</b>	<b>Amount \$</b>	<b>Interest Rate</b>
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-	07/01/2025	500,000	4.960%
IMB Bank Ltd	Direct	A2/BBB+	14/01/2025	500,000	5.050%
CBA	Direct	A1+/AA-	14/01/2025	500,000	4.830%
B & A Bank	Curve	A2/BBB+	21/01/2025	500,000	5.000%
Westpac	Direct	A1+/AA-	28/01/2025	500,000	4.990%
NAB	Direct	A1+/AA-	28/01/2025	500,000	5.150%
NAB	Direct	A1+/AA-	04/02/2025	500,000	5.140%
CBA	Direct	A1+/AA-	04/02/2025	500,000	4.810%
NAB	Direct	A1+/AA-	11/02/2025	500,000	5.050%
Westpac	Direct	A1+/AA-	11/02/2025	500,000	5.000%
CBA	Direct	A1+/AA-	18/02/2025	500,000	4.940%
Westpac	Direct	A1+/AA-	18/02/2025	500,000	5.000%
NAB	Direct	A1+/AA-	25/02/2025	500,000	5.050%
Westpac	Direct	A1+/AA-	25/02/2025	500,000	5.000%
Westpac	Direct	A1+/AA-	04/03/2025	500,000	4.880%
Reliance Bank	Direct	Unrated	04/03/2025	500,000	5.050%
ING Bank	IAM	A1/A	11/03/2025	500,000	5.140%
Westpac	Direct	A1+/AA-	11/03/2025	500,000	4.970%
NAB	Direct	A1+/AA-	18/03/2025	500,000	5.150%
Westpac	Direct	A1+/AA-	18/03/2025	500,000	4.970%
Bank of Queensland	Curve	A2/BBB+	25/03/2025	500,000	4.850%
Westpac	Direct	A1+/AA-	25/03/2025	500,000	5.080%
IMB Bank Ltd	Direct	A2/BBB+	01/04/2025	500,000	4.900%
Westpac	Direct	A1+/AA-	01/04/2025	500,000	5.040%
Westpac	Direct	A1+/AA-	08/04/2025	500,000	5.220%
CBA	Direct	A1+/AA-	15/04/2025	500,000	4.840%
Westpac	Direct	A1+/AA-	15/04/2025	500,000	5.100%
CBA	Direct	A1+/AA-	22/04/2025	500,000	4.850%
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	5.000%
NAB	Direct	A1+/AA-	06/05/2025	500,000	5.300%
NAB	Direct	A1+/AA-	13/05/2025	500,000	5.300%
NAB	Direct	A1+/AA-	20/05/2025	500,000	5.300%
Bank of Queensland	Curve	A2/BBB+	27/05/2025	500,000	4.900%
NAB	Direct	A1+/AA-	27/05/2025	500,000	5.300%
NAB	Direct	A1+/AA-	03/06/2025	500,000	5.300%
Auswide Bank Ltd	IAM	A2/BBB+	10/06/2025	500,000	5.300%

<b>Register Of Investments and Cash as at 31 October 2024</b>					
<b>Institution</b>	<b>Method</b>	<b>Rating</b>	<b>Maturity</b>	<b>Amount \$</b>	<b>Interest Rate</b>
NAB	Direct	A1+/AA-	17/06/2025	500,000	5.310%
NAB	Direct	A1+/AA-	24/06/2025	500,000	5.310%
CBA	Direct	A1+/AA-	01/07/2025	500,000	4.660%
NAB	Direct	A1+/AA-	08/07/2025	500,000	5.000%
ING Bank	Curve	A1/A	15/07/2025	500,000	5.290%
ING Bank	Curve	A1/A	22/07/2025	500,000	5.220%
Westpac	Direct	A1+/AA-	29/07/2025	500,000	5.270%
CBA	Direct	A1+/AA-	05/08/2025	500,000	4.710%
CBA	Direct	A1+/AA-	12/08/2025	500,000	4.770%
CBA	Direct	A1+/AA-	26/08/2025	500,000	4.750%
ING Bank	Curve	A1/A	09/09/2025	500,000	4.900%
Westpac	Direct	A1+/AA-	07/10/2025	500,000	5.010%
ING Bank	Curve	A1/A	21/10/2025	500,000	4.970%
<b>Total Investments</b>				<b>30,000,000</b>	<b>5.070%</b>
Commonwealth Bank - At Call Account <sup>(1)</sup>				2,053,512	4.250%
Commonwealth Bank Balance - General <sup>(1)</sup>				2,988,034	4.200%
Reliance Bank <sup>(1)</sup>				150,553	0.000%
<b>Total Cash and Investments</b>				<b>35,192,099</b>	
Benchmarks:		BBSW 90 Day Index <sup>(1)</sup>			4.418%
		RBA Cash Rate <sup>(1)</sup>			4.350%

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

<b>Summary of Investment (Cash) Movements - October 2024</b>		
<b>Financial Institution</b>	<b>Amount \$</b>	<b>Commentary</b>
Bank of Queensland	(525,186)	Term deposit matured 01/10/2024
Bank of Queensland	500,000	Term deposit reinvested 01/10/2024
Westpac	(523,290)	Term deposit matured 08/10/2024
Westpac	500,000	Term deposit reinvested 08/10/2024
CBA	(513,886)	Term deposit matured 15/10/2024
CBA	500,000	Term deposit reinvested 15/10/2024
CBA	(524,974)	Term deposit matured 15/10/2024
CBA	500,000	Term deposit reinvested 15/10/2024
ING Bank	(526,677)	Term deposit matured 22/10/2024
ING Bank	500,000	Term deposit reinvested 22/10/2024
CBA	(526,178)	Term deposit matured 29/10/2024
CBA	500,000	Term deposit reinvested 29/10/2024

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%	70%	21,000,000
A- Category	40%	12%	3,500,000
BBB+ Category	25%	13%	4,000,000
BBB Category	5%	2%	500,000
BBB- Category and below: Local <sup>(1)</sup> ADI's	10%	3%	1,000,000
BBB+ / BBB / BBB- & below categories combined	25%	18%	
1. ADI's located within the Local Government Area			<b>30,000,000</b>

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	500,000
MyState Bank Ltd	A2/BBB+	1,000,000	500,000
NAB	A1+/AA-	8,000,000	8,000,000
Reliance Bank	Unrated	1,000,000	1,000,000
Westpac	A1+/AA-	8,000,000	8,000,000
<b>Total Investments</b>			<b>30,000,000</b>

Summary of Restricted, Allocated and Unrestricted Cash & Investments			
	Actual 30/06/2024 \$ 000's	Actual 31/10/2024 \$ 000's	Forecast <sup>(1)</sup> 30/06/2025 \$ 000's
External Cash Restrictions	18,340	18,291	10,602
Internal Cash Allocations	10,608	7,777	6,361
<b>Total Restricted, Allocated Cash &amp; Investments</b>	<b>28,948</b>	<b>26,068</b>	<b>16,963</b>
Unrestricted Cash	4,094	9,124	5,914
<b>Total Restricted, Allocated and Unrestricted Cash &amp; Investments</b>	<b>33,042</b>	<b>35,192</b>	<b>22,877</b>

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

**CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER**

I, Tiffaney Irlam, certify that the investments listed in this report have been made in accordance with s.625 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

**05) QUARTERLY BUDGET REVIEW STATEMENT - SEPTEMBER 2024**

**Department:** Corporate Services

**Author:** Chief Financial Officer

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

**File No:** FM.BU.1

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**Recommendation:**

1. That the Quarterly Budget Review Statement for the quarter ending 30 September 2024 be received.
2. That the supplementary votes of (\$460k) nett proposed in the Quarterly Budget Review Statement be adopted, resulting in a decrease to capital expenditure of (\$659k), an increase to operating expenditure of \$321k and a decrease in income of (\$798k).

**Reason for Report:**

For Council to endorse the Quarterly Budget Review Statement (QBRs) for the quarter ending 30 September 2024.

**Report:**

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

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

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

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

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

The attached report provides a detailed review of Council's 2024/25 Budget Review covering the September 2024 quarter.

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

The attached QBRs report includes a certification by the Responsible Accounting Officer that outlines that the projected financial position as at 30 June 2025 is satisfactory having regard to the projected estimates of income, expenditure and targeted levels of restricted and unrestricted cash. However, it is acknowledged that this position will not be sustainable into the future with Council forecasting ongoing operating deficits in the General Fund and declining levels of cash throughout the 10 years forecast in the Long Term Financial Plan. Action undertaken to date to address the ongoing financial sustainability of Council is also detailed on page 3 of the attached QBRs.

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

Clause 203 of the Local Government (General) Regulation 2021 requires that the Responsible Accounting Officer of a council prepare and submit to Council a budget review statement. The format as presented reports on an income and expense type, in a similar format to that included in the annual financial reports, as well as by Council activity and helps to inform Council on the anticipated Income Statement operating result for the financial year. Other information is also disclosed including budgeted capital income and expenditure, restricted cash movements and key performance indicators.

**Budget Implications:**

Overall, the net variation in Continuing Operations for the quarter of (\$319k) will decrease the projected Net Operating Result before Capital Items to (\$2.08m) forecast deficit. For General Fund, net variations of (\$329k) will decrease the projected Net Operating Result before Capital Items to (\$2.09m) deficit. For Sewer Fund, net variations of \$10k will increase the projected Net Operating Result before Capital Items to \$13k surplus.

Operational income variations of (\$798k) include the following significant variations:

- Decrease in capital grants of (\$800k) following notification of unsuccessful funding application for replacement of the Coombing St Bridge in Carcoar.

Operational expenditure variations of \$331k include the following significant variations:

- Increase of \$100k for compliance reporting and works directed by the EPA at the Blayney Waste Facility.
- Recognition of increased amortisation expense of \$120k following finalisation of the remediation plan for one of Council's Quarries.
- Allowance for balance of forecast election related costs of \$60k funded from Council's Election internal allocation. (This budget was inadvertently allowed for in 2025/26.)
- Provision of \$20k in legal costs related to the Section 10 Declaration for the McPhillamy's Gold Project.
- Allowance for additional Councillor training and induction costs of \$23k following the September Council elections.

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

Capital expenditure variations of (\$659k) include the following significant variations:

- Additional \$36k budget required for Council's aerial mapping project following extensive quotation processes.
- Stage 1 Leachate Collection and Stage 2 preliminary design works totalling \$70k for additional compliance works directed by the EPA at the Blayney Waste Facility.
- Land acquisition costs of \$39k for finalisation of recent infrastructure projects shown below:
  - Leabeater St Bridge
  - Newbridge Rd
  - Glenorie Rd
- Reduction of (\$800k) for replacement of the Coombing St Bridge project following notification of unsuccessful grant funding. Further design and preliminary works are to be undertaken to assist with future funding opportunities.

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

**Enclosures (following report)**

Nil

**Attachments (separate document)**

<b>1</b>	September Quarterly Budget Review Statement	26 Pages
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**06) CODE OF CONDUCT COMPLAINTS FOR REPORTING PERIOD****Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** GO.RP.1**Recommendation:**

That Council receive the report on Code of Conduct complaints for the reporting period to 30 September 2024.

**Reason for Report:**

For Council to satisfy its obligations regarding annual reporting on Code of Conduct complaints.

**Report:**

Clause 11.1 of the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW requires the Complaints Coordinator to report annually to Council on Code of Conduct complaints made in the year to 30 September 2024 (reporting period).

The following statistics in the reporting period are provided for Council's information:

<b>Statistic</b>	<b>No.</b>
Total number of complaints made about Councillors and the General Manager under the code of conduct	<b>1</b>
Number of code of conduct complaints referred to a conduct reviewer	<b>0</b>
Number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage	<b>0</b>
The outcome of the reviews of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage: <b>Not applicable</b>	
Number of code of conduct complaints investigated by a conduct reviewer	<b>0</b>
Number of code of conduct complaints investigated by a conduct review committee	<b>0</b>
The outcome of the reviews of code of conduct complaints investigated by a conduct reviewer or conduct review committee (without identifying particular matters): <b>Not applicable</b>	
Number of matters reviewed by the Office of Local Government	<b>0</b>
The outcome of the reviews of code of conduct complaints investigated by the Office of Local Government (without identifying particular matters): <b>Not applicable</b>	
Total cost of dealing with code of conduct complaints made about Councillors and the General manager in the year to September, including staff costs	<b>\$5,613</b>

The Annual Code of Conduct Complaint Statistics will also be lodged with the Office of Local Government.

