

# ***Blayney Shire Council***



9 November 2011

Dear Councillor,

Your attendance is requested at an Ordinary Council Meeting of the Blayney Shire Council to be held in the Council Chambers on Monday, 14 November 2011 at 6.00pm for consideration of the following business -

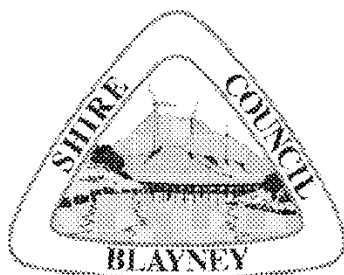
- (1) Acknowledgement of Country
- (2) Apologies for non-attendance
- (3) Confirmation of Minutes - Ordinary Council Meeting held on 10 October 2011
- (4) Disclosures of Interest
- (5) Reports of Staff
  - (a) Corporate Services
  - (b) Engineering Services
  - (c) Environmental Services
- (6) Committee Reports

Yours faithfully

Glenn Wilcox  
**GENERAL MANAGER**



# **DRAFT BLAYNEY SHIRE COMMUNITY STRATEGIC PLAN**



## Blayney Shire Draft Community Strategic Plan



## Introduction

The Community Plan forms a cornerstone of the new Department of Local Government Integrated Planning and Reporting Framework. The Plan will be reviewed prior to each Council election to ensure it remains contemporary with the Shires needs.

This plan was initiated by, and is owned by the Community. To ensure that aspirations are realised a concerted effort from all sectors of the Community is required to ensure its effectiveness.

The plan contains a vision for Blayney Shire and recommends strategic objectives and specific future directions to bring these about. We live in an uncertain world both economically and environmentally. There will be significant challenges to face over the life of the plan. The Community will need to consider if sufficient resources are available to meet ever increasing needs for services and infrastructure.

The Community Plan identifies Council's role in the realisation of Future Directions and strategic objectives. Where Council has a responsibility the actions and tasks to be undertaken will be contained within Council's three year delivery programme and annual operational plan. The Community will be able to monitor achievements. The Delivery Program is supported by strategies for Long Term Financial Planning, Asset and Human Resource Management. It also provides linkages to other Council and Government planning documents, in particular the NSW Government State Plan.

Over the coming 12 months Council plans to work with community sectors to develop a range of indicators that will help to collectively monitor and measure the achievement of our aspirations.

Council looks forward to the successful realisation of the goals contained within the Community Plan. All community sectors will need to collaborate to ensure that the plan is achieved.

### How has the draft plan been developed?

The process for engaging the community in the development of the Community Strategic Plan began with identifying the 'whole system' of Blayney Shire; the complex network of groups, organisations and networks that influence or are influenced by the Shire.

Using this approach not only were all perspectives heard and explored but common ground and the preferred future agreed.

A database of around 250 community members was developed and each invited to attend the key engagement activity of a full day workshop which was held on 25 July 2011. On the day we had 74 engaged and passionate community representatives work together to create the framework for the plan.

Representatives from the following 'whole system' groups then came together on the two workshop occasions:

- Council, government and neighbours

## Blayney Shire Draft Community Strategic Plan

- Agriculture
- Mining
- Business
- Education, training and learning
- Arts and culture
- Health and Well being
- Transport and Infrastructure
- Sports and Recreation
- Emergency Services

Then on 22<sup>nd</sup> August 2011 a smaller representative group came together again for the day to “shape” the plan from what the larger group had developed. The draft plan has now been redistributed to all participants to seek final input and endorsement. The final draft will be presented to the November Council meeting before going on public display during December.

Our final plan, with our supporting resource and delivery plans are due for submission to the Division of Local Government by 30 March 2012.

## Our Present Situation

## Blayney Shire Draft Community Strategic Plan

## Demographic profile

The following data is taken from the ABS website from the 2006 census data. There is much more information available about the demographics of our shire – if you are interested go to

<http://www.censusdata.abs.gov.au>

**AGE AND SEX PROFILE**

	<i>Males</i>	<i>Females</i>	<i>Persons</i>
Total persons	3,300	3,293	6,593
Age groups:			
0-4 years	231	225	456
5-14 years	526	497	1,023
15-19 years	238	217	455
20-24 years	138	141	279
25-34 years	289	335	624
35-44 years	477	499	976
45-54 years	506	445	951
55-64 years	422	393	815
65-74 years	297	299	596
75-84 years	158	180	338
85 years and over	18	62	80

**EMPLOYMENT SPREAD BY INDUSTRY SECTOR**

	<i>Total</i>
Agriculture, forestry & fishing	451
Mining	161
Manufacturing	280
Electricity, gas, water & waste services	38
Construction	188
Wholesale trade	90
Retail trade	231
Accommodation & food services	143
Transport, postal & warehousing	138
Information media & telecommunications	24
Financial & insurance services	34
Rental, hiring & real estate services	29
Professional, scientific & technical services	106
Administrative & support services	49
Public administration & safety	184
Education & training	210
Health care & social assistance	304
Arts & recreation services	34
Other services	114
Inadequately described/Not stated	59
<b>Total</b>	<b>2,867</b>

**GROSS WEEKLY INDIVIDUAL INCOME BY SEX**

	<i>Total Male</i>	<i>Total Female</i>
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Negative/Nil income	160	194
\$1-\$149	136	290
\$150-\$249	366	482
\$250-\$399	308	529
\$400-\$599	338	408
\$600-\$799	328	211
\$800-\$999	224	126
\$1,000-\$1,299	247	102
\$1,300-\$1,599	135	57
\$1,600-\$1,999	86	29
\$2,000 or more	59	15
Individual income not stated	153	128
<b>Total</b>	<b>2,540</b>	<b>2,571</b>

**Strengths, weaknesses, opportunities and challenges**

Blayney is an agricultural shire with strong mining heritage. Our town, villages and settlements are spread throughout the beautiful landscape of undulating hills and tablelands. Here the Blayney Shire communities enjoy a pace of living that is relaxing, genuine and in tune with the change and variety of a temperate climate with four distinct seasons.

The spirit of community is strong. A history of supporting one another when times get tough continues today. The Shire has quality schools and facilities support participation in sports and recreation and healthy lifestyles.

Although people in the Shire have good access to medical facilities at neighboring centres there is a need for a doctor to operate existing emergency facilities. If these facilities are not used there is a risk they will be lost. Law enforcement is also not as readily available as it could be in emergencies. These issues bring about unease within the community.

There are many opportunities for economic growth in building on agriculture, transport, tourism, industry and mining. Mining however can be double edged sword. It benefits the local economy, but causes pressures in housing, employment and tourism. Shift patterns also affect participation in sport and community life.

Our settlements are spread out and need to be connected. Contemporary information and communication technologies offer an opportunity to improve connections between each other and the world.

At the moment, some shops are empty. Retailing needs to complement larger neighboring centres and also focus on differentiation. Many of our heritage and other buildings could do with a "brush up" and our town and villages would benefit from beautification and improved physical access.

Like many rural areas we need to provide the opportunities and facilities for our younger and older community members to live in the Shire and fully engage in community life.

Blayney Shire Draft Community Strategic Plan

## **Vision Statement**

*(What we want Blayney Shire to be in 2025)*

### **Our Shire of welcoming communities**

The many communities of the Shire's town, villages and settlements are supportive and welcoming to those who live here and also those who visit.

### **Beautiful and productive landscapes**

The landscape in which we live is both beautiful and productive.

### **Rural and mining heritage**

Our heritage of rural living amidst agricultural and mining production has taught us much about the nature of these activities and how they can exist in harmony.

### **Showing the world how agriculture, mining and industry can work together for the greatest good**

We are eager to share these lessons and learnings with other communities around the world.

### **A place to live your dreams**

In Blayney Shire there is both space and time to make and live your dreams!

## **Values Statement**

*(These are the values that will guide our future choices and the way we work together as a community)*

**With a generosity of spirit we will:**

**Be inclusive and united**

**Act honestly and respect each other**

**Have a "can do" attitude**

**Think outside the square and**

**Back ourselves**

## **Future Directions**

The following five future directions will guide us toward our vision:

## Blayney Shire Draft Community Strategic Plan

- Grow the wealth of the Shire
- Be a centre for sports and culture
- Preserve and enhance our heritage and rural landscapes
- Develop and maintain Shire infrastructure
- Develop strong and connected communities

The future directions are detailed in the following tables. Each table summarises the issues, the strategic outcomes sought, Council's role, who should collaborate to make things happen and performance indicators to measure progress.

**Council's role**

Council is only one of the groups that can help realise the community's strategic vision and plan. It cannot and should not do everything. There are many groups and organisations that need to play a role. The more others take responsibility and ownership, the bigger the chance of achieving the desired outcomes.

There are three roles Council can play:

- Provider - it does the work and this includes regulatory responsibilities
- Facilitator - it helps or works with others get things done
- Advocate - it speaks out and supports a community direction or issue

Future Direction: Grow the wealth of the Shire		
<p>Employment is needed to keep people in and attract people to the Shire. There are opportunities for growth in niche agriculture, mining and tourism. Retailing needs greater levels of local support to remain viable and grow. There is also a need for the water, energy and transport sectors to be sustainable and provide a platform for future growth.</p> <p>Growth, however, needs to respect the environment and rural landscapes. Mining brings economic benefits but also pressures on accommodation, wages and shift work constraints on community living. There is the potential for the community and mining industry to work together for mutual benefit. The world needs to know about the benefits of living and working in Blayney Shire through the development of a well recognised brand and communication activities.</p>		
Strategic outcome	Council Role	Who should collaborate
A viable agricultural sector with niche opportunities and products coupled with lifestyle.	Provider (planning and promotion) Facilitator	<ul style="list-style-type: none"> <li>• Communities</li> <li>• Industry bodies</li> <li>• State and Australian Governments</li> <li>• Educational institutions</li> </ul>
A thriving mining industry that supports and works well with the community.	Provider Facilitator	<ul style="list-style-type: none"> <li>• Mining industry</li> <li>• Industry bodies</li> <li>• Community</li> <li>• Educational institutions</li> <li>• State and Australian Governments</li> </ul>



