



30 September 2024

Dear Councillor,

Your attendance is requested at an Extraordinary Council Meeting of the Blayney Shire Council to be held in the Chambers, Blayney Shire Community Centre on Thursday, 3 October 2024 at 6.00pm.

The General Manager, as Returning Officer, will undertake the following items prior to the commencement of the meeting proper for consideration of the following business:

- (1) Livestreaming Video and Audio Check
- (2) Acknowledgement of Country
- (3) Recording of Meeting Statement
- (4) Apologies for non-attendance
- (5) Disclosures of Interest
- (6) Public Forum
- (7) Reports of Staff
 - (a) Council Affirmation or Oath
 - (b) Election of Mayor
 - (c) Election of Deputy Mayor
 - (d) Central Tablelands Water County Council
 - (e) Central Tablelands Weeds Authority

The Mayor will assume the Chair for consideration of the following business:

- (f) Countback By-Elections
- (g) LGNSW Annual Conference 2024
- (h) Blayney Shire Local Traffic Committee

Mark Dicker
General Manager

Meeting Calendar 2024

October

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
6.00pm	3 October 2024	Extraordinary Council Meeting	Community Centre
10.00am	16 October 2024	Traffic Committee Meeting	Community Centre
6.00pm	22 October 2024	Council Meeting	Community Centre

November

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
8.30am	13 November 2024	Orange 360 AGM	Orange
12.00pm	13 November 2024	Central NSW Joint Organisation Board Meeting	Sydney
9.00am	14 November 2024	Audit, Risk and Improvement Committee Meeting	Community Centre
8.30am	15 November 2024	Country Mayors Meeting	Sydney
9.00am	17-19 November 2024	LGNSW Annual Conference	Tamworth
4.00pm	19 November 2024	Local Emergency Management Committee Meeting	Community Centre
TBC	TBC	Council Meeting (TBC)	Community Centre
8.30am	27 November 2024	Orange 360 Board Meeting	Community Centre

December

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
10.00am	6 December 2024	Traffic Committee Meeting	Community Centre
TBC	TBC	Council Meeting (TBC)	Community Centre

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HELD ON THURSDAY 3 OCTOBER 2024

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LIVE STREAMING OF COUNCIL MEETINGS

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

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

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

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

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

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

STATEMENT OF ETHICAL OBLIGATIONS

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

01) COUNCILLOR OATH OR AFFIRMATION OF OFFICE

Department: Executive Services

Author: General Manager

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

File No: GO.ME.8

Recommendation:

The General Manager will invite each Councillor to take the Oath or Affirmation of Office which will be recorded into the Council Meeting Minutes.

Reason for Report:

To enable each Councillor to take an Oath or Affirmation of Office and this be minuted for the public record.

This is the first agenda item for the Blayney Shire Council following the election of the new Council on Saturday 14 September 2024.

Report:

Under the Local Government Act (1993) all newly elected Councillors are required to take an Oath or Affirmation of Office. The prescribed words of the oath or affirmation must be taken by each Councillor at or before the first meeting of Council after being elected.

The General Manager will invite each Councillor to take the oath or affirmation, and this will be recorded in the minutes of the Council Meeting.

Oath

I (***Councillor Name***) swear that I will undertake the duties of the office of Councillor in the best interests of the people of Blayney Shire and the Blayney Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Affirmation

I (***Councillor Name***) solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people of Blayney Shire and the Blayney Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Risk/Policy/Legislation Considerations:

As per s233A of the Local Government Act (1993), if a Councillor is unable to attend the first Council meeting, they may take the oath or affirmation of office at another location in the presence of the General Manager before an Australian legal practitioner or a Justice of the Peace (noting a council staff member should also be present). Note, Council must publicly record the taking of the oath or affirmation outside the Council meeting.

A Councillor who fails, without a reasonable excuse, to take the oath of office or make an affirmation of office in accordance with this section is not entitled to attend a meeting as a Councillor (other than the first meeting of the Council after being elected) until the Councillor has taken the oath or made the affirmation.

Any absence of a Councillor from an ordinary meeting of Council that the Councillor is not entitled to attend because of not taking the oath of making the affirmation is taken to be an absence without prior leave.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

02) ELECTION OF MAYOR**Department:** Executive Services**Author:** General Manager**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** GO.ME.2**Recommendation:**

That Council:

1. Accept the nomination(s) for position of Mayor.
2. If more than one nomination is received for the position of Mayor, conduct the election by the open voting method.