**Risk/Policy/Legislation Considerations:**

The Model Code of Conduct Procedures clause 11.1 requires Council's Complaints Coordinator to arrange for the above statistics, for the period to 30 September, to be reported to the council within 3 months of the end of September and be provided to the Office of Local Government.

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**07) PROPOSED FEES: BLAYNEY LIBRARY - COLOUR PHOTOCOPIES****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.LP.7**Recommendation:**

That Council;

1. Receive the report on Proposed Fees: Blayney Library – Colour Photocopies.
2. Exhibit the following proposed fees for a period of not less than 28 days:

Description	Pricing Principle	GST inclusive fee
<u>Blayney Library</u>		
Photocopies – A4 colour	PC	\$1.00
Photocopies – A3 colour	PC	\$2.00

3. Be provided a further report if any submissions on the proposed fees are received during the exhibition period.
4. In the event of no submissions being received, adopt the proposed fees.

**Reason for Report:**

For Council to consider new fees to be introduced at Blayney Library for colour photocopies.

**Report:**

Council has recently installed new printing / photocopying equipment and enhanced print technology at Blayney Library, funded from the Library Priority Grant. As this equipment has the increased functionality of colour copying, it is proposed to implement fees for colour copies using a similar fee structure used by the Central West Libraries at Orange City Library and branches.

The current fee in place for photocopying in the 2024/25 Operational Plan for Blayney Library is for Black & White copies at \$0.20 per copy. This is charged on a Partial Cost Recovery (PC) Pricing Principle. The proposed fees for colour photocopying are as follows:

Description	Pricing Principle	GST inclusive fee
<u>Blayney Library</u>		
Photocopies – A4 colour	PC	\$1.00
Photocopies – A3 colour	PC	\$2.00

As no fee exists, Council is obligated under the Local Government Act to exhibit this fee and consider submissions prior to adoption.

**Risk/Policy/Legislation Considerations:**

Local Government Act s.610A states that Council must not determine a fee until it has given public notice and has considered any submissions made during the period of public notice.

**Budget Implications:**

Income derived from these fees will assist to defray costs associated with operation of the equipment at Blayney Library.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**08) MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 14 NOVEMBER 2024**

**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

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**Recommendation:**

That Council receive the Minutes of the Audit, Risk and Improvement Committee meeting held 14 November 2024.

**Reason for Report:**

For Council to endorse the minutes of the Blayney Shire Audit, Risk and Improvement committee meeting held 14 November 2024.

**Report:**

The Audit, Risk and Improvement Committee held its meeting 14 November 2024.

Of significance to Council from this meeting were:

- Presentation by External Audit Service Provider for the NSW Audit Office, Katie Henry (Intentus) on the 2023/24 Audited Financial Statements
- Credit Card Compliance Review
- Update on action taken with the Review of Richards Lane Culvert Project
- Review of the proposed audit scope for the Review of Procurement Internal Audit

The full business paper from the Blayney Shire Audit, Risk and Improvement committee is available to Councillors for reference on the Councillor Portal.

The minutes of the meeting held are tabled below:

**MINUTES OF THE BLAYNEY SHIRE COUNCIL AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING  
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY CENTRE, ON 14 NOVEMBER 2024, COMMENCING AT 9:10 AM**

**PRESENT:**

Committee Members:

Donna Rygate (Independent - Chair), Ron Gillard (Independent), Liz Jeremy (Independent)

Non-voting Delegate:

Cr. Michelle Pryse Jones (Councillor)

In attendance:

Katy Henry (Intentus - Audit Service Provider for NSW Audit Office),

Required staff:

Anton Franze (Director Corporate Services – Secretariat), Tiffaney Irlam (Chief Financial Officer), Vicki Walker (WHS & Risk Coordinator).

**APOLOGIES**

Mark Dicker (General Manager), Farisha Ali (NSW Audit Office), Jacob Hogan (Director Infrastructure Services).

**ACKNOWLEDGEMENT TO COUNTRY****DISCLOSURES OF INTEREST**

The Director Corporate Services reported the following Disclosure of Interest forms had been submitted:

<b>Committee Member/Staff</b>	<b>Interest</b>	<b>Item</b>	<b>Pg</b>	<b>Report</b>	<b>Reason</b>
D. Rygate		-	-	-	Chair of Cabonne Shire Council, Upper Macquarie County Council and Central Tablelands Water ARIC Committees (Standing disclosure).
D. Rygate		-	-	-	Member of Western Regional Planning Panel (Standing disclosure).
D. Rygate		-	-	-	Member of Energy Co Board (Standing disclosure).
D. Rygate		-	-	-	Chair of Central Tablelands Local Land Services (LLS) and member of Statewide Board (Standing disclosure).
D. Rygate		-	-	-	Chair of Audit Committee, Service NSW (Standing disclosure).
R. Gillard		-	-	-	Member of Upper Macquarie County Council and Central Tablelands Water ARIC Committees (Standing disclosure).

All items on Audit, Risk and Improvement Committee Agenda will be resolved by consensus and accordingly, rather than movers and seconders, its minutes will record any instances of dissent.

## **CONFIRMATION OF MINUTES**

**2411/001     MINUTES OF THE PREVIOUS MEETING HELD 21 AUGUST 2024**

**RECOMMENDED**

That the Minutes of the Audit, Risk and Improvement Committee Meeting held 21 August 2024 be received.

**MATTERS ARISING FROM PREVIOUS MINUTES**

Nil.

## **REPORTS**

**2411/002     WHS AND RISK REPORT**

**RECOMMENDED**

That the WHS and Risk report be received.

**2411/003     FINANCE ACTIVITIES REPORT: SEPTEMBER - NOVEMBER 2024**

**RECOMMENDED**

That the Finance Activities report for period September – November 2024 be received.

**2411/004     2023/24 FINANCIAL STATEMENTS AND ENGAGEMENT CLOSING REPORT**

**RECOMMENDED**

That the Audit, Risk and Improvement Committee notes report on the 2023/24 Financial Statements and the 2024 Audit Engagement Closing Report received from the NSW Audit Office.

**KATY HENRY LEFT THE MEETING, THE TIME BEING 9:55AM**

**2411/005     CORPORATE CREDIT CARD COMPLIANCE REVIEW JANUARY - JUNE 2024**

**RECOMMENDED**

That the report on Corporate Credit Card compliance activities for the period January 2024 – June 2024 be received.

**2411/006     BLAYNEY SHIRE COUNCIL 2023/24 ANNUAL REPORT**

**RECOMMENDED**

That the Annual Report for the period 1 July 2023 to 30 June 2024, as adopted by Council and lodged with the Office of local Government, be noted.

**2411/007     REVIEW OF RICHARDS LANE CULVERT PROJECT UPDATE**

**RECOMMENDED**

1. That the report on the Review of Richards Lane Culvert Project update be received.
2. That the actions taken or proposed to be undertaken on the Review of Richards Lane Culvert Project be noted.

**2411/008     INTERNAL AUDIT: REVIEW OF PROCUREMENT  
RECOMMENDED**

1. That the report on the Internal Audit: Review of Procurement be received.
2. That the Audit, Risk and Improvement Committee provide feedback on proposed audit scope be noted.

**2411/009     SCHEDULE OF OUTSTANDING AUDIT RECOMMENDATIONS  
RECOMMENDED**

That the Schedule of Outstanding Audit Recommendations report be received.

**2411/010     PRESCRIBED FUNCTIONS ACTIVITY REPORT  
RECOMMENDED**

That the report on Prescribed Functions outlining activities in risk management, Financial Management, legislative compliance, external audit, governance, service reviews / improvements, and fraud and corruption prevention be received.

**2411/011     UPDATE ON MAJOR DEVELOPMENTS  
RECOMMENDED**

That the Update on Major Developments report be received.

**MEETING CLOSED AT 11:00AM****Risk/Policy/Legislation Considerations:**

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

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

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

**Budget Implications:**

Costs associated with holding of Committee meetings, sitting fees for independent members and associated service reviews / audits are provided for in Council's 2024/25 Operational Plan for this purpose.



**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**09) INFRASTRUCTURE SERVICES MONTHLY REPORT****Department:** Infrastructure Services**Author:** Director Infrastructure Services**CSP Link:** 1. Maintain and Improve Public Infrastructure and Services**File No:** RD.AD.1

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**Recommendation:**

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

**Reason for Report:**

This report presents an update on current projects, construction and maintenance activities within the Blayney Shire being managed or undertaking by Council's Infrastructure Department. The report outlines work that has been carried out over the past month as well as status of major projects.

**Report:****Minor Works**Maintenance works

Since the previous report, pothole patching has been performed on the following roads: Barry Road, Belubula Way, Carcoar Dam Road, Errowanbang Road, Four Mile Creek Road, Garland Road, Hobbys Yards Road, Mandurama Road, Moorilda Road, Neville Road, Newbridge Road, Tallwood Road, Three Brothers Road, Wimbledon Road.

Pothole patching has also generally been performed in the following towns/areas: Blayney, Barry, Carcoar, Lyndhurst, and the Blayney Showground.

Maintenance grading and resheeting works have been undertaken on the following roads: Mount Macquarie Road, Old Lachlan Road, Gallymont Road, Bradene Road.

**Open Spaces and Facilities**

Mowing and tree works are current priorities throughout the shire with warmer weather now in full swing. Increased vandalism continues across various amenities, taking the team away from other maintenance activities. More robust fixtures / designs etc are being investigated / implemented as appropriate.

**Sewer Treatment Plant (STP)**Programmed Works

The flow meter at License Point 1 (creek) has been recalibrated for a larger weir with a larger flow range. Fencing has been completed to fully enclose the wetlands. Responsive repairs were completed at sewer pump stations and the air valve on the Millthorpe Rd rising main.

Repairs to the sewer due to utility penetrations have been completed at the utilities' cost. Partial quality failures previously identified will be monitored, with the contractor to respond if decreasing condition is observed.

A significant choke was attended to with sewer found backing up into a property. Owner has been advised to contact their insurer. Investigations are continuing.

The team are trialling digital reporting of faults directly to our database including: sewer chokes, manhole defects, and pump station faults. This will improve record keeping and reporting capabilities.

### Major Projects

*Note, costs/budgets are reported for the current financial year only.*

Four Mile Creek Road Bridge Replacement – Fixing Country Bridges					
Due Date	Revised Budget YTD	Expenditure this month	Total Expenditure YTD	Committed Expenditure YTD	Estimated Total Project Costs
30/06/2025	1,578,481	191,616	1,175,728	157,661	1,532,967
<b>Commentary</b>					
<ul style="list-style-type: none"> <li>Bridgeworks complete except for approach guardrail placement.</li> <li>Roadworks were completed with sealing occurring 30/10/2024. The road and new bridge are now open to traffic.</li> </ul>					
<b>Forecast (1-3 months)</b>					
<ul style="list-style-type: none"> <li>Barriers from the bridge and terminal placement will be completed by the bridge contractor after the completion of the roadworks pending their availability.</li> <li>Invoices for committed funds will come in over next month.</li> <li>The remaining funds will be assessed after completion of the roadworks for whether they will be sufficient to remove the existing bridge. Current estimates for bridge removal are factored in to Estimated Total Project Costs pending final revision upon receipt of final quotes.</li> </ul>					

Browns Creek Road Heavy Patching – R4R9					
Due Date	Revised Budget YTD	Expenditure this Month	Total Expenditure YTD	Committed Expenditure YTD	Estimated Total Project Costs
30/06/2025	668,897	161,027	263,694	139,732	532,304
<b>Commentary</b>					
<ul style="list-style-type: none"> <li>Stabilising completed, with base overlay underway.</li> <li>Sealing booked for week commencing 25/11/24.</li> <li>Project completed end of November 2024.</li> </ul>					
<b>Forecast (1-3 months)</b>					
<ul style="list-style-type: none"> <li>Linemarking and finishing works remaining.</li> </ul>					