## Blayney Shire Draft Community Strategic Plan

Future Direction: Grow the wealth of the Shire		
A well established, connected and prosperous tourism industry.	Provider Facilitator	<ul style="list-style-type: none"> <li>• Local tourism businesses</li> <li>• State and Australian Governments</li> <li>• Other LGA's</li> <li>• Industry bodies</li> <li>• Community groups</li> <li>• Business sector</li> <li>• Newcrest Mine</li> </ul>
Internationally recognised brand for Blayney Shire	Provider Facilitator Advocate	<ul style="list-style-type: none"> <li>• State and Australian governments</li> <li>• Other LGA's</li> <li>• Industry bodies,</li> <li>• Community groups</li> <li>• Business sector,</li> <li>• Mine</li> </ul>
Sustainable water, energy and transport sectors to support future growth	Provider Facilitator Advocate	<ul style="list-style-type: none"> <li>• State and Australian Governments</li> <li>• Central Tablelands Water</li> <li>• Industry bodies</li> </ul>
A vibrant locally supported retail sector	Facilitator Advocate	<ul style="list-style-type: none"> <li>• Shire Businesses</li> <li>• Community</li> <li>• State and Australian Governments</li> </ul>
<b>Performance indicators:</b> <ul style="list-style-type: none"> <li>• GDP for the Shire</li> <li>• Visitation</li> <li>• People employed in mining</li> <li>• Reduction in vacant shops</li> <li>• Brand development and recognition</li> <li>• Transport utilisation</li> <li>• Water storage statistics</li> <li>• New start up businesses</li> </ul>		

## Blayney Shire Draft Community Strategic Plan

Future Direction: A centre for sports and culture		
<p>Participation in sports and cultural activities and events has and will continue to bring the community together. A coordinated program of events also has the potential to attract visitors and help to grow and sustain local businesses.</p> <p>Events can be subject to funding pressures, red tape, regulation and rising insurance costs. A cooperative community approach to events can help overcome these issues.</p> <p>The aim is for Blayney Shire to become known as a centre where sports, arts and entertainment are central to an enviable lifestyle and great visitor experience.</p>		
Strategic outcome	Council Role	Who should collaborate
A resourced and coordinated calendar of cultural and sporting events available electronically.	Provider Facilitator	<ul style="list-style-type: none"> <li>• Event organisers</li> <li>• Sponsors</li> <li>• Newcrest Mining Operations</li> <li>• Schools</li> <li>• Sport and recreation</li> <li>• Village Associations</li> </ul>
Participation in sporting events through teams and competition	Provider Facilitator	<ul style="list-style-type: none"> <li>• Schools</li> <li>• State and Australian governments</li> <li>• Business sector</li> <li>• Sponsors</li> <li>• Families</li> <li>• Village Associations</li> </ul>
The Shire is known as a centre for arts, performance and entertainment	Facilitator	<ul style="list-style-type: none"> <li>• Newcrest Mining Operations</li> <li>• Sponsors</li> <li>• State Government</li> <li>• Schools</li> <li>• Village Associations</li> </ul>
Processes are developed and implemented to manage over regulation, red tape and insurance associated with events	Provider Facilitator	<ul style="list-style-type: none"> <li>• State Government</li> <li>• Local community groups and progress associations</li> </ul>
<p><b>Performance indicators:</b></p> <ul style="list-style-type: none"> <li>• Number of community and cultural events</li> <li>• Attendance levels at events</li> <li>• Cost of insurance</li> <li>• Levels of sponsorship</li> <li>• Number of sporting teams and participants</li> </ul>		

## Blayney Shire Draft Community Strategic Plan

Future Direction: Preserve and enhance our heritage and rural landscapes		
<p>Although the rural landscapes are beautiful, the environmental facts are that less than 10% of native vegetation remains in the Shire and there are issues with erosion and salinity. Action must be taken to encourage sustainable land use practices particularly if population increases. The biodiversity of our water ways is also important and there are rich and productive soil types that need to mapped and protected.</p> <p>Our heritage stories need to be interpreted and made accessible. We have a built heritage that gives character to our villages. This can be enhanced and supported through sympathetic urban design and landscaping.</p>		
Strategic outcome	Council Role	Who should collaborate
Each community has and implements a native vegetation plan with linking corridors.	Provider Facilitator	<ul style="list-style-type: none"> <li>• Community Groups</li> <li>• Village Associations</li> <li>• State and Australian Governments</li> <li>• Private enterprise</li> <li>• Newcrest Mining</li> <li>• Farmers</li> <li>• Schools</li> <li>• Catchment Management Authority</li> </ul>
Water ways have biodiversity in flora and fauna.	Facilitate	<ul style="list-style-type: none"> <li>• Catchment Management Authority</li> <li>• Water users</li> <li>• Land holders</li> <li>• Land Care</li> <li>• State and Australian Governments</li> </ul>
Clearly identified and well interpreted heritage sites with theme plantings.	Provider Facilitator	<ul style="list-style-type: none"> <li>• Community groups</li> <li>• State Government</li> <li>• Historical society</li> </ul>
Sustainable land use practices implemented across the Shire.	Provider (planning LEP)	<ul style="list-style-type: none"> <li>• Community as a whole</li> </ul>
<p><b>Performance indicators:</b></p> <ul style="list-style-type: none"> <li>• Increased signage and information about heritage</li> <li>• Increased percentage of native vegetation</li> <li>• Decreased erosion</li> <li>• Carbon offsets</li> <li>• Willow removal</li> <li>• Protection of soil types</li> <li>• River water quality</li> </ul>		

## Blayney Shire Draft Community Strategic Plan

Future Direction: Develop and maintain Shire infrastructure		
<p>Social and physical infrastructure is the skeleton that supports a community. Transport, rail and roads connect the Shire to the region and help people and goods move in to, out of and around.</p> <p>Information and communication technologies are the new highways to the world and it is important that there is coverage across the Shire so everyone can be connected.</p> <p>Water and sewer infrastructure are essential for public health and economic growth through property development.</p> <p>Social infrastructure includes schools, government services like police, medical facilities, aged care and housing. This infrastructure needs to be funded, maintained and developed to ensure it meets the needs of the community.</p>		
Strategic outcome	Council Role	Who should collaborate
Adequate funding for and the provision of transport, roads, rail, information and communication technologies and community social assets.	Provider Facilitator Advocate	<ul style="list-style-type: none"> <li>State and Australian Governments</li> <li>Industry</li> <li>Community members</li> </ul>
Every village is connected to water and sewerage services.	Provider Facilitator Advocate	<ul style="list-style-type: none"> <li>State and Australian Governments</li> <li>Central Tablelands Water</li> <li>Village Associations</li> </ul>
Improved access to community and public transport between villages and centres.	Facilitator Advocate	<ul style="list-style-type: none"> <li>State Government</li> <li>Transport operators</li> <li>Industry</li> </ul>
Integrated medical and aged care facilities across the Shire	Provider Facilitator Advocate	<ul style="list-style-type: none"> <li>State and Australian Governments</li> <li>Facility operators</li> </ul>
Preservation and continued development of rail infrastructure.	Facilitator Advocate	<ul style="list-style-type: none"> <li>State and Australian Governments</li> <li>Industry</li> </ul>
<p><b>Performance indicators:</b></p> <ul style="list-style-type: none"> <li>Transport patronage</li> <li>Properties connected to water and sewer</li> <li>Aged care accommodation waiting lists and occupancy rates</li> <li>Number of rail movements and tonnages carried</li> <li>Community survey results</li> <li>Infrastructure service levels.</li> </ul>		

## Blayney Shire Draft Community Strategic Plan

Future Direction: Develop strong and connected communities		
<p>The geographic spread and distances between our town, villages and settlements can cause a lack of cohesion on occasions. There is a need to integrate, improve communication and linkages between our communities so that they can share and learn from one another. This will also help build their capacity to be self reliant. Both transport and modern technology can help with this.</p> <p>Strong communities are healthy and fit communities and this is especially important as the population ages. Access to medical facilities when needed is important particularly in emergencies. Balanced communities retain both younger and older members and this helps maintain viable population levels. Both age groups need the facilities and opportunities to participate and contribute to community life.</p> <p>Relationships between some communities and Council could be improved and there needs to be a planned approach to community involvement in decisions that affect them. Future governance must be open and engaging.</p>		
Strategic outcome	Council Role	Who should collaborate
Increased population of young and older people in our villages and communities.	Provider (land use planning) Facilitator Advocate	<ul style="list-style-type: none"> <li>• Village Associations</li> <li>• Progress Associations</li> <li>• State and Australian Government</li> <li>• Industry</li> <li>• Landowners</li> <li>• Developers</li> </ul>
Fit and healthy community members.	Provider Facilitator Advocate	<ul style="list-style-type: none"> <li>• Schools</li> <li>• Local produce providers</li> <li>• Sport and recreation groups</li> <li>• Community groups</li> <li>• Australian Government</li> </ul>
Full and equitable access and strong usage of information and communication technologies across the Shire.	Provider Facilitator Advocate	<ul style="list-style-type: none"> <li>• State and Australian Governments</li> <li>• NBN Co</li> <li>• Telcos</li> </ul>
Capable, self sufficient communities engaged in decision making about issues that affect them.	Facilitator	<ul style="list-style-type: none"> <li>• Residents</li> <li>• Schools</li> <li>• Community groups</li> <li>• Service clubs</li> <li>• Village Associations</li> <li>• Progress Associations</li> </ul>
Improved communication between Council and the Shire's communities.	Facilitator	<ul style="list-style-type: none"> <li>• Village Associations</li> <li>• Progress Associations</li> <li>• Post Office</li> <li>• Schools</li> </ul>
<b>Performance indicators:</b> <ul style="list-style-type: none"> <li>• Population</li> <li>• Technology coverage</li> <li>• Health statistics</li> <li>• Community calendar of events</li> <li>• Community survey results</li> </ul>		

## Blayney Shire Draft Community Strategic Plan

**Overview of IPR**

to be completed by Groupwork

**Steps followed in developing the plan**

To be completed by Groupwork

**The community engagement strategy**

To be completed by Groupwork

**Quadruple bottom Line**

To be completed by Groupwork

**Version Control**

Version number	Date	Modified by
One	August 30/2011	Bob Campbell Groupwork
Two	September 1/2011	Lynda Jones Groupwork
Three	October 2011	Anton Franze, Blayney Shire Council

## **Blayney Shire Council**



### **Policy Register**

#### **Policy No 5E**

**Policy Title** Pensioner and Hardship Assistance Policy

**Document/File No**

**Officer Responsible** Manager Financial Services

**Last Review Date** 14/11/2011

#### **Objectives**

To provide a framework for responding to applications from owners / ratepayers and customers experiencing genuine hardship with the payment of their rates, annual charges and fees.