Reason for Report:

For Council to receive the nomination(s) and elect from its members a Mayor, who will undertake the roles and responsibilities of this position until September 2026. The role of the Mayor as the leader of the elected representatives is an important position, being spokesperson and principal member of the Council.

Report:

The Mayor presides over Council and Committee meetings and is the primary liaison/advocate with state and federal members of parliament. The Mayor supervises the General Manager's day to day activities, approving leave and facilitates the General Manager's contract and annual performance reviews.

The Mayor represents Council on regional organisations, intergovernmental bodies and other organisations. Blayney Shire Council Mayor is a voting delegate on the Central NSW Joint Organisation Board, the Association of Mining and Energy Related Councils, NSW Country Mayors Association and LGNSW (Local Government NSW).

Division 2 (s225-230) details the role and election of the Mayor by the elected body, specifically, section 226 details the role of the Mayor as follows;

- (a) to be the leader of the council and a leader in the local community,*
- (b) to advance community cohesion and promote civic awareness,*
- (c) to be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities,*
- (d) to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council,*
- (e) to preside at meetings of the council,*

(f) to ensure that meetings of the council are conducted efficiently, effectively and in accordance with this Act,

(g) to ensure the timely development and adoption of the strategic plans, programs and policies of the council,

(h) to promote the effective and consistent implementation of the strategic plans, programs and policies of the council,

(i) to promote partnerships between the council and key stakeholders,

(j) to advise, consult with and provide strategic direction to the general manager in relation to the implementation of the strategic plans and policies of the council,

(k) in conjunction with the general manager, to ensure adequate opportunities and mechanisms for engagement between the council and the local community,

(l) to carry out the civic and ceremonial functions of the mayoral office,

(m) to represent the council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,

(n) in consultation with the councillors, to lead performance appraisals of the general manager,

(o) to exercise any other functions of the council that the council determines.

Risk/Policy/Legislation Considerations:

In accordance with the Local Government Act (1993) s290 Council must elect a Mayor within 3 weeks of the ordinary election.

The voting procedure is as determined by the NSW Local Government (General) Regulation (2021) Schedule 7:

- The General Manager is the returning officer
- Nominations are to be made in writing
- A nomination is not valid unless the nominee has indicated consent in writing
- The nomination is to be delivered to or sent to the General Manager
- The names of the nominees will be announced at the Council meeting

If only one Councillor is nominated, that Councillor is elected. If more than one Councillor is nominated, the Council must resolve whether the election is to proceed either by: open voting, ordinary ballot or preferential ballot (secret).

It is noted the NSW Office of Local Government Fact Sheet states “*Open voting is the most transparent method of voting. It is also the least bureaucratic method and reflects normal council voting methods*”.

A blank nomination form for completion has been provided to Councillors.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

03) ELECTION OF DEPUTY MAYOR**Department:** Executive Services**Author:** General Manager**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** GO.ME.2**Recommendation:**

That Council:

1. Elect a Deputy Mayor for the same term of office as the Mayor.
2. Note the nomination(s) for position of Deputy Mayor.
3. If more than one nomination is received for the position of Deputy Mayor, conduct the election by opening voting method.

Reason for Report:

For Council to receive the nomination(s) and elect from its members a Deputy Mayor, who will undertake the roles and responsibilities of this position for the term as determined by Council.

Report:

The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise or if there is a casual vacancy in the office of Mayor.

The Deputy Mayor is Council's alternate voting delegate on the regional organisations including the Central NSW Joint Organisation; NSW Country Mayors and Association of Mining and Energy Related Councils.

Section 226 of the Local Government Act (1993) s231 details the role of the Deputy Mayor as follows;

- (1) The councillors may elect a person from among their number to be the deputy mayor.*
- (2) The person may be elected for the mayoral term or a shorter term.*
- (3) The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.*
- (4) The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected.*

Risk/Policy/Legislation Considerations:

In accordance with the Local Government Act (1993) s231(2), Council may elect a Deputy Mayor for the same or a shorter term as the Mayor. It is recommended that the term of the Deputy Mayor be the same as that of the Mayor, which is two years.