<b>Hobbys Yards Road Rehabilitation – R4R9</b>					
<b>Due Date</b>	<b>Revised Budget YTD</b>	<b>Expenditure this Month</b>	<b>Total Expenditure YTD</b>	<b>Committed Expenditure YTD</b>	<b>Estimated Total Project Costs</b>
30/06/2025	2,277,761	4,210	106,877	17,314	1,818,254 <sup>[1]</sup>
<b>Commentary</b>					
<ul style="list-style-type: none"> <li>• Scope is confirmed at CH 8900-10700 which is aligned with the grant funding requirements of rehabilitation of 1.8km of road.</li> <li>• Drainage and culvert works will be complete by end of 2024.</li> <li>• <sup>[1]</sup> Based on detailed estimate and project plan for the CH8900-10700 project.</li> </ul>					
<b>Forecast (1-3 months)</b>					
<ul style="list-style-type: none"> <li>• Commencement of bulk of earthworks in January 2025.</li> <li>• Retaining wall structural design to be sought and engaged for main cutting.</li> </ul>					

<b>Richards Lane – R4R9</b>					
<b>Due Date</b>	<b>Revised Budget YTD</b>	<b>Expenditure this Month</b>	<b>Total Expenditure YTD</b>	<b>Committed Expenditure YTD</b>	<b>Estimated Total Project Costs</b>
Nov. 2025 <sup>[1]</sup>	1,258,521	11,980	27,323	45,875	953,317 <sup>[2]</sup>
<b>Commentary</b>					
<ul style="list-style-type: none"> <li>• Project completion likely in 25/26 financial year.</li> <li>• <sup>[1]</sup> Application for project extension is currently being sought from the funding body for a revised completion date of March 2026.</li> <li>• Concept design approval has been received from TfNSW for the intersection works, stage 2 (intersection) but detailed design is yet to be approved.</li> <li>• Delivery of remaining stages 2 &amp; 3 will be via open tender.</li> <li>• <sup>[2]</sup> Based only on estimate of remainder of stage 3 works and committed/unexpended costs from design, WAD, and RSA fees. Stage 2 works not yet incorporated in cost to complete.</li> </ul>					
<b>Forecast (1-3 months)</b>					
<ul style="list-style-type: none"> <li>• Finalisation of detailed estimate for stage 2 (draft still underway)</li> <li>• Finalisation of detailed estimate for stage 3.</li> <li>• Road safety audit.</li> <li>• Project verifier commencement.</li> <li>• Detail design approval from TfNSW.</li> <li>• Tender document preparation.</li> </ul>					

<b>Rodd Street Culvert Repairs – Natural Disaster AGRN1034</b>					
<b>Due Date</b>	<b>Revised Budget YTD</b>	<b>Expenditure this Month</b>	<b>Total Expenditure YTD</b>	<b>Committed Expenditure YTD</b>	<b>Estimated Total Project Costs</b>
June 2025	420,273	0	0	11,400	420,273
<b><i>Commentary</i></b>					
<ul style="list-style-type: none"> <li>• Issue for Tender design complete.</li> <li>• Delivery of this project will be via open tender.</li> <li>• Tender docs being finalised, with finalisation of tender schedules after receipt of SoW documents from contractor.</li> </ul>					
<b><i>Forecast (1-3 months)</i></b>					
<ul style="list-style-type: none"> <li>• Tender documents will be reviewed. Issuing RFT expected in late November 2024. Awarding likely after NY.</li> </ul>					

**Risk/Policy/Legislation Considerations:**

Information report only.

**Budget Implications:**

No forecast supplementary votes are being requested at this time.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**10) DRAINAGE - HAWKE STREET, BLAYNEY****Department:** Infrastructure Services**Author:** Manager Operations**CSP Link:** 1. Maintain and Improve Public Infrastructure and Services**File No:** RD.MT.186

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**Recommendation:**

That Council:

1. Note the deferral of the following projects in the 2024/25 Operational Plan:
  - Hawke St footpath – Stirling PI – Ewin St (Blayney AMP 19)
  - Naylor St footpath – Stokes Ln – Bridge (Carcoar AMP Ad2)
  - Carcoar Dam Rd culvert
2. Approve the supplementary vote of \$125,041 in the 2024/25 Operational Plan to reallocate funding from the 3 deferred projects above to facilitate kerb and gutter works in Hawke St Blayney.
3. Review and update the Active Movement Strategy Works Program 2024/25 to 2033/34 to reflect the reassessed priorities.

**Report:**

When Council sought to commence the design works for the footpath in Hawke Street Blayney, historical issues pertaining to stormwater emanating from the road reserve were identified as a risk which needed to be considered.

Temporary measures have been constructed multiple times over recent years seeking to alleviate the issue, however these measures have not held up.

With the current financial year budget allocation for footpath construction in this section of Hawke Street (Blayney AMP 19), preliminary survey also highlighted the existing stormwater issues.

Upon commencing design of the footpath, council officers determined that the construction of a footpath link along the either side of Hawke Street would exacerbate stormwater issues and hinder the ability to construct kerb and gutter in the future which would be required to rectify the runoff issues.

As there is no kerb and gutter or piped drainage either side of Hawke Street (in this section), during moderately heavy rains the stormwater present on the western side of the road from property runoff leaves the road over the crown and enters the eastern properties. As such, any construction of footpath on the either side of the road without considering future road levels, kerb and gutter, piped drainage, and driveway grades would be problematic.

Considering the above, it is proposed that the footpath project be deferred, and priority is given to rectify the stormwater issues in the area.

A re-allocation of current year funds is recommended to enable construction of approximately 70m of kerb and gutter and associated stormwater along the eastern side of Hawke Street prior to construction of the footpath.

The 2024/25 projects have been reviewed and it is proposed to defer the following 3 projects to undertake the stormwater improvement works in Hawke Street Blayney:

<b>Project</b>	<b>24/25 Budget Allocation</b>	<b>Notes</b>
<b>Hawke Street AMP 19</b>	\$30,442	Given issues highlighted in this report, this project should be deferred until kerb and gutter/stormwater issues are resolved.  Deferment and re-allocation of funds to Hawke Street kerb and gutter is recommended.
<b>Carcoar AMP Ad2 (Footpath) – Naylor St renewal, Stoke Lane to bridge</b>	\$27,427	The project has been reviewed and determined as not yet required given the work was proposed as renewal and the existing footpath is in good condition.  Deferment and re-allocation of funds to Hawke Street kerb and gutter is recommended.
<b>Carcoar Dam Road Culvert</b>	\$67,172	Preliminary investigations have resulted in minor renewal works that could take place under the existing culvert renewal program.  Full replacement of the culvert is not recommended to complexity of work required and current high performance and good condition of existing structures.  Re-allocation to Hawke Street kerb and gutter is recommended. Any remaining funds from kerb and gutter project will be reviewed for use on this project.
<b>Total</b>	<b>\$125,041</b>	

Preliminary estimates with contingency have been completed for two scenarios:

1. Installation of kerb and gutter along both sides of Hawke Street from Stirling Place to Ewin Street (total approx. 280m), installation of stormwater at either end of the new kerb, driveway reinstatements, road reinstatement and sealing edge. Estimated total is \$200,413. – Progression of this option is therefore not recommended.

2. Installation of kerb and gutter in front of developed properties on eastern side of Hawke Street that are subject to stormwater ingress from road (total approx. 70m), installation of stormwater at Ewin Street end of kerb before return as well as the option of a verge drainage line pending final design, driveway reinstatements, road reinstatement and sealing edge. Estimated total \$122,764 (including contingency).

It is recommended that Council proceed with option 2 and reallocate \$125,041 in the 2024/25 Operational Plan to construct kerb and gutter (approx. 70m) in Hawke Street Blayney.

**Risk/Policy/Legislation Considerations:**

The stormwater runoff issue poses a risk of litigation to council given the potential claim of nuisance and damages due to water ingress into the landowner's property.

Council has the option under section 217 of the Roads Act 1993 to recover up to half the proportional costs that are incurred in constructing kerb and gutter and footway from adjacent landowners based on their property frontage length. Potential income from 3 landowners proportionally distributed would be approximately \$19,400.

It is recommended that this option is not taken up given the historical and ongoing issues occurring.

**Budget Implications:**

Recommended budget changes are outlined above in this report.

The footpath costs for the originally scoped Blayney AMP 19 link are estimated at \$40,000 pending further design and subsequent provision of future kerb and gutter on the western side of the street.

Given this estimate exceeds the original budget allocation for this AMP project by approximately \$10k, it is recommended that this project is deferred (year to be determined) with a \$40k budget allocation.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil



**11) DA 2024/13 - 2043 HOBBS YARDS ROAD, BARRY****Department:** Planning and Environmental Services**Author:** Manager Development Assessment**CSP Link:** 5. Protect Our Natural Environment**File No:** DB.AB.2072**Recommendation:**

That Council:

1. Support the variation to the Blayney Development Control Plan 2018, E5.2 All Tourist & Visitor Accommodation in Rural Zones sub-clause (2) “Any proposed buildings should be sited within a 50 metre radius from the principal dwelling-house”; and
2. Consent to Development Application 13/2024 for the Erection of a Dwelling House for the occupation and use as a Farm Stay Accommodation at Lot 2 DP 212011, 2043 Hobbys Yards Road, Barry subject to the recommended conditions of consent.

**REPORT**

<b>Applicant:</b>	Nicholas Reeks
<b>Owner:</b>	Brett & Jasmine Ryan
<b>Application No:</b>	DA13/2024
<b>Zone:</b>	RU1 Primary Production
<b>Date Received:</b>	19/02/2024
<b>Assessment No:</b>	335895
<b>Property:</b>	Lot 2 DP 212011, 2043 Hobbys Yards Road, Barry
<b>Proposed Development:</b>	Erection of a Dwelling House for the occupation as a Farm Stay Accommodation

**BACKGROUND**

Development Application 13/2024 has been lodged by Nicholas Reeks on behalf of Brett and Jasmine Ryan for the conversion of an agricultural Silo into a class 1a dwelling to be occupied for the purpose of a Farm Stay Accommodation. The silo is not “insitu” on site but would be assembled and fitted out for use as accommodation. The proposed development will be located on Lot 2 DP 212011, 2043 Hobbys Yards Road, Barry.

The subject property is in a RU1 Primary Production Zone under the Blayney Local Environmental Plan 2012 (BLEP) and is vacant of any built form and used for agricultural purposes. Farm Stay accommodation is specified in the land use table as permissible with consent in the RU1 Zone.

The application does not comply with Blayney Development Control Plan (DCP) 2018, E.5 Tourist & Visitor Accommodation in Rural Zones, E.5.2 All Tourist & Visitor Accommodation in Rural Zones sub clause (2), which

requires “*Any proposed buildings should be sited within a 50 metre radius from the principal dwelling house.*” The proposed setbacks from the principal dwelling sited on Lot 1 in DP: 212011 is approximately 400m.

As such, the applicant has sought Council’s approval for a variation to the acceptable solution.

Based on the rationale set out in the body of the assessment report, it is recommended that a variation should be supported. In summary, it is considered that the proposed development is consistent with the aims, objectives, and performance criteria of the BLEP and DCP. Consent is recommended subject to appropriate conditions of consent.

### **Proposed Development**

Council’s consent is sought for the following:

- Erection of a two storey, Class 1a Dwelling to be utilised as Farm Stay Accommodation (see definition).
- The dwelling will consist of the conversion of a Galvanised Iron agricultural Silo containing:
  - o Ground floor: Kitchen sitting room, bathroom and stairwell;
  - o First floor: Bedroom.
  - o Attached patio with outdoor bath and attached external laundry.
  - o Awning over the entrance door
  - o 2x detached 30,000L Aquiline Steel water tanks.
  - o Gravel carparking area
- Installation of a septic tank and disposal trench for the disposal and management of domestic wastewater.

### **Section 1.7 – Application of Part 7 of the Biodiversity Conservation Act 2016 and Part 7A of the Fisheries Management Act 1994**

Section 1.7 of the EP&A Act 1979 identifies that Part 7 of the Biodiversity Conservation Act 2016 and Part 7A of the Fisheries Management Act 1994 have effect in connection with terrestrial and aquatic environments.

Having regard to the relevant provisions and based on an inspection of the subject property, it is considered that the proposed development is not likely to have a significant effect any threatened species, population or ecological communities or their habitats.

### **Section 4.15 Evaluation**

#### **Matters for Consideration – General**

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

### **Section 4.15(1)(a)(i) The provisions of any Environmental Planning Instrument Blayney Local Environmental Plan 2012**

#### **Part 1 – Preliminary**

#### **Clause 1.2 Aims of Plan**

The proposed development is considered to be consistent with the broad aims of the BLEP 2012. Relevant issues are addressed in the body of this report.