#### **Policy Statement**

#### **Blayney Shire Council**



### **Pensioner and Hardship Assistance Policy**

## **Policy Statement**

1. Council recognises that ratepayers may experience hardship in some circumstances in paying rates, annual charges, and fees. The Local Government Act 1993 provides for the following assistance to ratepayers and customers:
  - Periodical payment arrangements for overdue rates and charges [S. 564];
  - Writing off or reducing interest accrued on rates or charges [S. 564 & 567];
  - Waiving, reducing or deferring the payment of the increase in the amount of rate payable because of hardship resulting from general revaluation of land in the Local Government Area [S. 601];
  - Waiving, or reducing rates, charges and interest of eligible pensioners. [S. 575, 582]
  - Waiving or reducing Council fees when the inability to pay is due to hardship [S. 610E]
2. Council will consider each application for assistance on its merits. A ratepayer may be eligible for consideration for Hardship Assistance in the payment of overdue rates, annual charges, interest, and fees, where:
  - the person is unable to pay due rates, charges fees or accrued interest when due and payable for reasons beyond the person's control; or
  - payment when due would cause the person hardship.
3. In determining eligibility Council requires the request to be made in writing to the General Manager, providing reasonable proof of financial hardship. Council may also request details of assets, income and living expenses, and such other information required to make a valid assessment. It may also be requested that the ratepayer attend an interview to assist Council in the understanding of the issues causing hardship.
4. The criteria for assessment will be, but is not limited to, the following:
  - the amount of any rate increase when compared to the average rate increase for the rate category,
  - income from all sources,
  - living expenses,
  - reason for financial hardship,
  - length of occupancy.

## **Assistance to Eligible Pensioners**

1. Council will provide a rebate of rates to eligible pensioners who are granted a mandatory pensioner concession under Section 575 of the Local Government Act 1993.
2. Council will provide assistance to eligible pensioners who are experiencing financial difficulties, by offering alternative payment arrangements and reasonable extension to payment timetables. All payment arrangements must pay the balance owing within a reasonable time frame, not exceeding two years from the date of the arrangement being made, and should



include future rates and charges which will be levied during the arrangement period.

3. Under section 577 of the NSW Local Government Act 1993, in order to avoid hardship, Council may extend the pensioner concession to ratepayers who jointly occupy a dwelling and are jointly liable for rates and charges with an eligible pensioner, if it considers proper to do so.

### **Backdating of Pensioner Rebates**

1. Backdating of pensioner rebate claims pursuant to Section 579 of the NSW Local Government Act 1993 is limited to one (1) previous rating year only, or part thereof.
2. Backdating is only to occur where adequate substantiation can be provided to satisfy the essential criteria of the granting of a rates and charges pensioner concession.
3. Claims made beyond one (1) previous rating year must be requested in writing and referred to Council.

### **Hardship Assistance by Periodical Payment Arrangements**

1. Council may enter into a formal agreement with a ratepayer eligible for alternative periodical payment arrangements for due and payable rates, and charges. Council or the ratepayer may initiate a proposal for a periodical payment agreement. In accordance with section 568 of "the Act", payments will be applied towards the payment of rates and charges in the order in which they became due. Council will provide information on the amounts due and payable on relevant notices.
2. Council may also write off or reduce the accrued interest and costs on rates and charges if the person complies with the periodical agreement (section 542(2)). If the ratepayer fails to make the periodical payment in accordance with the agreement, the payment plan may be cancelled. Full payment of the amount outstanding will be due immediately.

### **Hardship Assistance by Writing off Accrued Interest and Costs**

Council applies interest rates to the maximum allowable under section 566 of "the Act". However Council may write off accrued interest and costs on rates or charges payable by a person under Section 567 of "the Act" and the Local Government (General) Regulation 2005 where:

- the person was unable to pay the rates or charges when they became due for reasons beyond the person's control, or
- the person is unable to pay accrued interest for reasons beyond the person's control, or
- payment of the accrued interest would cause the person hardship.

## **Hardship Assistance Due to Certain Valuation Changes**

Under Section 601 of “the Act”, any ratepayer who incurs a rate increase following a newvaluation of land values may apply to Council for rate relief, if the new rate payable causes theratepayer to suffer substantial hardship. [Section 601 (1)]

Council will encourage aggrieved ratepayers to make an appropriate application under the appeal provisions of the NSW Valuation of Land Act 1916. Council may provide assistance, by offering alternative payment arrangements and reasonable extension to payment timetables. All payment arrangements must pay the balance owing within a reasonable time frame, not exceeding two years from the date of the arrangement being made, and should include future rates and charges which will be levied during the arrangement period.

## **Writing off of Rates, Charges and Interest**

In the cases where Council determines to write off rates, charges or interest, the General Manager shall write off debts to the maximum amount allowable under Council delegation register. Any amount above that may only be approved by a Council resolution.

## **Privacy and Confidentiality**

Council Officers will conduct themselves with courtesy and respect when dealing with ratepayers and shall maintain the privacy and confidentiality of all ratepayers’ personal circumstances.

End of Policy

<b>Adopted:</b>	<b>Date: 14/11/2011</b>	<b>Minute:</b>
<b>Lasted Reviewed:</b>	<b>Date: 14/11/2011</b>	<b>Minute:</b>
<b>Next Reviewed:</b>	<b>Date:</b>	



## **Blayney Shire Council**

### **Policy Register**

#### **Policy No 5D**

<b>Policy Title</b>	Rates and Debtors Recovery Policy
<b>Document/File No</b>	R3-1
<b>Officer Responsible</b>	Manager Financial Services
<b>Last Review Date</b>	14/11/2011

### **Objectives**

To provide parameters to enable the collection of all outstanding rates and charges due and payable to Council to ensure monies owed are recovered in a timely and effective manner.

### **Policy Statement**

#### **Blayney Shire Council**



### **Rates and Debtors Recovery Policy**

## **Policy: Debtor Rate Recovery Procedures**

Council recognises that it is in the community interest to maximise the collection of Rates and Charges and to recover interest, cost and expenses where these are necessarily incurred by Council. However, Council recognises that the collection of Rates and Charges needs to be balanced with the identification and consideration of individual cases of genuine hardship.

### **Recovery Procedures**

Council will take recovery action when rates become overdue, unless the ratepayer enters into a suitable payment arrangement.

1. Council will accept that there are ratepayers who cannot meet mandatory instalment options as provided under section 562 of the Local Government Act 1993. Council may accept by application an alternative payment schedule (hence forth called the 'Agreement').
2. In order for such an agreement to be considered an instalment arrangement form is to be completed and signed in conjunction with Council's Rating Staff. This formalises the agreement and will commit the ratepayer to the payment schedule.
3. The payment can be made by cash, eftpos, Bpay, direct debit or through Centrepay, these facilities are offered daily.
4. Verbal agreements shall not be accepted.
5. Payment Arrangements:
  - if an arrangement is made to pay the outstanding amount, then this would need to include the current year as well as the outstanding amount. This would need to be paid in full before the next full year rate instalment becomes due.
  - other arrangements should clear the total outstanding debt by the end of the current financial year or within a twelve month period at least.
  - Council may extend this twelve month period if they believe exceptional circumstances exist. Such arrangement shall be approved by the Manager of Financial Services or Director of Corporate Services.
  - Council's Revenue Officer will monitor arrangements and refer any failure of payments change in period of payments to Council's Manager of Financial Services.
6. Failure by the applicant to adhere to the agreed payment schedule or the instalment arrangement will result in further recovery action being taken. If a rate payer defaults on a payment arrangement twice and no attempt has been made to contact Council, the debt will be referred to Council's Recovery Agent.

### **Reminder Notices**

1. A Reminder Notice will be issued within 14 days of the due date of an instalment notice.
2. Such notice will be issued when:
  - no payment has been made;
  - insufficient payment to cover the instalment has been made; or
  - where there is no current valid instalment arrangement.
3. Reminder notices will indicate that:
  - rates are now in arrears;
  - that penalty interest is being charged at the rate set by Council; and
  - failure to make an arrangement or pay the outstanding amount in full within 14 days of receiving reminder notice may result in the commencement of legal action.

## Debt Collection Agency

1. Where there is a failure to respond to the Reminder Notice Council will forward outstanding debt information to Councils debt collection agency, who will provide the rate payer with a 14 day final warning letter to pay the arrears or make arrangements to pay Councils outstanding amount referred to in the letter, advising that if no arrangement is entered into or contact is made to council to explain why the account has not been paid then legal action will be taken.
2. Where there is a failure to respond to the final warning letter Council will instruct its debt collection agency to proceed with legal action, if:
  - Rates and charges outstanding are at least \$500.00 and two instalments in arrears; and
  - where there is no current valid instalment arrangement.
3. Where debt recovery costs and fees associated with any course of action (e.g. summons, judgment or writ) are payable then these costs will be passed on to the ratepayer and will subsequently remain a charge on the property until paid.
4. Where any legal action has been issued – and a payment arrangement is entered into then any default on the payment arrangement will result in Council instructing their debt collection agency to immediately continue with legal action.

## Sale of Land

Where legal action is unsuccessful and rates and charges are overdue for more than 5 years (1 year in the case of vacant land), the property may be sold by public auction in accordance with S713 of the Local Government Act, subject to a resolution of Council. Once a property is listed to be sold, Council will only accept a payment of 100% on the outstanding balance provided that the balance is forthcoming prior to the date of auction. Unless full payment is received and funds cleared council will continue to proceed with the Sale of Land.

End of Policy

<b>Adopted:</b>	<b>Date:12/08/1996</b>	<b>Minute:666</b>
<b>Lasted Reviewed:</b>	<b>Date: 09/07/2007</b>	<b>Minute:07/145</b>
	<b>Date: 14/11/2011</b>	<b>Minute:</b>
<b>Next Reviewed:</b>	<b>Date:</b>	



**ENGINEERING SERVICES REPORTS**  
**PRESENTED TO THE BLAYNEY SHIRE COUNCIL**  
**MEETING HELD ON MONDAY, 14 NOVEMBER 2011**



**13) CROWN ROAD TRANSFER - ATHOL STREET, BLAYNEY**  
(Director Engineering)

**RECOMMENDED:**

1. That Council approve
  - a. the, transfer of the Crown Public Road identified as Athol Street, Blayney, and,
  - b. the placement of Council's Seal on all documentation associated with the crown road transfer of Athol Street, Blayney

**REPORT**

**Executive Summary**

Council has recently received enquiries from parties involved in property settlements associated with the Highlands Estate development adjoining Athol Street, Blayney.

In order to rectify the situation for future, this report proposes the transfer of Athol Street from Crown Public Road to Council Road.

**Background Information**

Following enquiries by Council engineering staff, it has become evident that when the subdivision of Highlands Estate was undertaken, the Crown did not remove the enclosure permit over the Athol Street alignment.

Therefore when individual titles were issued on the subdivision, those parcels adjoining Athol Street, were encumbered with a notation on the title in relation to the Crown Road.

This has generated some confusion and concern with lending authorities and other parties.

As Athol Street is currently maintained by Council, it is therefore recommended that Council approve the transfer of the Crown Public Road, known as Athol Street, and the placement of Council's seal on all documentation associated with the transfer.

**BUDGET IMPLICATIONS**

Nil effect

**POLICY IMPLICATIONS**

Nil effect

**Attachments**

- 1 Locality Map - Athol Street, Blayney



**14)                    HIRING OF GRADER MACHINE GUIDANCE**  
(Operations Manager)

**RECOMMENDED:**

1. That the hire of a machine guidance system for the grader be received and noted.

**REPORT**

**Executive Summary**

To further improve Councils quality management of road construction projects, and offer improvements in productivity, Council has hired a GNSS Machine Guidance System for its Caterpillar 12M grader for a period of two (2) months

**Background**

As a result of Councils extended works programme in the current financial year, investigations have been undertaken into the use of GNSS Machine Guidance Systems to obtain efficiency savings in the delivery of Councils Works Programme.

The primary project driving this need is the Roads and Traffic Authority (RTA) project on Trunkey Road. RTA projects of this type require the contractor to meet particular specifications with regards to level tolerances and roughness counts.

Historically Council has not had concerns in meeting the requirements for roughness counts. However meeting the level tolerances has proved problematic for Council on occasion.

**Report**

GNSS Machine Guidance offers precision control to Councils grader and greatly assists Councils ability to meet the fine tolerances required by the RTA. It should be noted that significant performance bonuses are available should particular standards for roughness be exceeded.

In addition to providing fine control and improved precision for levels, machine guidance also increases productivity by minimising over and under excavation from the job. As design levels are imported directly into the control system, all aspects of the job are constructed to level. This reduces excess boxing out of pavement minimising the material removed saving on excavation costs, while reducing the quantity of material required to be brought back in, and overall pavement material costs.

In liaison with Forbes Shire Council, who have utilised machine guidance for a period of approximately 4 years, it is estimated that the savings on road construction jobs are in the order of \$19,000/km in machine productivity alone.

Further to the on job savings, there are also benefits that can be realised with regards to Occupational Health & Safety and public safety.

As there are no pegs required to be installed for road construction, there is much less exposure of Council employees to the dangers of traffic on the construction job, thus reducing employees and Councils risk to a potential injury.

Additionally, as the system ensures that roads are built to the design, there are improved safety benefits for the motoring public with the road providing a safer and more forgiving environment to drive on, thus reducing the chance of a liability claim against Council due to a road that may be constructed outside of design tolerances.

During the hire period, Engineering Staff will be carefully monitoring the performance of the hired equipment and will seek feedback from Councils Grader Operators on the overall impressions of the system, and the benefits that it provides Council.

Council has identified three (3) projects to utilise this system on during the hire period.

As part of the Natural Disaster Funding Arrangements, overlay works were scheduled on Hobbys Yards Road in the vicinity of Dowsetts Lane and along 'Prices Flat'. Both of these projects are planned to be undertaken utilising the machine guidance system with works starting the week of the 31 October 2011 (subject to weather).

Additionally the system will be used on the RTA project on Trunkey Road. This project entails the reconstruction of approximately 1.5km of road, and provides Council with an excellent chance to assess the system and determine the benefits it provides.

### **BUDGET IMPLICATIONS**

All hire costs are incorporated into the budget of the projects.

### **POLICY IMPLICATIONS**

Nil effect

### **Attachments**

Nil

15)            **ADOPTION OF ASSET MANAGEMENT POLICY**  
(Director Engineering)

**RECOMMENDED:**

1. That the Asset Management policy be adopted and included in Council's policy register.

**REPORT**

Council at its meeting held 12 September 2011 resolved to place the Asset Management Policy on public exhibition for 28 days.

The closing date for public exhibition was 14 October 2011. At the close of this period no submissions on the draft policy were received.

The Asset Management Policy sets guidelines for implementing consistent asset management processes throughout Blayney Shire Council and to ensure adequate provision is made for the long-term replacement of major assets.

A copy of the Asset Management Policy has been provided as an attachment to this business paper.

**BUDGET IMPLICATIONS**

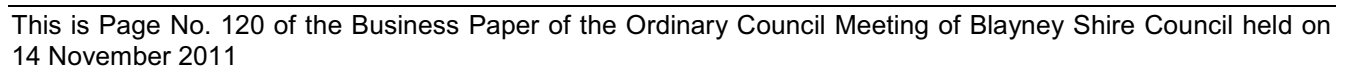
Nil effect.

**POLICY IMPLICATIONS**

As outlined above.

**Attachments**

1 Asset Management Policy 3 Pages



**Blayney Shire Council****Policy Register****Policy No 22B****Policy Title** Asset Management Policy**Document/File No****Officer Responsible** Director Engineering**Last Review Date** 14/11/2011**Objectives**

To set guidelines for implementing consistent asset management processes throughout Blayney Shire Council.

To ensure adequate provision is made for the long-term replacement of major assets.

**Policy Statement****Blayney Shire Council****Asset Management Policy**

## OBJECTIVES

To ensure adequate provision is made for the long-term replacement of major assets by:

- Ensuring that Council's services and infrastructure are provided in a sustainable manner, with the appropriate levels of service to residents, visitors and the environment.
- Safeguarding Council assets including physical assets and employees by implementing appropriate asset management strategies and appropriate financial resources for those assets.
- Creating an environment where all Council employees take an integral part in overall management of Council assets by creating and sustaining an asset management awareness throughout the organisation by training and development.
- Meeting legislative requirements for asset management.
- Ensuring resources and operational capabilities are identified and responsibility for asset management is allocated.
- Demonstrating transparent and responsible asset management processes that align with demonstrated best practice.

## SCOPE

This policy applies to all Council activities.

## GENERAL

### Background

1. Council is committed to implementing a systematic asset management methodology in order to apply appropriate asset management best practices across all areas of the organisation. This includes ensuring that assets are planned, created, operated, maintained, renewed and disposed of in accordance with Council's priorities for service delivery.
2. Council owns and uses approximately \$246,469,000 of non-current assets to support its core business of delivery of service to the community.
3. Asset management practices impact directly on the core business of the organisation and appropriate asset management is required to achieve our strategic service delivery objectives.
4. Adopting asset management principles will assist Council in achieving its Strategic Longer-Term Plan and Long Term Financial objectives.
5. A strategic approach to asset management will ensure that the Council delivers the highest appropriate level of service through its assets. This will provide positive impact on;
  - Members of the public and staff;
  - Council's financial position;
  - The ability of Council to deliver the expected level of service and infrastructure;
  - The political environment in which Council operates; and
  - the legal liabilities of Council.

### Principles

1. A consistent Asset Management Strategy must exist for implementing systematic asset management and appropriate asset management best-practice throughout all Departments of Council.
2. All relevant legislative requirements together with political, social and economic environments are to be taken into account in asset management.
3. Asset management principles will be integrated within existing planning and operational processes.
4. Asset Management Plans will be developed for major service/asset categories. The plans will be informed by community consultation and financial planning and reporting.
5. An inspection regime will be used as part of asset management to ensure agreed service levels are maintained and to identify asset renewal priorities.
6. Asset renewals required to meet agreed service levels and identified in adopted asset management plans and long term financial plans will be fully funded in the annual budget estimates.
7. Service levels agreed through the budget process and defined in adopted Asset Management Plans will be fully funded in the annual budget estimates.
8. Asset renewal plans will be prioritised and implemented progressively based on agreed service levels and the effectiveness of the current assets to provide that level of service.
9. Systematic and cyclic reviews will be applied to all asset classes and are to ensure that the assets are managed, valued and depreciated in accordance with appropriate best practice and applicable Australian Standards.
10. Future life cycle costs will be reported and considered in all decisions relating to new services and assets and upgrading of existing services and assets.
11. Future service levels will be determined in consultation with the community.
12. Training in asset and financial management will be provided for councillors and relevant staff.

### RESPONSIBILITY

- **Councillors** are responsible for adopting the policy and ensuring that sufficient resources are applied to manage the assets.
- The **General Manager** has overall responsibility for developing an asset management strategy, plans and procedures and reporting on the status and effectiveness of asset management within Council.

### End of Policy

<b>Adopted:</b>	<b>Date: 14/11/2011</b>	<b>Minute:</b>
<b>Last Reviewed:</b>	<b>Date: 14/11/2011</b>	<b>Minute:</b>
<b>Next Review:</b>	<b>Date: 16/08/2015</b>	





**ENVIRONMENTAL SERVICES REPORTS**  
**PRESENTED TO THE BLAYNEY SHIRE COUNCIL**  
**MEETING HELD ON MONDAY, 14 NOVEMBER 2011**



16) **PLANNING PROPOSAL REZONING 137 NEWBRIDGE ROAD**  
**METZIYA PTY LTD (SEA LINK)**  
(Acting Director Environmental Services)

**RECOMMENDED:**

1. That Council note the update report from the Acting Director of Environmental Services on the Planning Proposal for 137 Newbridge Road, Blayney.

**REPORT**

**Executive Summary**

Council will recall at its Meeting held on 8 August 2011, following a workshop held on 20 July 2011 in relation to a planning proposal to rezone 137 Newbridge Road Blayney to Industrial Rural Landscape and Special Purposes (Rail Siding) and resolved as follows:

1. That the Director of Environmental Services prepare a planning proposal for the rezoning of 137 Newbridge Road, as detailed in figure 1 (draft zoning plan).
2. That in addition to any other public consultation, the Director of Environmental Services consult directly with the owner of 84 Newbridge Road "Athol" in relation to this planning proposal.
3. That Council refer that completed planning proposal for 137 Newbridge Road Blayney to the Department of Planning under Section 65 of the *Environmental Planning and assessment Act 1979*.

The Acting Director of Environmental Services (ADES) met recently with Mr R Hornery and Mr G Tanos at the Sea Link site to discuss the planning proposal and to also familiarise the ADES with the site.

Metziya Pty Ltd have already prepared a large amount of material for the planning proposal and further material is also required which Metziya have now agreed to prepare with the help of a consultant Town Planner and will submit the documentation at a later date to Council for referral to the Department of Planning.

**BUDGET IMPLICATIONS**

Nil.

**POLICY IMPLICATIONS**

Nil.

**Attachments**

Nil

17) **QUARTERLY RECYCLING REPORT**  
(Acting Director Environmental Services)

**RECOMMENDED:**

1. That Council note the report from the Acting Director of Environmental Services on the quarterly recycling report.

**REPORT**

**Executive Summary**

The Acting Director Environmental Services attended the Regional Domestic Waste and Recycling Contract Management Meeting with NetWaste on Thursday 27 October at Orange at the Environmental Learning Facility (ELF).

J R Richards and Sons were present and provided the monthly report for Blayney, and in accordance with the Management Plan I advise that the quarterly recycling figures for the period July to September 2011 are as follows:

Total Recyclables 128,464kg for July – September 11 made up of:

- Paper 69,475
- Glass 20,599
- PET 2,427
- HDPE 2,409
- Mixed Plastic 2,332
- Aluminium 1,445
- Steel 3,196
- Glass Fines 26,583

Total 128,464kg

**BUDGET IMPLICATIONS**

Nil.

**POLICY IMPLICATIONS**

Nil.