#### Clause 1.7 Maps

Land zoning:	RU1 Primary Production
Lot size:	100 ha
Heritage:	Nil
Terrestrial biodiversity:	Yes, although not within the area applicable to the proposed development
Groundwater vulnerability:	Nil
Drinking water catchment:	Yes
Watercourse:	Nil
Flood:	Nil

#### **Clause 1.9A – Suspension of Covenants, Agreements and Instruments**

Clause 1.9A provides that covenants, agreements and other instruments which seek to restrict the carrying out of development do not apply with the following exceptions:

- a covenant imposed by the Council or that the Council requires to be imposed, or
- any prescribed instrument within the meaning of section 183A of the Crown Lands Act 1989, or
- any conservation agreement within the meaning of the National Parks and Wildlife Act 1974, or
- any Trust agreement within the meaning of the Nature Conservation Trust Act 2001, or
- any property vegetation plan within the meaning of the Native Vegetation Act 2003, or
- any biobanking agreement within the meaning of Part 7A of the Threatened Species Conservation Act 1995, or
- any planning agreement within the meaning of Division 6 of Part 4 of the Act.

This clause does not affect the rights or interest of any public authority under any registered instruments. A search of Council's records indicates that the subject property is not affected by any of the foregoing covenants, instruments, agreements or plans.

#### **Part 2 – Permitted or prohibited development**

##### Clause 2.3 Zone objectives and Land Use Table

Clause 2.3(2) of BLEP provides that the Council shall have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. The objectives of the RU1 Primary Production zone are:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.

- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To enable function centres, restaurants and appropriate forms of tourist and visitor accommodation to be developed in conjunction with agricultural uses.

The proposed development is consistent with the objectives of the zone and encourages diversity in primary industry and minimises conflict between land uses within the prescribed zone and adjoining properties.

Farm Stay development is defined as:

*“accommodation means a building or place—*

- (a) on a commercial farm, **and***
- (b) ancillary to the farm, **and***
- (c) used to provide temporary accommodation to paying guests of the farm, including in buildings or moveable dwellings.”*

Advice provided by the applicant on the operation of the farm indicates that the current landowners *“have been operating a farming operation across both properties at 2145 and 2043 Hobbys Yards Road including lots 1 and 2 of the DA since the 1990’s. We predominately grow cereal, oil, and legume crops in the Central Tablelands of NSW across 620 acres of high rainfall high altitude land.*

*A rotational cropping program is implemented with our agronomist and revisited during the year dependant on seasonal conditions. We undertake all operational procedures ourselves on farm. Our products are sold domestically and for export across a variety of grades including human consumption, animal consumption and seed. We have a range of industry professionals that support us with their knowledge and advice, and we work collaboratively to source the best outcome for our businesses.*

*We provide support and resources to organisations invested in the growth of our industry such as Local Lands Services, GRDC, Farm Business Resilience Coaching Program and Kalyx to name a few.”*

A commercial farm is defined as:

*“a farm on which agriculture is undertaken that is—*

- (a) on land categorised as farmland under the Local Government Act 1993, section 515, **or***
- (b) a primary production business within the meaning of the Income Tax Assessment Act 1997 of the Commonwealth, or part of a primary production business, including a business that—*
  - (i) was a primary production business, and*
  - (ii) has temporarily ceased to be a primary production business because of a natural disaster, including a drought, flood or bush fire.”*

The property subject of the application is categorised as farmland under the Local Government Act 1993, section 515.

#### Part 4 – Principal development standards

Whilst not adopted by Blayney Council the Standard Template LEP provisions relating to agritourism provide the following controls, which can be a guide to Council in the assessment of such applications:

#### **Part 5 - Miscellaneous provisions**

##### Section 5.4 – Controls relating to miscellaneous permissible uses

This section provides the following additional controls:

*“Farm stay accommodation If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 12 bedrooms in buildings”.*

The proposed development complies.

##### Section 5.24 - Farm Stay Accommodation

Not adopted by Blayney Council, however the model provisions have been used to guide the assessment of the application and its permissibility. The model provision state:

*“Development consent must not be granted to development for the purposes of farm stay accommodation on a landholding unless the consent authority is satisfied all buildings or manufactured homes used to accommodate guests on the landholding will be—*

- (a) on the same lot as an existing lawful dwelling house, or*
- (b) on a lot of a size not less than the minimum lot size for a dwelling house to be permitted on the lot under an environmental planning instrument applying to the land.”*

The development is proposed to be undertaken on an allotment that is not less than the Minimum Lot Size applicable to land within the RU1 Zone.

#### **Part 6 – Additional local provisions**

##### **6.3 Terrestrial biodiversity**

- (1) The objective of this clause is to maintain terrestrial biodiversity by—
  - (a) protecting native fauna and flora, and
  - (b) protecting the ecological processes necessary for their continued existence, and
  - (c) encouraging the conservation and recovery of native fauna and flora and their habitats.
- (2) This clause applies to land identified as “Biodiversity” on the Natural Resource—Biodiversity Map.
- (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider—
  - (a) whether the development is likely to have—
    - (i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and
    - (ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and

- (iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and
- (iv) any adverse impact on the habitat elements providing connectivity on the land, and
- (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—
- (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
  - (b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or
  - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

The proposed development does not include the removal of trees on the subject property. Removal of vegetation (grass) will be removed but limited to just to the construction site. There is no adverse impact on the condition, ecological value and significance of the fauna and flora on the land.

#### **Clause 6.8 Essential services**

Clause 6.8 requires that development consent must not be granted to development unless the consent authority is satisfied that any of the services that are essential for the development are available or that adequate arrangements have been made to make them available when required.

Supply of water	As per BASIX commitments, the development will be serviced by on-site water (rainwater tanks). Additional/reserve water supply will be required for fire fighting purposes and the provision of a storz fitting.
Supply of electricity	Mains power is available to the site. An off grid solar system will be provided to the development.
Disposal and management of sewerage	On-site waste-water system for the management of sewage
Stormwater drainage or on-site conservation	Roof water drainage will be conveyed to water tanks for re-use, overland flow will be retained onsite.
Suitable vehicular access	Legal access will be required to be provided by virtue of a right of carriageway registered over an existing track in use through Lot 1 DP212011

#### **State Environmental Planning Policy (Resilience and Hazards) 2021**

State Environmental Planning Policy (Resilience and Hazards) 2021 requires that a consent authority must not consent to the carrying out of development of land unless it has considered whether the land is contaminated; is satisfied that the land is suitable in its contaminated state for the development that is

proposed, and if the land requires remediation to be made suitable for the proposed development it is satisfied that the land will be remediated before the land is used for that purpose.

An inspection of the site shows no evidence that the land has historically been used for anything other than agricultural land use. In utilising local knowledge, discussions with existing Council staff indicate that the land has never been known to be used for any more intensive activity other than grazing. Consequently, having regard to all available information it is safe to conclude that there is no evidence of previous contaminating land uses that would require further investigation.

### **State Environmental Planning Policy (Biodiversity and Conservation)**

#### **Chapter 3 – Koala Habitat Protection 2020**

This policy aims to encourage the proper conservation of natural vegetation that provides habitat for Koalas to ensure their population and range of accessibility is preserved. The Policy meets its objectives by:

- a) Requiring the preparation of plans of management before development consent can be granted in relation to area of core Koala habitat.
- b) Encouraging the identification of areas of core koala habitat; and
- c) Encouraging the inclusion of areas of core koala habitat in environmental protection zones.

The proposed development does not require the removal (clearing) of any native vegetation or further intrusion of timbered areas. Council can be satisfied that the development will not have an impact on koalas or Koala habitat.

### **Section 4.15(1)(a)(ii) Any proposed instrument that is or has been the subject of public consultation under the Act and has been notified to the consent authority**

Not applicable.

### **Section 4.15(1)(a)(iii) Any Development Control Plan**

#### **Blayney Shire Development Control Plan 2018**

As the development is a Class 1a Dwelling utilised for the purpose of Farm Stay Accommodation the provisions of Part C (Residential Development) and Part E5 Tourist and Visitor Accommodation in Rural Zones, applicable to Agrotourism Development.

<b>Clause</b>	<b>DCP Comment</b>	<b>Compliance</b>
<b>C4.1 Building Setbacks</b>	<u>Setbacks:</u> Dwellings (and attached ancillary buildings) must meet the following minimum setbacks in metres (m) from the lot boundaries Zone RU1 & RU2 1) Public road frontage – 20m; 2) Side or rear boundary – 50m	<u>Comment:</u> DCP requirement is 50m for side and rear setback.  Setbacks proposed are compliant.

<p><b>C4.2 Building Siting &amp; Buffers</b></p>	<p><u>1) Environmental Hazards:</u> Buildings must be sited so as to avoid, or if not avoid, mitigate or minimise the impacts from natural hazards (including but not limited to flooding, stormwater hazards, bushfire etc.) or impacts on sensitive environment areas (including but not limited to significant vegetation, biodiversity, watercourses etc.) in accordance with Part G –Environmental Management &amp; Hazards.</p> <p><u>2) Existing Trees:</u> Buildings should be sited so as to minimise disturbance or removal of existing significant trees (including for asset protection zones to minimise bushfire risk) and buildings should be located outside the drip line of any retained trees to protect root structures.</p> <p>3) Buffers: Where dwellings are located adjacent to existing or potential higher impact activities (including, but not limited to agriculture, intensive agriculture, mineral resources etc.) then applicants must address the recommended buffer distances in Part G –Environmental Management &amp; Hazards. If these buffer distances cannot be met then there must be additional justification that addresses how impacts will be avoided or minimised.</p> <p><u>4) Dual Occ – N/A</u></p> <p><u>5) Privacy &amp; Amenity:</u> Buildings must be sited to reduce any overlooking of the living rooms and primary private open spaces of adjoining dwellings and appropriately screened to protect privacy, noise separation and residential amenity of adjoining dwellings.</p> <p>If dwellings must be sited in close proximity to adjoining dwellings then privacy measures such as landscaping or screening, offsetting of windows, opaque windows etc. should</p>	<p><u>Comment:</u> The proposed dwelling is to be erected on grassland. No trees are proposed to be removed. The proposed dwelling will be adjacent to neighbouring farming (grazing).</p> <p>The proposed dwelling is not in close proximity to adjoining land owner dwellings so no landscaping requirements will be required.</p> <p>On aerial view, the closest dwelling house located at 2043 Hobbys Yards Road Barry (in the same ownership) which is approx. 400m away from proposed development.</p>
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	be utilised.	
<b>C4.3 Visual Impacts</b>	<p><u>1) Ridgelines:</u> Dwelling must be located away from ridgelines or seek to minimise their visual impact on the skyline.</p> <p><u>2) Scale / Colours/ Materials:</u> Building must be designed and constructed to integrate with the surrounding rural landscape and not detract from the rural amenity.</p> <p><u>3) Reflectivity:</u> External materials must have low reflectivity if they are visible from a public road or neighbouring dwelling and there is a reasonable probability of glare affecting driver safety, residential amenity, or the building being too visually intrusive.</p>	<p><u>Comment:</u> The proposed dwelling is proposed to be significantly setback from public roads (approx. 450m) along the northern boundary.</p> <p>Due to the dwelling being a conversion of a Galvanised iron agricultural silo is unlikely to be visually intrusive.</p> <p>The external material is not considered reflective being Galvanised Iron.</p>
<b>C8.1 Site Planning</b>	<p>1) Considers and responds to the topography, climate and natural environment;</p> <p>2) Avoids, or if it cannot avoid, minimises or mitigates against natural hazards and land use conflicts;</p> <p>3) Protects and enhances any heritage items or heritage conservation areas;</p> <p>4) Integrates with the surrounding built form and landscape character; and</p> <p>5) Maintains reasonable residential amenity (for the site and adjacent dwellings).</p>	<p><u>Comment:</u> The proposed dwelling is significantly set back from adjoining property dwellings and Hobbys Yards Road.</p> <p>The design of the structure, being the conversion of a silo maintains the rural aesthetic of the area and integrates into the landscape.</p>
<b>C8.2 Water &amp; Energy Efficiency</b>	A BASIX Certificate may need to be submitted with the Development Application in accordance with State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 prepared either by an applicant or a suitably qualified consultant.	<u>Comment:</u> A BASIX certificate, Certificate was lodged in support of this application.
<b>C8.4 Earthworks</b>	<p>1) Cut and/or fill should be minimised by appropriate site planning, building orientation and design, taking into account the slope of the site, proximity to adjacent properties and environmentally sensitive areas, and access and drainage requirements.</p> <p>2) Cut and/or fill for residential uses</p>	<p><u>Comment:</u> No cut/fill are proposed for this development. The site for the development will only require minor earthworks.</p> <p>No imported fill is identified in the application or expected from</p>