**Attachments**

Nil

**18) UPDATE ON PROGRESS - DRAFT BLAYNEY LOCAL ENVIRONMENTAL PLAN**

(Acting Director Environmental Services)

**RECOMMENDED:**

1. That Council note the report from the Acting Director of Environmental Services.
2. That Council address the three (3) issues as set out in the Section 65 Certificate.

**REPORT**

This report provides an update to the Councillors on the progress of the Draft Blayney Local Environmental Plan 2011 'Draft Plan'.

On 18 October 2011 Blayney Council received a Section 65 Certificate from the Department of Planning and Infrastructure 'DP&I' (please see attached) authorising Council to publicly exhibit the Draft Plan, subject to the following amendments to the original copy that was approved by Council as the Section 64 stage:

- a) Aims of Plan: Clause 1.2(2)(c) has been amended to remove Aims (i), (xi), and (xii) that are not supported by the Department. Council staff support their removal on the basis that these issues will be addressed in any future Development Control Plan.
- b) Land Use Table - Zone R5 Large Lot Residential: 'Farm buildings' are no longer permissible with consent because agriculture is not permissible and farm buildings are ancillary to agricultural uses. Other ancillary buildings will be permissible in this zone so Council staff support this amendment.
- c) Land Use Table – Zone RE1 Public Recreation: 'Take away food and drink premises' are no longer permissible with consent as this is a commercial use and not suited to recreation zones. Council staff support this amendment as it is unlikely to be required.
- d) Subdivision Objectives: The objectives in Clause 4.1(1)(c) are amended to remove those objectives relating to sewerage management systems, heritage, residential amenity, and site planning. It is believed that these issues can be addressed in any future Development Control Plan. Instead a new objective has been agreed by the Department which states '*To ensure development is undertaken on appropriately sized parcels of land commensurate with available services and responds to any topographic, physical or environmental constraints*'. This addresses many of Council's concerns and is supported by staff.
- e) Community Title and Strata Subdivision: The old clause 4.2A (addressing both community title and strata subdivision has been split into two new clauses 4.1AA and 4.2A that deal with community title subdivision separately to strata subdivision. This change has not changed in effect but

seeks to clarify the legal wording so Council staff support this amendment to the model provisions.

- f) Minimum Lot Sizes for Dwellings: Clause 4.2B(3)(b) and (c) have had minor amendments to refer lots created 'from a subdivision for which development consent was granted under a previous environmental planning instrument'. This clarifies that the clause does not permit dwellings on lots created under original Crown Land Acts or Settlers Act which were historical and did not necessarily provide suitable lot sizes for development. In addition, the definition for 'existing holding' has had some minor amendments to clarify the legal wording. Council staff support this amendment to the model provision.
- g) Dwelling Houses in Villages: Clause 6.2 has been deleted by the Department because the amended wording in Clause 4.2A (above) combined with the operation of Clause 6.1 – Essential Services means that an additional requirement relating to lot size to support effluent management systems is no longer required. Council staff support this amendment and it reduces the complexity of the Draft Plan. As a result, the clauses following Clause 6.1 will be renumbered.
- h) Sex Services Premises: Clause 6.3 (original numbering) has been amended to add an objective to clarify the clause operation and it also removes its operation for land adjoining Zone R1 General Residential. Whilst Zone R1 will only be applies in the Town of Blayney this is unlikely to have a significant impact as the clause still avoids sex services premises near sensitive uses like schools, churches or community facilities.
- i) Buffers: Clause 6.10 (original numbering) has been amended to replace the wording that requires consideration of '*any opportunities to relocate the proposed development outside the land to which this clause applies*' with new wording requiring consideration of '*any proposed measured incorporated into the development that limit the impact of such noise and other emissions associated with the existing land use*'. This is an improvement in the model provision required by the Department that allows for development to address how it would mitigate against any impacts (rather than just allowing relocation) and is recommended by Council staff.
- j) Heritage Items: Schedule 5 and the Heritage Maps need some final amendments to finalise the property descriptions and ensure the items are correctly mapped. Council will work with the Department to finalise the mapping over the next few weeks.

If Council objects to these proposed amendments then Council will need to gain the Department's approval and an amended Section 65 Certificate. The above issues are not inconsistent with the original intent of the Draft Plan put before Council as part of the Section 64 approval process.

Please also note that the Department has required Council to address three (3) issues (as set out in the attached letter) prior to the final plan being approved as they are inconsistencies with the Minister's Section 117 Directions. If Council is unable to address these issues then it may necessitate further changes to the Draft Plan.

The public exhibition of the Draft Plan is not estimated to commence until early 2012 (depending on resourcing across the WBC Alliance) for the following reasons:

- Some of these amendments are likely to take a few weeks to resolve and finalise.
- Council management is undergoing a period of transition with a new General Manager commencing in November and a new Director of Environmental Services not expected until early 2012. It is recommended that the new Director of Environmental Services is in the position prior to commencing the public exhibition period.
- An unusually high number of development applications have also created a resourcing issue for the Environmental Services Division.
- Council staff would recommend against commencing the public exhibition of such an important document in close proximity to Christmas.

Prior to the public exhibition, a memorandum will be sent to Councillors notifying you of the date for commencing public exhibition and providing a full package of information about the Draft Plan that will also be provided to the community.

#### **BUDGET IMPLICATIONS**

Nil.

#### **POLICY IMPLICATIONS**

Nil.

#### **Attachments**

1 Section 65 Certificate 5 Pages

**19) EXHIBITION OF ENVIRONMENTAL ASSESSMENT FOR FLYERS CREEK WIND FARM**

(Acting Director Environmental Services)

**RECOMMENDED:**

1. That Council note the report from the Acting Director of Environmental Services on the proposed Flyers Creek Wind Farm proposal.

**REPORT**

**Executive Summary**

NSW Planning and Infrastructure have recently advised Council of the Environmental Assessment (EA) for the proposed Flyers Creek Wind Farm which is located on 23 privately owned properties and will comprise forty four (44) wind turbine generators and ancillary infrastructure. The EA is on public exhibition from Friday 21 October 2011 until Monday 19 December 2011.

Council is invited to make a submission together with any conditions of approval by Monday 19 December 2011.

A copy of the EA is exhibited at Councils Environmental Services counter. Councils Acting Director Environmental Services and Senior Town Planner met with Jonathon Upson the project proponent on Friday 28 October and Council was provided with CDs of the project and a video of the proposal from the proponents for use during the exhibition period.

Maps of the proposed site together with location of the turbines are attached for Councils information.

**BUDGET IMPLICATIONS**

Nil.

**POLICY IMPLICATIONS**

Nil.

**Attachments**

- 1 Flyers Creek Wind Farm Maps 2 Pages

20) **DEVELOPMENT APPLICATION 155/2009 - MILLTHORPE**  
**RAILWAY HOTEL - 20 ELLIOTT STREET, MILLTHORPE**  
(Acting Director Environmental Services)

**RECOMMENDED:**

1. That Council note the report from the Acting Director of Environmental Services.
2. That Council support the modified application for the new verandah with the verandah posts on the kerb line.

**REPORT**

**Executive Summary**

Council originally approved DA155/2009 for proposed alterations and additions to the Railway Hotel on 24 September 2009 under delegated authority by the Director of Environmental Services. The submitted original plan showed an attached single storey verandah on both the Elliott Street and Railway Place front elevations over the footway, however due to the ownership of Railway Place not being known at this time the applicant on 23 September amended the application with the removal of the proposed verandah until such time as the ownership of Railway Place was established.

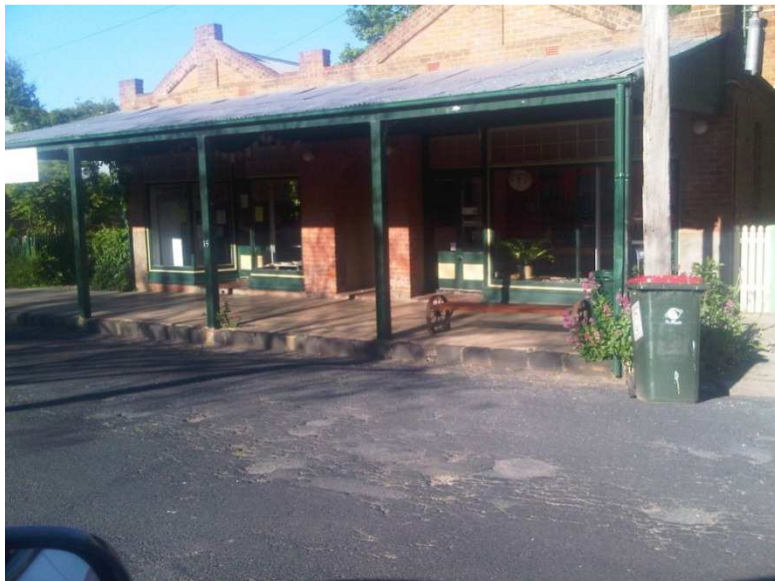
Following establishment of ownership of Railway Place (Blayney Shire Council) on 5 August 2010, the applicant on the 1 September 2011 submitted a modified application to Council to now include the previously deleted verandahs.

Council's Heritage advisor and Council's Engineering Department in accordance with the RTA Guidelines have requested that the proposed verandah posts be set back a minimum of 600mm from the kerb line, which is the usual requirement for verandah posts on the street to allow for vehicles not to damage the verandah, however as stated by the applicant in their Heritage Impact Statement and also easily seen from the attached photos the precinct of the village of Millthorpe on other existing buildings have their verandah posts on the kerb line and not setback the usual 600mm.

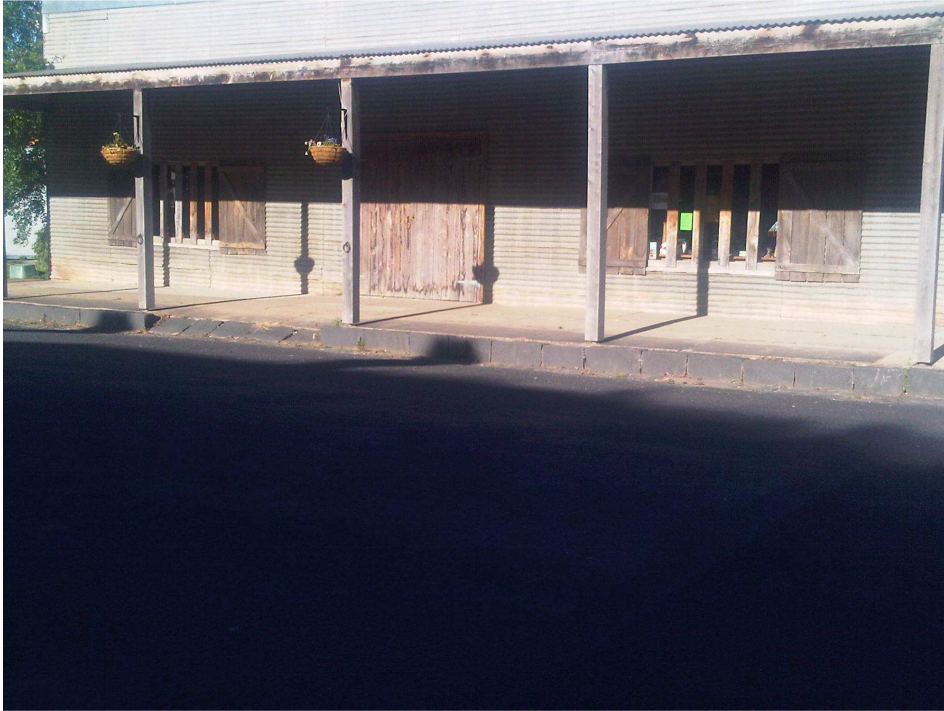
The applicants are requesting that the verandah posts for the Railway Hotel be also located on the kerb line not the required 600mm setback to keep in accordance with the Millthorpe village precinct. Recent advice from both Council's Heritage Advisor and Council's Engineering Department have confirmed the required 600mm setback however in my opinion which differs from both the Heritage Advisor and Council's Engineering Department I request that Council support the applicant in having the verandah posts on the kerb line in keeping with other developments in the Millthorpe precinct and adopt the above recommendations.











**BUDGET IMPLICATIONS**

Nil.

**POLICY IMPLICATIONS**

Nil.

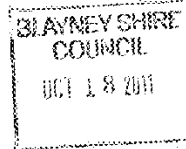
**Attachments**

Nil



Planning &  
Infrastructure

Mr Alan McCormack  
General Manager  
Blayney Shire Council  
PO Box 62  
Blayney NSW 2799



Contact: Rachel Cumming  
Phone: 02 6841 2180  
Fax: 02 6884 8483  
Email: [rachel.cumming@planning.nsw.gov.au](mailto:rachel.cumming@planning.nsw.gov.au)  
Our ref: 11/12279

Dear Mr McCormack

**Draft Blayney Local Environmental Plan 2011 – Section 65 Certificate to exhibit draft Plan**

I am writing in response to your letter dated 5 July 2011 and Council's email on 29 September 2011 requesting a revised certification of draft Blayney Local Environmental Plan 2011 (draft LEP). I am pleased to advise that I have conditionally certified the draft LEP for exhibition. The revised conditional section 65 certificate and a copy of the revised certified draft LEP instrument are enclosed.

Please note that references to the particular sections of the Act in this letter relate to the previous plan making provisions repealed on 1 July 2009.

*Changes made to the revised instrument*

Based on Council's email dated 29 September 2011, the following changes have been made to the certified Plan:

- Dual occupancies (attached and detached) are to be permissible with consent in Zones RU1 Primary Production, RU2 Rural Landscape and E3 Environmental Management.
- Clause 4.1 – Minimum Subdivision Lot Size, objective (1) (c) has been amended as shown: "To ensure development is undertaken on appropriately sized parcels of land commensurate with available services (including any associated sewerage management system) and responds to any topographic, physical or environmental constraints).

In relation to this objective, Council is encouraged to include an explanatory note or fact sheet during the public exhibition period to inform the community that "services" is not limited to any associated sewerage management system but also refers to other considerations including, but not limited to, services identified in Clause 6.1 – Essential Services:

- the supply of water
- the supply of electricity
- the disposal and management of sewerage
- storm water drainage or on-site conservation
- suitable road access.

*Specific issues and requirements of the section 65 certificate*

In issuing the section 65 certificate for the draft Principal LEP I have identified the following conditions and requirements that are required prior to exhibition:

Bridge St Office 23-33 Bridge St Sydney NSW 2000 GPO Box 39 Sydney NSW 2001 DX 22 Sydney  
Telephone: (02) 9228 6111 Facsimile: (02) 9228 6191 Website [planning.nsw.gov.au](http://planning.nsw.gov.au)

- Schedule 5 in the draft LEP needs to be reviewed to ensure that all the heritage items have the correct property description (Lot number and Deposited Plan number). The heritage items which are located on land with the same property description (lot number and deposited number) should have the same item number. For example – Carrington Park (including Memorial Bandstand and Memorial Gate).
- On the heritage maps, please ensure that all the items are correctly identified.
- Ensure that the land use matrix for exhibition is amended to reflect the Land Use Tables contained within the Certified Exhibition Draft Blayney Local Environmental Plan (Schedule 1).

The changes to the Plan are identified in Attachment 1. A track changes version of the draft LEP and a revised version of the exhibition draft LEP are included in the exhibition package to assist Council to make the necessary changes.

It is requested that you provide the Western region office with a copy of the amended certified draft LEP prior to exhibition that satisfies the conditions of the section 65 Certificate.

As an Opinion has not been issued by Parliamentary Counsel that the plan can be legally made, the Department has issued the certificate on the understanding that Council, when exhibiting the draft LEP, makes it clear to the public that the draft LEP may be changed to satisfy legal drafting requirements. Council could also provide explanatory notes or fact sheets for exhibition explaining what the plan does.

It is important that community consultation on the draft LEP engages key stakeholders including but not limited to government agencies such as the Department of Primary Industries and the Office of Environment and Heritage.

Council is reminded to place this letter, the Blayney, Cabonne and Orange City Sub Regional Rural and Industrial Land Use Strategy, the draft Blayney Settlement Strategy, any State Environmental Planning Policies, and section 117 Directions that apply on exhibition with the certified draft LEP.

#### *Section 117 Directions affecting the draft Principal LEP*

In issuing the certificate I have deferred making a determination on a number of matters with regard to consistency with Government policy. In particular, Council is requested to address the following matters in the section 68 submission:

- Updated flood planning information for Newbridge is required to justify the proposed rezoning of flood affected land or the rezoning of such lands must be removed from the draft LEP.
- The justification of the draft LEP's inconsistencies with Directions 1.2 – Rural Zones, 1.5 – Rural Lands and 3.1 – Residential zones will need to be considered further as part of the finalisation and consideration for endorsement by the Director General of the Draft Blayney Settlement Strategy.
- It is also noted that the draft LEP is currently inconsistent with section 117 Direction 1.3 – Mining, Petroleum Production and Extractive Industries. Council is to consult with the Department of Primary Industries to address this inconsistency.

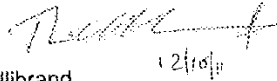
In relation to Section 117 Direction 6.2 – Reserving Land for Public Purposes, I, as the Director General's delegate, have approved the proposed alteration of zoning for land reserved for a public purpose in this LEP as it is of minor significance.

Bridge St Office 23-33 Bridge St Sydney NSW 2000 GPO Box 39 Sydney NSW 2001 DX 22 Sydney  
Telephone: (02) 9228 6111 Facsimile: (02) 9228 6191 Website [planning.nsw.gov.au](http://planning.nsw.gov.au)

I would like to thank Council for progressing the draft plan and look forward to your ongoing commitment to finalise this new planning instrument.

If you have any questions in relation to this matter, please contact Rachel Cumming, Acting Regional Director of the Department of Planning and Infrastructure's Western Region on telephone number 02 6841 2180.

Yours sincerely



Tom Gellibrand  
**Deputy Director General**  
**Plan Making and Urban Renewal**

Enc:

Section 65(2) Certificate

Certified Exhibition draft Blayney Local Environmental Plan 2011 [dated October 2011]

Track changes version draft Blayney Local Environmental Plan 2011 [dated October 2011]

Certified Exhibition Draft Map Cover Sheet and Maps

Bridge St Office 23-33 Bridge St Sydney NSW 2000 GPO Box 39 Sydney NSW 2001 DX 22 Sydney  
Telephone: (02) 9228 6111 Facsimile: (02) 9228 6191 Website [planning.nsw.gov.au](http://planning.nsw.gov.au)

## Attachment 1

Changes made to the draft LEP (Please also refer to Track changes document enclosed).

**In Table of Contents**

- Amended 4.2A to "*Strata subdivisions in certain rural and environmental zones [local]*"
- Deleted 6.2 Erection of dwelling houses on land in RU5 Village zone
- Updated remaining item numbers in Part 6 Additional Local Provisions

**In the Instrument**

- In Clause 1.2 – Aims of Plan
  - Deleted aim 2(c)(i)
  - Deleted aim 2(c)(xi)
  - Deleted aim 2(c)(xii)

**Land Use Tables**

- In Zone R5 Large Lot Residential
  - Deleted Farm buildings from Item 3
- In Zone RE1 Public Recreation
  - Deleted take-away food & drink premises from Item 3

**Part 4 Principal Development Standards**

- In Clause 4.1 – Minimum Subdivision Lot Size
  - Amended objective 1(c) "*To ensure development is undertaken on appropriately sized parcels of land commensurate to available services (including any associated sewerage management system) and responds to any topographic, physical or environmental constraints*"
  - Deleted Objective 1(d)
  - Deleted Objective 1(f)
  - Deleted Objective 1(g)
- Inserted clause 4.1AA Minimum subdivision lot sizes for community title schemes
- Amended clause 4.2A No Strata or community title subdivisions in certain rural and environmental zones [local] to include only strata subdivisions.
- Amended subclause 3(b) and 3(c) in Clause 4.2B Erection of dwelling houses on land in certain rural and environmental protection zones [local]
- Amended subclause (6) in Clause 4.2B Erection of dwelling houses on land in certain rural and environmental protection zones [local]

**Part 6 Additional Local Provisions**

- Deleted clause 6.2 Erection of dwelling houses on land in Zone RU5 Village
- Updated clause 6.3 Restriction on consent for particular sex services premises
- Updated clause 6.9 Development in proximity to sewerage treatment plants and waste depots



Planning &  
Infrastructure

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979  
SECTION 65(2) CERTIFICATE

As a delegate of the Director General of the Department of Planning and Infrastructure, I, Tom Gellibrand, under section 65(2) of the *Environmental Planning and Assessment Act, 1979*, certify that the draft plan named in Schedule 1 may be publicly exhibited under section 66 of the Act subject to the condition that the draft LEP be amended as set out in Schedule 2.

Signed

A handwritten signature in black ink, appearing to read 'Tom Gellibrand'.

Tom Gellibrand  
Deputy Director General  
Plan Making and Urban Renewal

Dated 12/10/11

As a delegate of the Director General for the Department of Planning and Infrastructure, I certify that I have no notice of the revocation of my delegation.

**Schedule 1**

Certified Exhibition Draft Blayney Local Environmental Plan 2011 [dated October 2011]  
Certified Exhibition Draft Blayney Map Cover Sheet and maps

**Schedule 2 Conditions**

Prior to public exhibition, Blayney Shire Council is required to amend the draft LEP identified in Schedule 1 to:

**Schedule 5 – Environmental Heritage**

- Ensure all the heritage items have the correct property description
- Ensure that any heritage items which are on the same lot and under the same ownership are identified as one item.