	that is greater than 1m in depth or closer than 1m to a lot boundary may require additional certification to avoid impacts on adjacent properties. 3) Applicants must notify Council if cut and/or fill will result in the net export or import of fill from sites other than the subject site and demonstrate the fill is not contaminated.	the impact of the proposal.
<b>C8.6 Connection to Utilities</b>	1) N/A 2) N/A 3) New development must be connected to grid-electricity unless the applicant can demonstrate a sufficiently sized and appropriate alternative (off grid) system to meet the reasonable needs of that type of development. 4) N/A	<u>Comment:</u> Mapping indicates grid electricity network is available in the locality. However, given the potential for visual intrusion and costs of extension within the site, an off grid solar system is proposed for electricity.
<b>C8.7 Siting &amp; Visibility of Utilities</b>	1) Utilities should be located underground (particularly in heritage conservation areas or main streets) or utilise existing poles (at the discretion of Council) unless other constraints make this unsuitable. 2) Utility boxes and cabinets (e.g. electricity substations, meter boxes etc.) on private land are integrated into the development and screened (where appropriate).	<u>Comment:</u> Given the potential for visual intrusion and costs of extension within the site, an off grid solar system is proposed for electricity.
<b>C8.8 Water Tanks</b>	Dwellings that are reliant on rainwater for drinking water must have a minimum tank capacity of 60,000L or the requirements set out in the BASIX Certificate (whichever is greater). Additional capacity may be required for garden watering and other purposes.	<u>Comment:</u> The BASIX certificate and plans indicate 60, 000L water tanks. An additional 20, 000L is required for to be reserved for firefighting purposes which includes the provision of a storz fitting.
<b>C8.9 On-Site Sewage Management</b>	Where a lot is unable to connect to a reticulated sewage system, the applicant must provide an Effluent (Geo-technical) Report prepared by a suitably qualified geotechnical engineer that supports the design and location of any onsite system in accordance with Council's	<u>Comment:</u> The development site is remote to the reticulated sewer mains, the development will be serviced by an onsite system. An effluent disposal investigation report has been provided indicating on-site disposal can be

	Development and Building Guide, any relevant Australian Standards, and Part G2.5 On-Site Effluent Disposal of this DCP.	accommodated.
<b>C8.11 Solid Waste Management</b>	Applicants must determine (in consultation with Council) what solid waste collection services are available, other appropriate method of disposing of solid waste and suitable storage location(s).	<u>Comment:</u> Hobbys Yards Road is serviced by Council's waste contractor and upon Final Occupation Certificate for the dwelling, a bin service will be optional as the dwelling is more than 250m from the bin route as per Council policy 18C Waste Collection Services.
<b>C8.12 Letterboxes</b>	Separate letterboxes for each dwelling must: 1) Be located where it is easily visible from the road frontage and accessible for Australia Post employees; 2) Be clearly marked with the correct house number; 3) N/A	<u>Comment:</u> Compliance can be achieved, where required.
<b>C8.13 Street Numbering</b>	Each dwelling must have an appropriate street number that is clearly visible from the street (as determined by Council).	<u>Comment:</u> Street numbering will be made available on the front entry gate and clearly visible from Hobbys Yard Road.
<b>G2.5 On-Site Effluent Disposal</b>	Where an on-site effluent disposal system is proposed to manage sewage, the on-site systems must be suitably sized and able to operate on the lot (taking into account the proposed use and its likely liquid waste / effluent production) without impacting on development on the subject lot, neighbouring lots or surface or ground water systems, and don't require excessive vegetation removal.	<u>Comment:</u> A geotechnical report has been prepared by a suitably qualified company suited to the proposed use of the site.

### Part G Environmental Management and Hazard

#### Part G3 Stormwater and Drainage

Objective/Performance Criteria	Assessment Comments
G3.2 Objectives	The proposal can meet the objectives.
G3.3 Stormwater Management	Stormwater management can be achieved on site.

<b>Part G6 Land Contamination</b>	
<b>Objective/Performance Criteria</b>	<b>Assessment Comments</b>
G6.2 Objectives	There is no evidence of any previous uses of the land that may have caused any contamination. The site is vacant and has a historical use of cropping and grazing. The proposed use is residential. Having regard to all available information it is safe to conclude that there is no evidence of previous contaminating land uses that would require further investigation.

<b>Part G9 Land and Soils</b>	
<b>Objective/Performance Criteria</b>	<b>Assessment Comments</b>
G9.2 Objectives	The proposal can meet the objectives.
G9.3 Naturally Occurring Asbestos	The site is not known to contain naturally occurring asbestos.
G9.4 Erosion and Sedimentation	Appropriate conditions regarding erosion and sediment control are recommended.
G9.5 Other Geological or Soil Related Issues	Not applicable.

<b>Agritourism requirements</b>		
<b>Clause</b>	<b>DCP Comment</b>	<b>Compliance</b>
<b>E.5.1 Objectives</b>	<p>1) To encourage tourist and visitor accommodation and tourist oriented activities in areas that are appropriate for that site, whilst avoiding or mitigating against any potential land use conflicts with neighbouring properties, the natural environment and/or rural and residential amenity.</p> <p>2) To ensure that facilities are designed and constructed to maintain rural character and amenity, productive agricultural use of land and environmental values.</p>	<p><u>Comment:</u> The proposed farm stay accommodation will provide tourists with a unique style of accommodation on a working farm.</p> <p>The setback requirements will ensure land use conflicts are minimised and the style of building will be in keeping with the rural amenity of the site.</p>
<b>E.5.2 All Tourist &amp; Visitor Accommodation in Rural Zones</b>	<p>Tourist and visitor accommodation:</p> <p>1) Must be integrated with the agricultural use of the land and/or rural industries on the site.</p> <p>2) Any proposed buildings should be sited within a 50 metre radius from the principal dwelling house.</p> <p>3) The design consideration of proposed buildings is to maintain the</p>	<p><u>Comment:</u> The application does not comply with subclause 2 as the proposed farm Stay accommodation will be setback greater than 50m from the principal dwelling house. In support of this variation the applicant has provided</p>

	level of privacy and views enjoyed by adjoining properties. 4) N/A	justification in support of the operation of the farm. A detailed discussion has been provided below.
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### **Request for Variation.**

The landowner has supplied the following justification in support of a request to vary E.5.2 (2) of the Blayney Development Control Plan, 2018:



*"The above diagram shows the main dwelling on 2043 Hobbys Yards Road, Barry, NSW, 2799. The green lines radiating out from the principal dwelling are approximately 50m and individually show the limitations of constructing a dwelling within 50M of the principal dwelling.*

*As can be identified various obstacles are present which include our haulage Road, power poles and lines, stands of native timber, mechanical workshops and machinery sheds.*

*Additionally our chemical and fertiliser shed are within close proximity.*

*To construct a dwelling for agri-tourism purposes within the main operational area of our enterprise would be irresponsible. We have a legal obligation to ensure the health and safety of ourselves, our workers and visitors by eliminating or minimizing risks in line with our risk matrix.*

*The site chosen for the silo house allows us to minimize risks for our visitors and for us to continue to utilise our land for agricultural purposes in the most productive way whilst showcasing the natural landscape of our shire.*

*The site is situated towards the end of one fork of our haulage road offering privacy and minimal traffic flow whilst neighbouring a stand of native timber which is undergoing regeneration."*

Council staff support the variation to E.5.2 (2) of the Blayney Development Control Plan, 2018, the E.5.1 Objectives of the Development Control Plan are:

- 1) To encourage tourist and visitor accommodation and tourist oriented activities in areas that are appropriate for that site, whilst avoiding or mitigating against any potential land use conflicts with neighbouring properties, the natural environment and/or rural and residential amenity.
- 2) To ensure that facilities are designed and constructed so as to maintain rural character and amenity, productive agricultural use of land and environmental values.

It is considered that the proposed development, despite a variation to E.5.2 meets the objectives of the Development Control Plan for tourist and visitor accommodation in rural zones, as the location of the farm stay accommodation is appropriately setback from the boundaries of the property in a location that won't hamper the current operation of the farm, yet appropriately located to enjoy the rural landscape and blend into the rural amenity of the site.

#### **Section 4.15(1)(a)(iv) The Regulations**

In the case of a development application for the demolition of a building, the provisions of AS 2601

Not applicable to this application.

In the case of a development application for the carrying out of development on land that is subject to a subdivision order made under Schedule 7 to the Act, the provisions of that order and of any development plan prepared for the land by a relevant authority under that Schedule

Not applicable to this application.

Fire safety and other considerations (Clause 93)

Not applicable to this application.

Buildings to be Upgraded (Clause 94)

Not applicable to this application.

BASIX Commitments

A BASIX Certificate accompanies the application.

**Section 4.15(1)(b) The likely impacts of the development, including environmental impacts both the natural and built environments, and social and economic impacts in the locality**Context and Setting

The surrounding land use is rural residential development, and the proposed development is compatible with the scale, amenity and character of the surrounding area.

Land Use Conflict

The proposed development will not create land use conflict within the surrounding area as it is considered to be consistent with the character of the rural residential area.

Access and Traffic

Vehicle access to the subject land is via an existing constructed access off Hobbys Yards Road. No adverse impacts are assessed.

Public Domain

The proposed development will not impact on the public domain within the surrounding area, as it is considered to be consistent with the character of the rural residential area which and is not visible from a public road.

Utilities

The site is not connected to Council's sewerage system or proposed to be connected to CTW reticulated water system. Water and sewer will be managed by water tanks as required by DCP and by the onsite waste management system supported by an effluent disposal investigation.

Heritage

The proposed development is significantly removed from any items identified as heritage significant. The proposed development will not impact upon any known items of heritage significance surrounding the subject land.

Other land resources

The proposed development will not have a detrimental effect on productive agricultural land, mineral and extractive resources or water supply catchments.

Bushfire

As per RFS requirements an additional/reserve water supply will be required for fire fighting purposes. A minimum 20,000 litres fire fighting reserve will be required with the tank to be fitted with a 65mm Storz fitting.

Surface Water and Groundwater

The site will involve minor earthworks and stormwater will be able to drain via natural overland flow. No adverse impacts are assessed.

Soils

The development will require minor earthworks. No adverse impacts are assessed.

Air & Microclimate

No adverse impacts are assessed.

Noise and Vibration

No adverse impacts assessed.

Flora and Fauna

No adverse impacts are assessed.

Waste

Any waste generated during construction of the proposed development will be removed off site to an approved waste depot/service.

Natural Hazards

No natural hazards have been assessed as potentially impacting on the proposal.

Technological Hazards

There are no known previous land uses that would indicate the subject land is affected by land contamination. No adverse impacts assessed.

Safety Security and Crime Prevention

The proposal does not pose a safety security or crime prevention risk.

Social Impact in the Locality

Due to the type and scale of the proposed development, the social impacts of the development are not significant. No adverse impacts are assessed.

Economic Impact in the Locality

Due to the type and scale of the proposed development, the economic impacts of the development are not significant. However, positive benefits include attracting visitors to the area and sourcing supplies from local business. No adverse impacts are assessed.

Site Design and Internal Design

The proposal is consistent with the BLEP and DCP as discussed above. The development on the site will not detrimentally affect adjoining land and has been designed with regard to the existing site conditions.

Cumulative Impacts

The proposal is consistent with the BLEP and DCP The proposal is surrounded by residential properties of a similar size, shape and density. It is assessed that the cumulative impacts of the proposed development are not such that the application should be refused.

**Section 4.15(1)(c) The suitability of the site for the development**

The foregoing assessment demonstrates that the subject property is suitable for the proposed development.



**Section 4.15(1)(d) Any submissions made in accordance with this Act or the regulations**

In accordance with B2.1 (6) of the Blayney Development Control Plan 2018 the application was not notified.

**Section 4.15(1)(e) The public interest**

The proposed development is considered to be of minor interest to the wider public due to the localised nature of potential impacts. The proposed development is not inconsistent with any relevant policy statements, planning studies, guidelines etc. that have not been directly considered in this assessment.