**Heritage Maps**

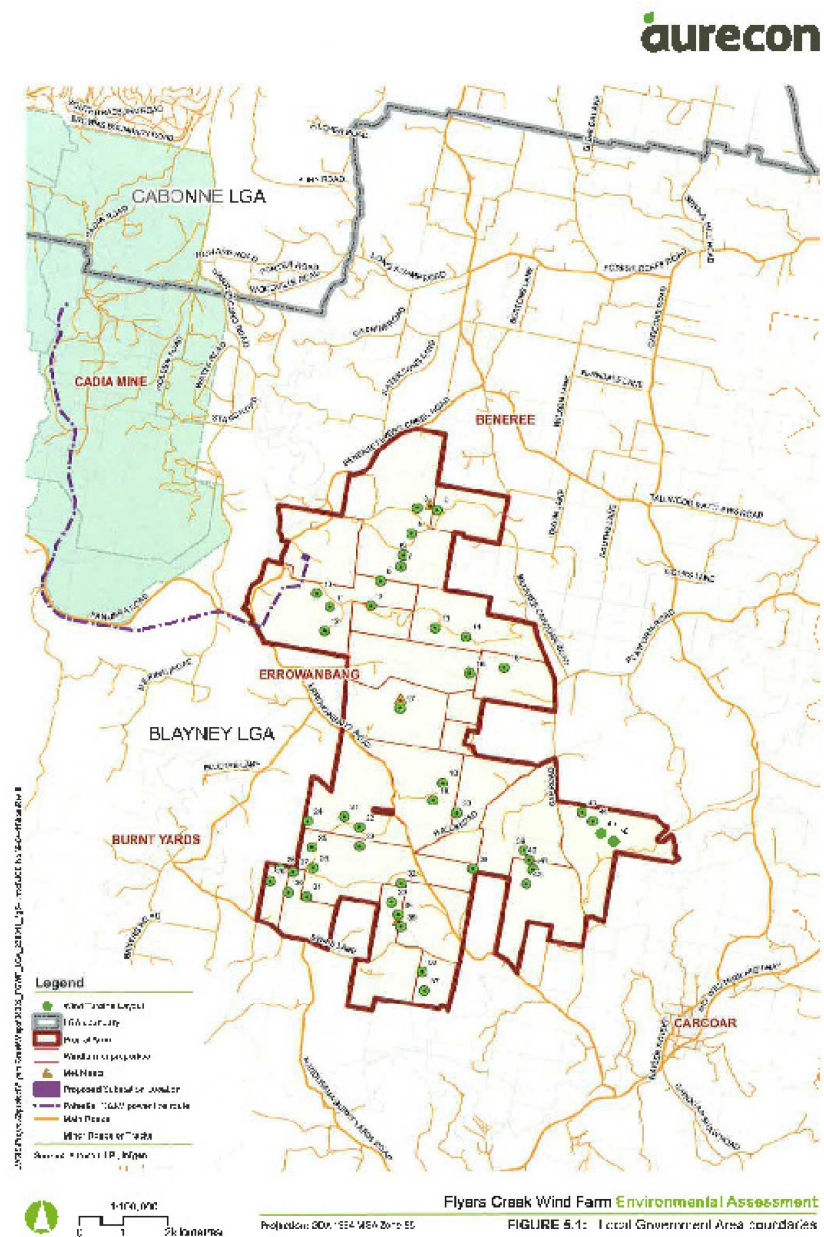
- Ensure that all heritage items that are listed in Schedule 5 are correctly identified on the heritage map sheets.

**Land Use Matrix**

- Ensure that the land use matrix for exhibition is amended to reflect the Land Use Tables contained within the Certified Exhibition Draft Blayney Local Environmental Plan. (Schedule 1).







**COMMITTEE REPORTS**  
**PRESENTED TO THE BLAYNEY SHIRE COUNCIL**  
**MEETING HELD ON MONDAY, 14 NOVEMBER 2011**



21)            **WBC ALLIANCE REPORT**  
                  (General Manager)

**RECOMMENDED:**

1. That the WBC Alliance Report, prepared by the WBC Executive Manager, be received and noted.

**Attachments**

- 1 WBC Alliance Report   3 Pages

22) **MINUTES OF THE BLAYNEY SHIRE ACCESS COMMITTEE  
MEETING - 13 OCTOBER 2011**  
(Director Corporate Services)

**RECOMMENDED:**

1. That the minutes of the Blayney Shire Access Committee Meeting held 13 October 2011 be received and noted.

**REPORT**

The Blayney Shire Access Committee held a meeting on Thursday 13 October 2011, at the Miners' Village Recreation Room, Blayney Caravan Park.

A copy of the minutes from this meeting is provided as an attachment to this business paper.

**Attachments**

- 1 Access Committee meeting minutes 13 October 2011 2 Pages

23) **MINUTES OF THE BLAYNEY SHIRE AUDIT COMMITTEE - 28 SEPTEMBER 2011**  
(Director Corporate Services)

**RECOMMENDED:**

1. That the minutes of the Blayney Shire Audit Committee Meeting held on 28 September 2011 be received and noted;
2. That the Audit Committee Charter as amended be noted and placed on public exhibition for a period of 28 days;
3. That the report on findings from the Strategic Internal Audit Risk Review completed by IAB Services be accepted;
4. That the Business Continuity Plan Quotations let by the WBC Alliance be noted;
5. That a review by IAB Services of procurement, contracts and project management be undertaken;
6. That development applications and contribution plans be escalated as the next priority;
7. That the meeting dates for future Audit Committee meetings be determined in conjunction with Cabonne Council, Central Tablelands Water and the Executive Manager of the WBC Strategic Alliance.

**REPORT**

The Blayney Shire Audit Committee held a meeting on Wednesday 28 September 2011, at the Council Chamber. A copy of the minutes from this meeting is provided as an attachment to this business paper.

As part of the meeting the Audit Committee Charter was tabled and amendments to the Charter were recommended for Council adoption. The amendments effected correct omissions and oversights.

A copy of the Charter as amended is attached with amendments highlighted and insertions underlined.

As part of Council's commitment to public transparency the Charter will be exhibited for public comment for a period of 28 days.

**BUDGET IMPLICATIONS**

The Council has approved a budget allocation for Internal Audit in the 2011 – 2016 Management Plan. Expenses associated with the Audit Committee and Internal Audits will be borne against this expense item.

**POLICY IMPLICATIONS**

Nil effect.

**Attachments**

- |   |   |         |
|---|---|---------|
| 1 | Audit Committee meeting minutes 28 September 2011 | 3 Pages |
| 2 | Draft Audit Committee Charter                     | 7 Pages |





## ***WBC Alliance Report for Council meeting November 2011***

*(Prepared by the Executive Manager, WBC Alliance)*

### **IT Corporate Systems Project**

#### **Cabonne/CTW and Blayney implementation**

This major project continues with some staff, particularly the Project Leaders (Evan Webb, Cabonne, Chris Hodge and Glenn Newman from Blayney and Gavin Rhodes and Raelene Mulligan from CTW) being very busy with this additional project work. The councils have taken the chance to review some of their business processing which is taking additional time but will in the longer term be more efficient.

The initial set up training held in Blayney two weeks ago went well. The councils now have access to the new system with their data in it so they are now working through each of the different modules to become accustomed to it and to ensure it is ready for cut over in February.

#### **Wellington Upgrade:**

Wellington are not well into the first stat of their upgrade and are on target with their project milestones. Again, this is a demanding time for their project leader, Paul Miller and his staff.

### **Integrated Planning and Reporting**

Final draft plans will be presented to the November Council meetings for approval to go onto public display. Following this consultation period any feedback from this will then be considered and if appropriate incorporated into the final plan, which will go back to the February council meetings

At the moment each of the groups responsible for developing resource plans– HR, Assets, and Finance – are continuing to work towards the timeline of December for completion of these plans.

Directors and Managers have been informed that they will be required to attend part or all of 2 days workshops (per council) in early February to finalise the delivery plans. They will need to have started working on the delivery plans during December/January.

Gerry Aguila, Administration Manager, Cabonne has worked very hard to develop a generic reporting template that all the councils can use for the delivery plans. This has been a great example of how the Alliance operates for “the greater good”!

*C:/wbcpo/report to council November 2011*

### **Shared Services Project**

The Shared Services Project will culminate in a one day workshop being held 17<sup>th</sup> November in Molong. Participants at this workshop include representatives from DLG, LGSA and LGMA. Our research partner, Australian Centre of Excellence Local Government will be presenting their research findings which focussed on the legislative and regulatory frameworks that would impact on the ability of NSW local governments to move “easily” to a shared service model if they should choose.

The timing of this project has been quite advantageous in consideration of the discussions and outcomes from the Destination 2036 Forum. The Division of Local Government are very keen to see the outcomes from our project as they could have wider sector implications. It is certainly reaffirming the WBC Alliance position within NSW Local Government as a leader in the area of collaboration and innovative reform.

I was invited to attend the Regional Organisations of Councils (ROC's) meeting in Sydney on 17<sup>th</sup> October to provide an overview of this project and also share my learning from my study tour to New Zealand in 2010 which focussed on shared service arrangements. There were representatives from DLG there and twice they made reference to the “good work” of the WBC Alliance. The role of the ROC's may come under review as part of the Destination 2036 around their strength in collaborative/regional service provision to councils.

We have also been invited to speak at the Australian Centre of Excellence Local Government (ACELG) National Researchers Forum being held in Sydney on 14/15<sup>th</sup> December. This is quite an honour – the other speakers are well respected academics and researchers and for our Alliance model and the Shared Service Project to be included is great recognition.

### **WBC Forum – 30<sup>th</sup> November – Molong**

BUILDING OUR FUTURE

2011 WBC Alliance Forum

### **PUT THE DATE IN YOUR DIARY!!**

Thank you to those Councillors who have responded that they will be attending. I sent a reminder to the Mayors encouraging as many councillors as possible to attend. This is a great opportunity for our elected members and staff to come together to network, learn and share ideas.

Ross Woodward, CEO for the Department of Local Government has agreed to be our keynote speaker. This is a great opportunity to hear from Ross about the key

*C:/wbcpo/report to council November 2011*



priorities within the Division and the Ministers portfolio. We also have some other interesting speakers on topics such as managing the Code of Conduct process, working with the media, using new technologies, the National Broadband and the opportunities councils have with this, and interactive group sessions.

If you would like more information or to register please don't hesitate to drop me an email [donna.galvin@cabonne.nsw.gov.au](mailto:donna.galvin@cabonne.nsw.gov.au) or phone 0419 611 204

A full agenda and reminder will be sent out in early November.

**Up coming dates/events:**

17<sup>th</sup> November – Shared Service Model Workshop – Molong

30<sup>th</sup> November –Building our Future – 2011 WBC Alliance Forum- Molong

6<sup>th</sup> December – Strategic Alliance Network meeting Sydney

*(Graeme Fleming has been an active member of this network since it was established in 2004. Post Destination 2036 this network is being "reinvented" and strengthened and we will continue to have a key role in this important NSW committee)*

14<sup>th</sup> December – Alliance presentation as part of the Australian Centre Excellence Local Government National Researchers Forum – Sydney

*(Please note that the November Board meeting was cancelled as the Alliance Forum is being held in November and the Board members will be in attendance at this event.)*

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**MINUTES OF THE MEETING OF BLAYNEY SHIRE ACCESS COMMITTEE  
HELD 13 OCTOBER 2011**

The meeting commenced at 5:45pm.

**1. Present:**

Clr. Scott Ferguson	Jenny McMahon	Betty Wilson
Clr. Allan Ewin	Iris Dorsett	Anton Franze (DCS)

**2. Apologies:** Val McCarthy and Tanya Wills.

**RESOLVED:** That the apology tendered on behalf of Val McCarthy and Tania Wills for their non attendance at the meeting be accepted and leave of absence granted.

(Ewin / McMahon)

**3. Adoption of Minutes**

**RESOLVED:** That the minutes of meetings held 11 August, 2011 be received and noted as a true and accurate record.

(Wilson / McMahon)

**4. Matters arising from Previous Minutes**

2011/12 Budget allocation of \$1,000 to be applied to the following priorities in the following order:

- Events checklist
- Missed Business Brochures
- Physical audits
- Community Survey

**5. Heritage Park Equal Access Project Plan**

Question was raised on the Bird Viewing Platform gate width and its accessibility. Matter to be raised with Engineering Department.

**RESOLVED:** That the Heritage Park Equal Access Project Plan be endorsed subject to the following recommended amendments:

- That the bollard not be placed as outlined to allow for vehicles to disembark from either side or people / mobility devices to manoeuvre around parked vehicle to enter the access ramp and thoroughfare.
- That the layback not interfere with the width of the path.
- That the Bridge Hand Rails have curved ends if required by the standard.

**6. Public Exhibition of Access Strategy**

The draft strategy to be distributed to the following Groups:

- CPSA
- Blayney Interagency
- View Club
- Probus
- Health One
- Blayney Rotary Club
- Blayney Red Cross

- Blayney Men's Shed
- Blayney Youth Council
- Carewest
- Bathurst Community Transport
- Uralba Hostel
- Lee Hostel
- Christchurch

(Ewin / Wilson)

**7. Future Agenda Item**

- Presentation on BCA Access requirements.

**8. Next meeting**

Next meeting is to be held at the Blayney Tourist and Community Information Centre on Thursday 8 December 2011, commencing 5:30pm.

Meeting closed at 7.45pm.

**MINUTES OF THE MEETING OF BLAYNEY SHIRE AUDIT COMMITTEE  
HELD 28 SEPTEMBER 2011**

The meeting commenced at 9:03am.

**Present:**

Mayor Bruce Kingham	(Mayor - voting)
Steve Kent	(Independent – voting)
Matt Lawrence	(Independent – voting)
Steve Woods	(IAB Services - Internal Auditor and Invitee)
Alan McCormack	(Acting General Manager – observer)
Anton Franze	(Director Corporate Services – secretariat)

**1. Welcome**

As this Audit Committee meeting was Council's inaugural meeting, the Director Corporate Services as the Internal Audit Secretariat welcomed all attendees. The General Manager also reiterated the welcome to the Committee members on behalf of Council.

**2. Election of Chair**

The Audit Committee Secretariat called for nominations for the position of Chair of the Committee. The voting members of the Committee all agreed that Mr Steve Kent should be elected. Subsequently Mr Kent accepted the nomination as Chair of the Audit Committee.

**RESOLVED: Mr Steve Kent was declared duly elected as Chairman of the Audit Committee.**

**3. Conflicts of Interest**

Members declared that they had no conflicts of interest on matter before the Committee. However for the record Mr. Kent declared that he was previously employed by IAB Services and that he is no longer in that role now. It was noted by Steve Woods, IAB Services that he agreed that no conflict existed.

**RESOLVED: That comments be noted.**

**4. Adoption of Audit Committee Charter**

A draft Audit Committee Charter was presented to the meeting for adoption. The Audit Committee Charter was adopted with some minor amendments recommended and agreed by the Committee.

It was also noted that an Internal Audit Charter is required to be adopted and that this would be provided by IAB Services for review at the next meeting.

**RESOLVED: That the Audit Committee Charter as amended be noted and furnished to Council for adoption.**

**5. Review of the findings from the Strategic Internal Audit Risk Review completed by IAB Services**

Mr Steve Woods presented the findings from the Strategic Internal Audit Plan to attendees of the Committee. Mr Woods briefly explained Council's forty (40) identified risks in the risk register/issues log of which risks 1-4 were rated as 'high', risks 5-16 rated as 'moderate', and risks 17-40 were rated as 'moderate' to 'low'. Risks 17-40 have not been included in the current three-year plan. Mr Woods then discussed the proposed Internal Audit Plan for 2012. Mr Woods recommended the following areas for the 2011/2012 internal audit programme, subject to budget constraints, be of procurement, contracts and project management.

**RESOLVED: That the report on findings from the Strategic Internal Audit Risk Review completed by IAB Services be accepted; and  
That Business Continuity Plan Quotations let by the WBC Alliance be noted.**

**6. Agreement of Internal Audit Schedule 2011/2012**

It was agreed that a review of procurement, contracts and project management be undertaken as first priority and that development applications and contribution plans be escalated as the next priority.

**RESOLVED: That a review of procurement, contracts and project management be undertaken and that the IAB should prepare a scoping document for Council approval prior to commencement; and  
That development applications and contribution plans be escalated as the next priority.**

**7. Proposed meeting dates for future Audit Committee meetings**

The Audit Committee discussed and agreed to have at least 3 meetings per year. Indicative months proposed for future meetings being February/March, May/June and September/October. The actual dates and venues of the meetings will be finalised in consultation with Cabonne Council and Central Tablelands Water. A list of possible meeting dates will be circulated to all committee members in the near future by the Executive Manager of the WBC Strategic Alliance.

**RESOLVED: That the meeting dates for future meetings be determined in conjunction with Cabonne Council, Central Tablelands Water and the Executive Manager of the WBC Strategic Alliance.**

**8. Review of Financial Statements**

The 2010/11 Audited Financial Statements were tabled. The Committee was advised that the External Auditor was not available for the meeting. Discussion was held on the type of information that would be sought by the Audit Committee from the External Auditor including:

- issues or anomalies with accounts/statements (if any);

- short or long-term implications or emerging areas of financial or other risk or the like - including any asset purchase or maintenance issues that may create risk in future - or positives;
- characteristics of income or expenditure worth noting - or potential impacts now or future;
- how Council plans to address the current deficiency in the future
- trends over past years;
- comments on methodology or audit process that may be relevant.

It was agreed that this information should be sought in future in addition to the Audit Service Plan and Audit Management Letter.

**RESOLVED: That the 2010/11 Audited Financial Statements be noted.**

**9. Next Meeting:** Date to be determined.

There being no further business, the Chairman of the Audit Committee declared the meeting closed at 10.23am.



## **Blayney Shire Council**

### **CHARTER**

## **BLAYNEY SHIRE AUDIT COMMITTEE**

### **Objective**

The objective of the Audit Committee (Committee) is to provide independent assurance and assistance to the Blayney Shire Council on risk management, control, governance, and external accountability responsibilities.

### **Authority**

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

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

### **Composition and Tenure**

#### **Members (voting)**

- Mayor (or delegate)
- ~~Two independent external members as follows:~~
  - 1. ~~A community representative with demonstrated knowledge / experience in the field of Internal Audit; and~~
- ~~A Director of Corporate Services (or their delegate) from one of the WBC Alliance partners.~~
- Two independent external members (not members of the Council) who have relevant experience or qualifications.

#### **Attendee (non-voting)**

- General Manager
- Director Corporate Services as the appointed Secretariat of the Audit Committee

Invitees (non-voting) for specific Agenda items

- Representatives of the external auditor.
- Representatives of the internal auditor
- Other officers may attend by invitation as requested by the Committee.

~~The independent external members will be appointed for the term of council, after which they will be eligible for extension or re-appointment following a formal review of their performance.~~

The independent external members will be appointed for a period of 4 years, after which they will be eligible for extension or re-appointment following a formal review of their performance by the Mayors and General Managers of the participating WBC Alliance Councils. Council will develop Key Performance Indicators for independent external members that shall form the basis of performance review.

The maximum number of terms an independent external member can sit on the committee without the need for further nominations is 2 terms.

Appointment of new independent external members shall be within 12 months of the commencement a new Council.

In the case of resignation from the committee by an independent external member, the Council is to appoint another independent external member as soon as is practicably possible in accordance with the appointment process, but no later than one month prior to the next meeting, so that there are always three independent external members on the committee.

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

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

### **Role and Responsibilities**

The Committee has no executive powers, except those expressly provided by the Council. In carrying out its responsibilities, the Committee must at all times



recognise that primary responsibility for management of Council rests with the Council and the General Manager as defined by the Local Government Act.

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

Risk Management

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

Control framework

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

External Accountability

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

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

#### Legislative Compliance

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

#### Internal Audit

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

#### External audit

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

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

### **Responsibilities of Members**

Members of the Committee are expected to:

- Understand the relevant legislative and regulatory requirements appropriate to Blayney Shire Council.
- Contribute the time needed to study and understand the papers provided.
- Apply good analytical skills, objectivity and good judgment.
- Express opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry.

### **Reporting**

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

- The performance of Internal Audit for the financial year as measured against agreed key performance indicators.
- The approved Internal Audit Plan of work for the previous financial year showing the current status of each audit.
- The Committee may, at any time, consider any other matter it deems of sufficient importance to do so. In addition, at any time an individual Committee member may request a meeting with the Chair of the Committee.

### **Meetings**

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

1. Create and adopt an audit schedule for the following 12 months
2. Review completed audits
3. Consider results and agree to action plans and monitor and review ongoing actions.
4. Report actions and update

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

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

#### **Attendance at Meetings and Quorums**

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

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

#### **Secretariat**

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

#### **Conflicts of Interest**

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

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

#### **Induction**

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

#### **Assessment Arrangements**

The Chair of the Committee will initiate a review of the performance of the Committee at least once every two years. The review will be conducted on a self-

assessment basis (unless otherwise determined by the Chair), with appropriate input from management and any other relevant stakeholders, as determined by the Chair.

**Review of Audit Committee Charter**

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