**CONCLUSION**

The proposed development for the Erection of a Dwelling House for the occupation and use as a Farm Stay Accommodation at Lot 2 DP 212011, 2043 Hobbys Yards Road, Barry is permissible with development consent of Council subject to a variation of the DCP control E.5 Tourist & Visitor Accommodation in Rural Zones. E.5.2 All Tourist & Visitor Accommodation in Rural Zones sub clause (2), requires *“Any proposed buildings should be sited within a 50 metre radius from the principal dwelling house.”*

The proposed setbacks from the principal dwelling sited on Lot 1 in DP 212011 is approximately 400m. Based on the rationale set out in the body of the assessment report, it is recommended that a variation should be supported.

The proposed development complies with the relevant aims, objectives and provisions of BLEP. A Section 4.15 assessment of the development indicates that the development is acceptable in this instance.

Attached are draft recommended conditions of consent outlining conditions considered appropriate to ensure that the development proceeds in an acceptable manner.

**BUDGET IMPLICATIONS**

Nil

**RISK/POLICY/LEGISLATION CONSIDERATIONS**

The application has been assessed pursuant to the provisions of Section 4.15 of the Environmental Planning and Assessment Act. With any development application, an applicant could appeal the decision to the Land and Environment Court or the decision could be challenged in the Court.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

<b>1</b>	Conditions of Consent	7 Pages
<b>2</b>	Architectural Plans	23 Pages
<b>3</b>	Basix	12 Pages
<b>4</b>	Engineering Plans	6 Pages
<b>5</b>	Statement of Environmental Effects	4 Pages

**12) REPORT OF THE CENTRAL NSW JOINT ORGANISATION BOARD  
MEETING HELD 13 NOVEMBER 2024**

**Department:** Executive Services

**Author:** General Manager

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

**File No:** GR.LR.3

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**Recommendation:**

That Council note the report from the Mayor on the Central NSW Joint Organisation (CNSWJO) Board Meetings held 13 and 14 November 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 13 November 2024 in Sydney. Mayor Bruce Reynolds and General Manager Mark Dicker attended on behalf of Blayney Shire Council.

**Risk/Policy/Legislation Considerations:**

Nil

**Budget Implications:**

Nil

**Enclosures (following report)**

- |          |   |          |
|----------|---|----------|
| <b>1</b> | Central NSW Joint Organisation Board Report and Minutes | 13 Pages |
|----------|---|----------|

**Attachments (separate document)**

Nil

**Report from the Mayor attending the  
Central NSW Joint Organisation Board and State Representation meetings  
13 and 14 November 2024 in Sydney**

**Recommendations**

**That Council note the report from the Mayor on the Central NSW Joint Organisation (CNSWJO) Board meetings 13 and 14 November 2024 and seek a presentation from CNSWJO on its program including value to this Local Government Area.**

Please find following advice from the recent meeting of the Central NSW Joint Organisation Board held at Local Government House in Sydney on the 13 November 2024. The Minutes from the meeting are attached. The following day the Board met NSW Government Ministers including the Premier and Treasurer, coordinated through the Office of Mr Phil Donato, Member for Orange.

Notably, there has been substantial change to the CNSWJO Board with recently elected Mayors being as follows:

<b>Cr R Taylor</b>	Bathurst Regional Council
<b>Cr B Reynolds</b>	Blayney Shire Council
<b>Cr K Beatty</b>	Cabonne Council
<b>Cr P Smith</b>	Cowra Council
<b>Cr P Miller, OAM</b>	Forbes Shire Council
<b>Cr J Medcalf, OAM</b>	Lachlan Shire Council
<b>Cr C Coleman</b>	Lithgow City Council
<b>Cr A McKibbin</b>	Oberon Council
<b>Cr T Mileto</b>	Orange City Council
<b>Cr N Westcott</b>	Parkes Shire Council
<b>Cr P Best</b>	Weddin Shire Council

The meeting began with the election of the Chair and Deputy Chair. Cr Kevin Beatty, Mayor of Cabonne was elected Chair, unopposed. Cr Phyllis Miller OAM, Mayor of Forbes was elected Deputy Chair, unopposed.

Given this is the first meeting of the Board after the September election, Portfolio Mayors were appointed to the seven priorities of the Board.

Speakers to the Board were Mr Andrew McConville, Chief Executive from the Murray Darling Basin Authority and Mr David Reynolds, Chief Executive from Local Government NSW.

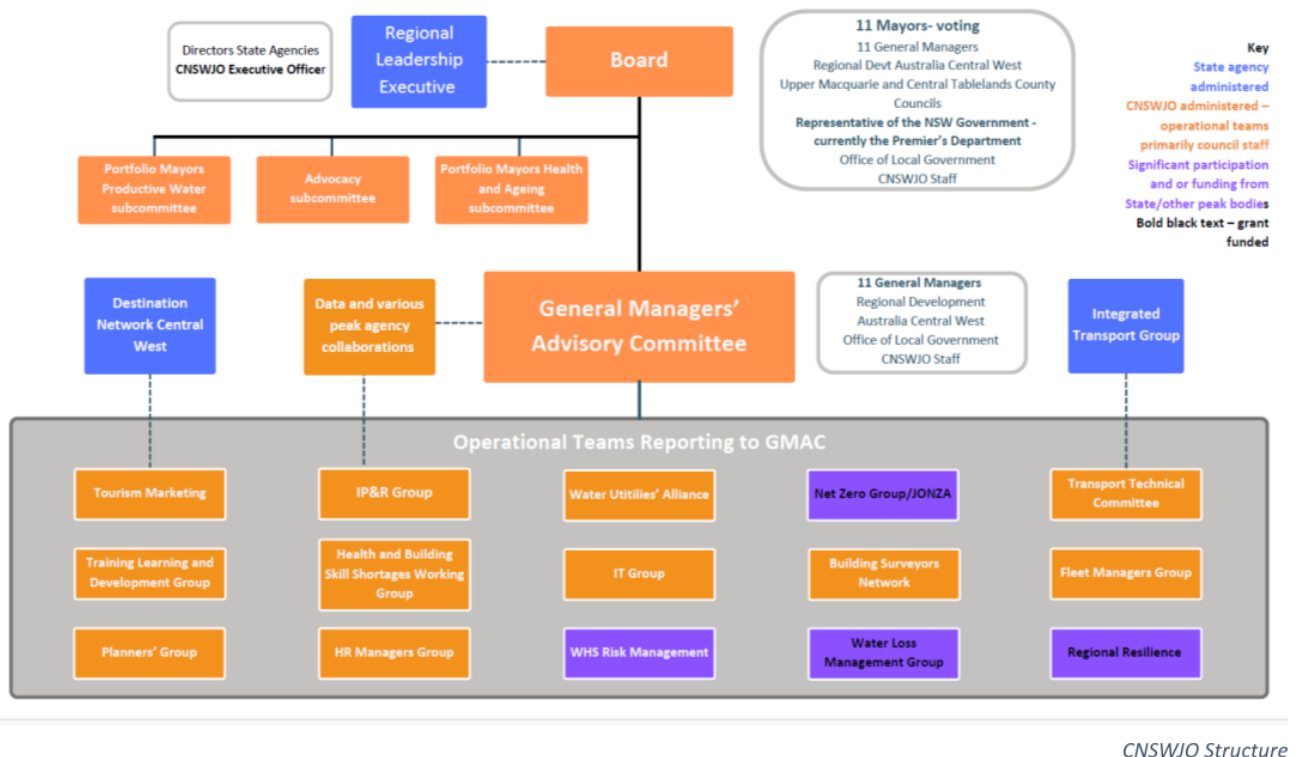
The Executive Officer provided a brief introduction to the business paper, the region’s priorities and the JO structure.



*Cr K Beatty and Cr P Miller OAM, Chair and Deputy Chair*

Updates were provided from the Office of Local Government, Regional Development Australia Central West and the Premier's Department.

More detail on reports to the meeting are below where the agenda can be found at [241113 Board-agenda web-version.pdf](#)



The Board adopted the Annual Statement including Financial Statements which can be found at [Central NSW Joint Organisation Annual Statement for 2024](#). In summary, CNSWJO value to members included:

- 26 submissions lodged on priorities identified in region ranging from council financial sustainability through to water reform;
- 32 plans, strategies and other collateral that members can leverage for funding, advocacy, forward planning and other purposes;
- 175 representation and collaboration opportunities;
- \$5m in net cost savings from aggregated procurement and AER determination;
- \$1.3m in grants for members; and
- \$1.43m in public relations value through its regional destination marketing program.

The Board resolved to table correspondence at its meeting with NSW Government representatives regarding concerns about the funding framework, particularly for mining affected communities.

The following day was one of engagement with NSW Government representatives hosted by Mr Phil Donato, Member for Orange. The day began with a welcome by the 47th Premier of NSW, the Hon Chris Minns. Mayors raised local and regional issues with the following Ministers:

- The Hon Chris Minns MP – Premier of NSW;
- The Hon Jenny Aitchison MP – Minister for Regional Transport and Roads;
- The Hon Daniel Mookhey, MLC -Treasurer;

- The Hon Tara Moriarty MLC -Minister for Agriculture, Minister for Regional New South Wales and Minister for Western New South Wales;
- The Hon Rose Jackson MLC- Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth and Minister for the North Coast;
- The Hon Ryan Park MP, Minister for Health, Minister for Regional Health and Minister for the Illawarra and the South Coast;
- The Hon Paul Scully MP, Minister for Planning and Public Spaces;
- The Hon Jihad Dib MP, Minister for Customer Service and Digital Government, Minister for Emergency Services and Minister for Youth Justice; and
- The Hon Ron Hoenig MP – Minister for Local Government.



Please request briefing notes.

### Submissions

*The Hon Chris Minns, 47<sup>th</sup> Premier of NSW, speaks to Board members.,*

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 previous submissions can be viewed on the CNSWJO website at [Submissions - Central Joint Organisation \(nsw.gov.au\)](https://www.cnswjo.nsw.gov.au/submissions)

- [Submission on the third inquiry into the Rural and Regional Health Services – October 2024](#)
- [Feedback on New National Water Agreement – September 2024](#)
- [Feedback on Draft Australian Drought Policy – September 2024](#)
- [Submission to the Select Committee on Essential Worker Housing on Options for Essential Worker Housing – September 2024](#)
- [Submission on the Council Apprentice, Trainee and Cadet Program Funding Guidelines – September 2024](#)
- [Submission on the Draft Disaster Adaption Plan Guidelines – August 2024](#)



*A big thanks to Phil Donato, Member for Orange, for bringing together a very successful agenda with State Ministers at Parliament House Sydney.*



## Memorandum of Understanding (MoU) and work with the Rural Doctors' Network (RDN)

The MoU with the RDN was reconfirmed in the presence of the Minister for Health and Regional Health, the Hon Ryan Park. The past twelve months have seen the completion of a project on health literacy with the RDN. All members of the CNSWJO have received their final reports in this regard and some recommendations were made at the regional level as per the below.



*Signing of the MoU with RDN. R-L – Mr Richard Colbran, CEO RDN, Cr K Beatty, Cr P Miller OAM, The Hon Ryan Park, Minister for Health and Minister for Regional Health.,*

### 7.1 Advocacy

There are considerable gaps in the broader system that pose significant barriers to building the pool of healthcare professionals in the Central West. There were concerns about the gradual encroachment of engagement with health and health service delivery beyond the mandated environmental health Councils, work that is beyond the remit of council and unfunded. There is a significant advocacy component – as rural and remote continue to grapple with thin markets in primary care, characterized by inadequate supply of primary healthcare professionals to meet community demands, communities will find access to high quality, local, primary care more difficult. Councils bore the brunt of this and engage with the health system of necessity and often unfunded.

In conversations with Councils, it was also noted that challenges such as insufficient housing, readily available childcare options, and employment opportunities for family members could create barriers to attracting and retaining a health workforce.

**There is an opportunity for CNSWJO to advocate for improved housing availability, access to childcare, and alternative funding models to improve health access for their respective constituencies.**

There is opportunity to work with RDN to invite government representatives from health to attend a CNSWJO Meeting or visit Councils in the region. Given the recent *NSW Parliamentary Inquiry into Health Outcomes and Access to Health and Hospital Services in Rural, Regional and Remote New South Wales*, this could provide an opportunity for government to engage directly with Councils and learn more about local challenges.

**CNSWJO is encouraged to engage in collaboration with peak agencies to share findings from this project and seek equitable outcomes for the region.**

**It could also advocate to have updated data on key health metrics including health workforce from RDN and the respective LHDs and PHNs.**

### 7.2 Action Plan Implementation

The *Action Plan* lays out recommendations Council can consider to support access to health services. These can be implemented in collaboration with partners such as RDN and the Local Health Districts.

The steps followed in this project is part of a larger methodology, Collaborative Care, which Councils can consider implementing in partnership with RDN. The steps undertaken in this project form *Part One* of the method – full implementation of the target can help formulate targeted interventions for specific health issues communities face.

### 7.3 Collaborative Care

Collaborative Care is a community-centred approach to addressing the primary health care challenges in remote and rural NSW. These challenges include the provision of services, recruitment and retention of health practitioners, financial sustainability of health services, and continuity of care for patients.

The approach works with local health professionals and communities to create a primary health care access model that fits their needs. It does this by bringing communities from neighbouring areas together to co-design shared priorities and solutions. Collaborative Care Program is an extension of RDN's town-based health planning approach, which has proven successful for more than 30 years.

### Support for incoming Councillors and the CNSWJO Statement of Strategic Regional Priority

Under the Local Government Act, Joint Organisations must undertake a review of their Statement of Strategic Regional Priority (SSRP) every new term of Council. This is a similar document to Council's Community Strategic Plan– but from a regional perspective.

Guidance from the Office of Local Government states that the review should be conducted in consultation with all members and state agencies while referencing Council Community Strategic Plans.

For more detail on the process please go to the relevant chapter in the <https://www.olg.nsw.gov.au/wp-content/uploads/Joint-Organisation-Implementation-Guidelines.pdf>

The Board received advice about the development of the SSRP including two workshops with councillors from all member councils.

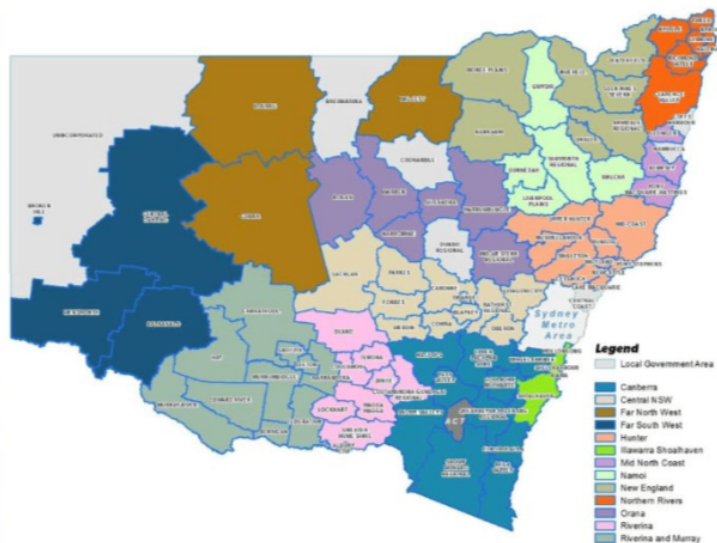
At the time of writing, the first workshop will be held November 28 and will welcome this term of councillors to the region and provide background on CNSWJO. Councillors have an invitation in their diaries for this event.

The second workshop will focus more on what councillors from across the region want to see in the SSRP and this workshop will be held in March 2025.

CNSWJO would also like to provide a presentation to the new Council on its programming and seek feedback on its priorities. This is recommended.

### CNSWJO Chair elected as Deputy Chair of the Joint Organisations' Forum

Subsequent to the meeting with State representatives the CNSWJO Chair was elected as Deputy Chair of the Joint Organisation's Chairs' Forum who work together on advocacy and leading practice.



*Cr K Beatty, Deputy Chair, Cr S Moore, Mayor of Singleton Council and Chair of the Joint Organisation Chair's Forum and the map of JOs in NSW.*



## Value to Council

80% of CNSWJO resources are dedicated to providing its operational support program. For the 2023/2024 year this program delivered a return on investments of 8.3:1 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 8.3:1 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 2023/2024 year were:

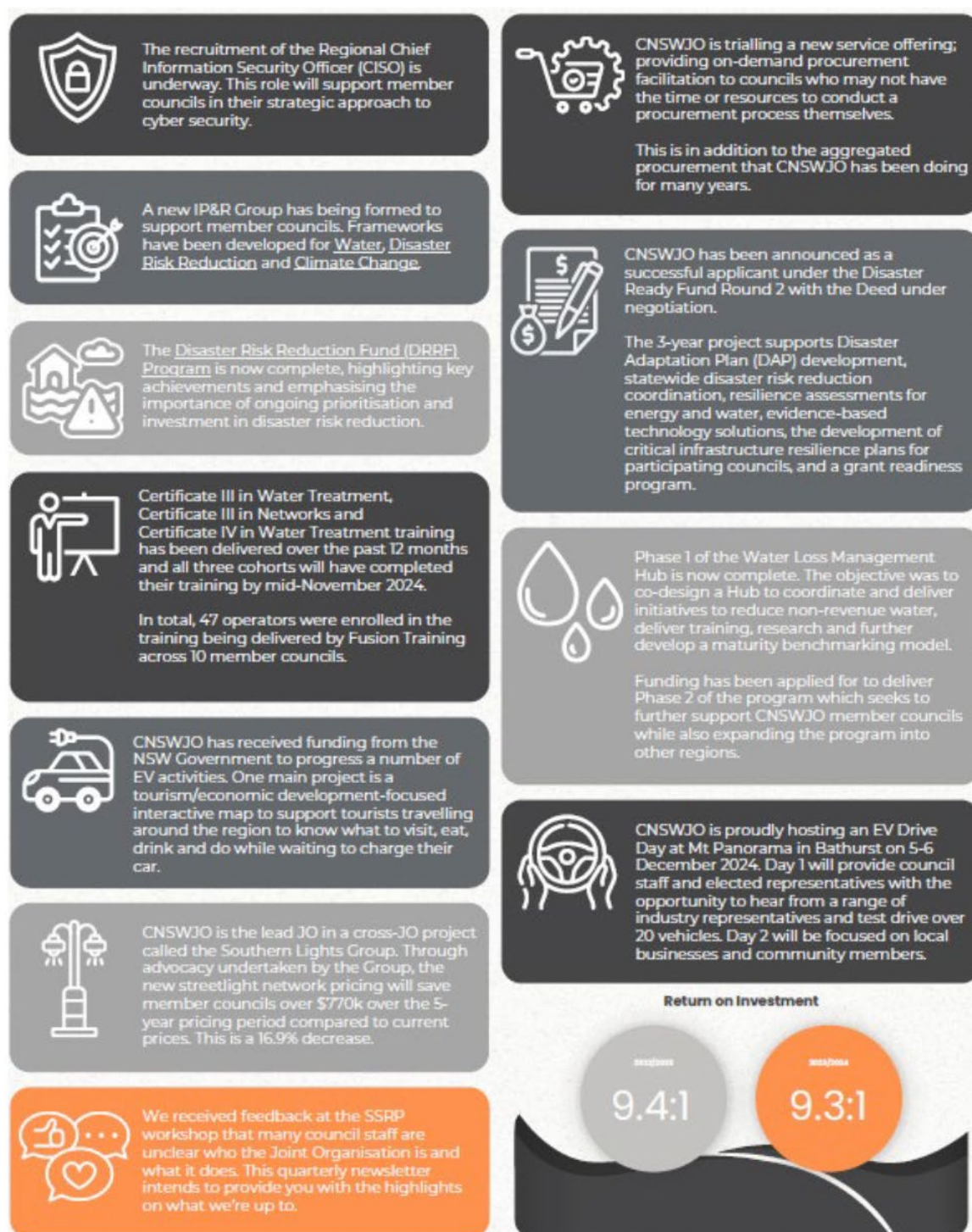
- The Joint Organisation Net Zero Acceleration Program (ongoing);
- Disaster Risk Reduction Fund Program (Round One completed);
- Disaster Ready Fund (Round 2 application);
- Bridge Assessments (due for completion in 2024/2025);
- A Business Case for Priority Investment in the Nexus between Net Zero and Energy Security (completed);
- A Regional Centre of Excellence in Water Loss Management (due for completion in 2024/2025);
- Transitioning Integrated Water Cycle Management Plans to Integrated Planning and Reporting (completed); and
- A Spare Capacity in Housing Project (completed).

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!)

Please find following some highlights from the various operational support programs taken from a recent newsletter. For the full newsletter please go to [CNSWJO Quarterly Newsletter - Edition 1 - November 2024](#)



## Attachments

1. Draft Minutes of the CNSWJO Board meeting 13 November 2024

**Attachment 1: Minutes of the Board meeting 21 August 2024 held in Canberra****Minutes of the Board meeting 13 November 2024 held in Sydney****Board members In Attendance\***

<b>Cr R Taylor</b>	Bathurst Regional Council	<b>Cr C Coleman</b>	Lithgow City Council
<b>Cr B Reynolds</b>	Blayney Shire Council	<b>Cr A McKibbin</b>	Oberon Council
<b>Cr K Beatty</b>	Cabonne Council	<b>Cr T Mileto</b>	Orange City Council
<b>Cr P Smith</b>	Cowra Council	<b>Cr M Applebee</b>	Parkes Shire Council
<b>Cr P Miller, OAM</b>	Forbes Shire Council	<b>Cr P Best</b>	Weddin Shire Council
<b>Cr J Medcalf, OAM</b>	Lachlan Shire Council	Ms G Collins	Premier's Dept

**Associate Member delegates and others attending**

Ms D Sherley	Bathurst Regional Council	Cr A Rawson	Central Tablelands Water
Mr B Byrnes	Cabonne Council	Mr C Harris	Central Tablelands Water
Mr D Wymer	Cowra Shire Council	Mr J Gordon	RDACW
Mr G Tory	Lachlan Shire Council	Ms K Annis-Brown	OLG
Mr R Gurney	Lithgow City Council	Ms J Bennett	CNSWJO
Mr G Wallace	Oberon Council	Ms M Macpherson	CNSWJO
Mr D Waddell	Orange City Council	Ms K Barker	CNSWJO
Mr K Boyd PSM	Parkes Shire Council	Ms C Griffin	CNSWJO
Ms N Vu	Weddin Shire Council		

\*Voting members in **bold**

Meeting opened at 12.30pm

- 1. The Executive Officer welcomed the Board to the meeting, held in Sydney.**
- 2. Acknowledgement of Country**
- 3. Election of Chairperson and Deputy Chairperson**

Cr Kevin Beatty was elected unopposed as the Chair for the CNSWJO for a period of 2 years.

Cr Phyllis Miller was elected unopposed as the Deputy Chair for the CNSWJO for a period of 2 years.

- 4. Apologies, applications for a leave of absence by Joint Organisation Voting representatives**

S Loane OAM, Cr N Westcott, Cr R Fagan Chair RDACW, M Dicker, T Johnson,

<b>Resolved</b>	<b>Cr J Medcalf / Cr P Miller</b>
That the apologies for the Central NSW Joint Organisation Board meeting 13 November 2024 listed above be accepted.	

- 5. Conflicts of Interest**

<b>Resolved</b>	<b>Cr M Applebee / Cr A McKibbin</b>
Nil declared	

- 6. Speakers**

Mr Andrew McConville, Chief Executive from Murray Darling Basin Authority

Mr David Reynolds, Chief Executive from Local Government NSW

Ms Jenny Bennett will provide a briefing on navigating the business paper and an overview of the calendar of meetings for the year

## 7. The CNSWJO Acronyms and Glossary Guide

## 8. Minutes

### 8a Noting of the Minutes of the CNSWJO GMAC Meeting held 31 October 2024 in Blayney

<b>Resolved</b>	<b>Cr P Miller/Cr J Medcalf</b>
That the Minutes of the CNSWJO GMAC Meeting held 13 November 2024 in Blayney were noted.	

### 8b Confirmation of the Minutes of the CNSWJO Board Meeting 21 August 2024 in Canberra

<b>Resolved</b>	<b>Cr M Applebee / Cr P Miller</b>
That the Minutes of the CNSWJO Board Meeting held 21 August 2024 in Canberra were accepted.	

## 9. Business Arising from the Minutes - Matters in Progress

<b>Resolved</b>	<b>Cr M Applebee / Cr A McKibbin</b>
That the Central NSW Joint Organisation Board note the Matters in Progress, making deletions as suggested.	

## 10. Reports on Statement of Regional Strategic Priority 2022-2025

### 10a Financial Report

<b>Resolved</b>	<b>Cr J Medcalf / Cr A McKibbin</b>
That the Board note the Financial Report and note that CNSWJO is up to date with its obligations under the Office of Local Government compliance calendar.	

### 10b Adoption of the Audited Financial Statements for the year ended 30 June 2024

<b>Resolved</b>	<b>Cr B Reynolds / Cr P Miller</b>
That the Board adopt the Central NSW Joint Organisation General Purpose Financial Statements for the year ended 30 June 2024.	

### 10c Annual Compliance and CNSWJO Meeting dates for 2025

<b>Resolved</b>	<b>Cr T Mileto / Cr P Miller</b>
<p>That the Board note the Compliance report and;</p> <ol style="list-style-type: none"> <li>1. note the Calendar of Compliance and Reporting-Requirements update;</li> <li>2. endorse the 2024 Annual Performance Statement and place it on the website;</li> <li>3. note the advice from the Executive Officer that this is summarised in the Annual Performance Statement;</li> <li>4. note the advice on code of conduct complaint statistics;</li> <li>5. note the Pecuniary Interest Returns under s450a of the Local Government Act 1993;</li> <li>6. determine the dates for Board meetings for 2025 be: <ol style="list-style-type: none"> <li>a. 27 February 2025 in Oberon</li> <li>b. 29 May 2025 at either State or Federal Parliament House</li> <li>c. 28 August 2025 in Orange</li> <li>d. 27 November 2025 at either State or Federal Parliament House</li> </ol> </li> <li>7. determine the dates for GMAC meetings for 2025 be: <ol style="list-style-type: none"> <li>a. 6 February 2025 in Grenfell</li> <li>b. 1 May 2025 in Orange</li> <li>c. 24 July 2025 in Bathurst</li> <li>d. 23 October 2025 in Orange</li> </ol> </li> </ol>	

### 10d Policy and Procedure Annual Review

<b>Resolved</b>	<b>Cr R Taylor / Cr A McKibbin</b>
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- That the Board note the CNSWJO Policy Procedure Annual Review report and
1. adopt the updated Policy and Procedure Manual noting it includes the following new policies;
    - a. Salary Structure;
    - b. Motor Vehicle Policy;
    - c. Vehicle Procedure;
    - d. Updated Delegations;
    - e. Cyber Security Policy;
    - f. End of Term Caretaker Mode Policy; and
  2. adopt the procedure for the Executive Officer Performance Appraisal.

**10e Statement of Strategic Priority Review Progress Report**

<b>Resolved</b>	<b>Cr P Miller / Cr M Applebee</b>
That the Board note the Statement of Strategic Regional Priority (SSRP) Review Progress Report and;	
<ol style="list-style-type: none"> <li>1. ratify the approach to developing this term's SSRP;</li> <li>2. note that the Board meeting in February will include a workshop on the SSRP and allow sufficient time for this on the day;</li> <li>3. adopt the "problem statement" and "opportunities statement" from the workshop with GMAC; and</li> <li>4. agree to a half hour session at Parliament House 14 November to explore short term wins;</li> <li>5. appoint a Subcommittee to develop an approach to supporting enduring Council financial sustainability with advice to inform the SSRP, which includes Cr B Reynolds, Mr D Waddell, Ms N Vu, Mr R Gurney and Mr B Byrnes.</li> </ol>	

**10f Governance and Advocacy Report**

<b>Resolved</b>	<b>Cr J Medcalf / Cr A McKibbin</b>
That the Board note the Governance and Advocacy Report and;	
<ol style="list-style-type: none"> <li>1. nominate Portfolio Mayors to the various portfolios of:           <ul style="list-style-type: none"> <li>• Leveraging our successful collaboration – Cr K Beatty, Cr P Miller</li> <li>• Regional Prosperity through better infrastructure and services – Cr B Reynolds, Cr N Westcott</li> <li>• Advocate for better infrastructure and services in health and ageing – Cr P Miller, Cr N Westcott, Cr J Medcalf</li> <li>• Telecommunications – Cr J Medcalf, Cr P Miller, Cr K Beatty</li> <li>• Regional Transport Planning and Infrastructure Prioritisation – Cr P Smith, Cr A McKibbin, Cr B Reynolds</li> <li>• Regional Water Security and Productive Water – Cr R Taylor, Cr P Smith, Cr A Rawson</li> <li>• Transition to a sustainable, secure and affordable energy future – Cr C Coleman, Cr N Westcott; and</li> </ul> </li> <li>2. adopt the Memorandum of Understanding with Rural Doctors Network for signature with the Minister for Health at the parliamentary session 14 November 2025;</li> <li>3. note the Final Report from the Rural Doctor's Network on the NSW Regional Community Health System and Workforce Engagement Project;</li> <li>4. receive advice on the recommendations from this report;</li> <li>5. note the invitations for the Opt-in Subcommittee for Advocacy will be issued for a monthly meeting on a Wednesday at 7:30am;</li> <li>6. note that with the federal election being held before September 2025 that the Opt-in Advocacy Subcommittee will be asked to turn its mind to advocacy in the regard;</li> <li>7. adopt the Code of Conduct submission to be lodged 29 November; feedback</li> <li>8. endorse the following submissions that have been lodged:           <ol style="list-style-type: none"> <li>a. Submission on the third inquiry into the Rural and Regional Health Services – October 2024 Feedback on New National Water Agreement</li> <li>b. Feedback on Draft Australian Drought Policy</li> <li>c. Submission to the Select Committee on Essential Worker Housing on Options for Essential Worker Housing – September 2024</li> </ol> </li> </ol>	

- d. Submission on the Council Apprentice, Trainee and Cadet Program Funding Guidelines – September 2024
- e. Submission on the Draft Disaster Adaption Plan Guidelines – August 2024

**10g Procurement Report**

<b>Resolved</b>	<b>Cr M Applebee / Cr A McKibbin</b>
That the Board note the Procurement Report and approve the updates to the procurement plan.	

**10h Regional Integrated Planning & Reporting (IP&R) Group Report**

<b>Moved</b>	<b>Cr T Mileto / Cr M Applebee</b>
That the Board note the Regional Integrated Planning and Reporting (IP&R) Report and:	
<ol style="list-style-type: none"> <li>1. endorse the Regional IP&amp;R Group's Terms of Reference;</li> <li>2. endorse the Regional IP&amp;R Group's Plan on a Page; and</li> <li>3. endorse the Regional Climate Change IP&amp;R Framework and commend it to members.</li> </ol>	

**10i Regional Resilience Program**

<b>Resolved</b>	<b>Cr A McKibbin / Cr R Taylor</b>
<ol style="list-style-type: none"> <li>1. That the Board note the Regional Resilience Program report and the successful application for Round 2 of the Disaster Ready Fund which includes \$743,130 in grant funding.</li> </ol>	

**10j Regional Water Report**

<b>Resolved</b>	<b>Cr P Miller / Cr M Applebee</b>
That the Board note the Regional Water Report and	
<ol style="list-style-type: none"> <li>1. note the advice from Frontier Economics that the pilot Regional Water Loss Management Hub has demonstrated excellent value for money with a benefit-cost ratio (BCR) of 9.98 and that based on the Regional Leakage Reduction program the value of the water savings are estimated to be \$5.26/kL;</li> <li>2. note that CNSWJO is in negotiations with the Department of Climate Change Energy the Environment Water for further funding as the lead Joint Organisation in a regional cross Joint Organisation approach to water loss management;</li> <li>3. continue to advocate for the finalisation and implementation of Regional Water Strategies;</li> <li>4. leverage the advice in the Government's response to the Joint Select Committee's Inquiry into the Protection of Local Water Utilities from Privatisation for in-principle support for recommendation 13: that the NSW Government consider how it can better target funding and simplify bureaucracy in order to strengthen exiting Alliances and encourage the formation of new Alliances; and</li> <li>5. endorse the CSU Policy Lab on Productive Water Final Report.</li> </ol>	

**10k Energy Program Report**

<b>Resolved</b>	<b>Cr R Taylor / Cr B Reynolds</b>
That the Board note the Energy Program Report and	
<ol style="list-style-type: none"> <li>1. encourage members to attend and support CNSWJO's EV Drive Day in Bathurst on 5 December 2024;</li> <li>2. approve CNSWJO to facilitate a regional procurement process for small electricity sites for CNSWJO member councils only, noting a side-by-side approach with REROC;</li> <li>3. note the estimate \$770k in savings over the 5-year AER Determination process achieved as a result of the Southern Lights Group advocacy.</li> </ol>	

**10l Quarterly Review of the Central NSW JO Strategic Plan and Statement of Regional Strategic Priority 2022-2025**

<b>Resolved</b>	<b>Cr J Medcalf / Cr B Reynolds</b>
That the Board note the Quarterly Review of the Central NSW JO Strategic Plan and Statement of Regional Strategic Priority 2022-2025 and;	



1. adopt the proforma Councillor Training Plan;
2. seek to aggregate training in region for Councillors with advice from Councillor training plans;
3. receive a report on developing a Memorandum of Understanding with Skillset;
4. note that a high-level destination marketing plan will be provided to the Board in February; and
5. promote the welcome event for councillors 28 November.

# **11 Resolve into Confidential Committee of the Whole**

<b>Resolved</b>	<b>Cr P Miller / Cr J Medcalf</b>
That the Board	
<ol style="list-style-type: none"> <li>1. resolve into closed session to consider business identified, together with any late reports tabled at the meeting.</li> <li>2. Pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above</li> <li>3. Correspondence and reports relevant to the subject business be withheld from access.</li> </ol>	

## **11a Confidential Report - Executive Officer Performance Review 2023-2024**

<b>Resolved</b>	<b>Cr T Mileto / Cr P Miller</b>
That the Board receive the Executive Officer Performance Review 2023-2024, and	
<ol style="list-style-type: none"> <li>1. note the report regarding the performance management of the Executive Officer and that the performance was better than satisfactory;</li> <li>2. note an increase to the Executive Officer's remuneration package of 4.0%. This reflects a 3.5% discretionary increase and an increase of 0.5% to cover the Superannuation Guarantee Charge increase;</li> <li>3. delegate the entirety of the performance review function to a Performance Review Panel that: <ol style="list-style-type: none"> <li>a. develops (annually) a Performance Agreement in consultation with the Executive Officer;</li> <li>b. undertakes a performance assessment (annually) of the Executive Officer;</li> <li>c. determines the following in relation to the Performance Agreement: <ol style="list-style-type: none"> <li>i. A final list of projects to be included in the Performance Agreement; and</li> <li>ii. Any managerial or behavioural actions that they would like the Executive Officer to address during the review year;</li> </ol> </li> <li>d. review and determines salary and any bonus arrangements; and</li> <li>e. provides a report to the Board facilitated by the Chair of GMAC; and</li> </ol> </li> <li>4. determine that the performance Review Panel be the Chair, Deputy Chair and a Mayor nominated by the Executive Officer to be facilitated by the Chair of GMAC.</li> </ol>	

## **11b Resolve into Open Session**

<b>Resolved</b>	<b>Cr A McKibbin/ Cr P Miller</b>
That the Board reopen the meeting to the public.	

## **12. Late Reports - Nil**

## **13. Matters raised by Members**

Letter from Blayney Shire Council to the Hon Chris Minns re Royalty Return to Mining Impacted Communities

<b>Resolved</b>	<b>Cr J Medcalf/Cr B Reynolds</b>
That correspondence to Ministers Houssos and Moriarty be prepared for tabling at the meeting with State representatives 14 November that:	
<ol style="list-style-type: none"> <li>1. seeks to prioritise funding for mining impacted communities in the Regional Trust Fund and Jobs Fund; and</li> <li>2. seeks advice on funding pathways for councils outside these programs.</li> </ol>	

## **14. Updates from the Office of Local Government, The Premier's Department and Regional Development Australia Central West.**

**15. Speakers to the next meeting**

Suggestions:

Ms Kate Lorimer-Ward from Local Land Services

Mr Ian Smith from Dept Primary Industry and Regional Development (DPIRD)

Mr Steve Wills from Regional Delivery, DPIRD

Mr Ash Albury from Energy Co

**Meeting closed at 4:33pm**

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