The voting procedure is as determined by the NSW Local Government (General) Regulation (2021) Schedule 7:

- The General Manager is the returning officer
- Nominations are to be made in writing
- A nomination is not valid unless the nominee has indicated consent in writing
- The nomination is to be delivered to or sent to the General Manager
- The names of the nominees will be announced at the Council meeting

If only one Councillor is nominated, that Councillor is elected. If more than one Councillor is nominated, the Council must resolve whether the election is to proceed either by: open voting, ordinary ballot or preferential ballot (secret).

A blank nomination form for completion has been provided to Councillors.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

04) CENTRAL TABLELANDS WATER COUNTY COUNCIL**Department:** Executive Services**Author:** General Manager**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** GO.ME.1

Recommendation:

That Council:

1. Note the nomination(s) for position of Delegates to Central Tablelands Water County Council; and
2. If more than two nominations are received an election be held and determined by preferential ballot in accordance with the Regulations.

Reason for Report:

To provide notice that the election of two (2) Council Delegates on Central Tablelands Water County Council is required by Blayney Shire Council and that nominations will be received by the General Manager.

Report:

Central Tablelands Water (CTW) is the trading name adopted by Central Tablelands County Council, a regional water authority constituted under NSW Local Government Legislation. CTW was first proclaimed in 1944 and now provides potable water supply to those connected properties within Blayney Shire Council, Cabonne Shire Council and Weddin Shire Council.

The governing body is responsible for managing the affairs of the County Council and for CTW this includes two Councillors from each of the constituent Councils, Blayney Shire, Cabonne Shire and Weddin Shire.

Blayney Shire Council is therefore required to elect 2 Councillors to CTW for the term of the Council (4 years).

Councillors who serve as Delegates on County Councils are required to undertake the same responsibilities as for the Council they represent and the particular County Council Policies.

Delegates receive councillor remuneration and reimbursement of costs as established by the NSW Local Government Remuneration Tribunal; and determined in the County Council Payment of expenses and provision of facilities Policy.

Council Meetings are usually held on the second Wednesday of alternate months, commencing in February of each year. The meetings are generally alternated between the towns of Grenfell, Blayney and Canowindra.

Unless specifically excluded a County Council is bound by the same provisions of NSW Local Government legislation, reporting and compliance requirements as per a General Purpose Council.

Risk/Policy/Legislation Considerations:

The Local Government Act (1993) details who comprise the governing body of a County Council (Chapter 12, Part 5, s390 clause3).

It is those Councillors from a constituent Council who are eligible to be elected as members of the governing body of the County Council, in accordance with the Regulations.

Part 11, Division 12 of the Local Government (General) Regulation (2021) refers to Schedule 9 (part 2) to conduct the election of members of County Councils by the respective constituent Council.

In summary the key points from Schedule 9 include:

- The General Manager is the returning officer
- Nominations must be in writing delivered to the returning officer and is not valid unless the nominee has indicated consent to the nomination
- The names of the nominees will be announced at the Council meeting
- If the number of candidates nominated is not more than the number to be elected, those candidates are to be declared elected
- If there are more candidates than the number to be elected, an election is to be held, determined by preferential ballot, conducted in the presence of Council
- The votes are counted in accordance with Schedule 4 of the Regulation

Schedule 4 (clause 3-6) of the Regulation, prescribes the counting of an election for only one candidate:

- The candidate elected is the one who first receives an absolute majority of first preferences
- If no candidate receives an absolute majority, the candidate with the lowest number of first preferences is eliminated and their second preference is counted as a first preference vote for that candidate
- The process of elimination continues if necessary until a candidate receives an absolute majority

Therefore, in accordance with Schedule 4 of the Regulation, if there are more than two (2) nominations, the election of the two (2) Blayney Shire Council members of Central Tablelands County Council will be conducted separately, one member at a time.

Councillors have been provided with a blank nomination form for completion.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

05) CENTRAL TABLELANDS WEEDS AUTHORITY

Department: Executive Services

Author: General Manager

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

File No: GO.ME.1

Recommendation:

That Council:

1. Note the nomination(s) for position of Delegates to Central Tablelands Weeds Authority; and
2. If more than two nominations are received an election be held and determined by preferential ballot in accordance with the Regulations.

Reason for Report:

To provide notice that the election of two (2) Council Delegates on Central Tablelands Weeds Authority is required by Blayney Shire Council and that nominations will be received by the General Manager.

Report:

Central Tablelands Weeds Authority (CTWA) is the trading name adopted by Upper Macquarie County Council, a control authority for biosecurity weed threats (formerly known as noxious weeds) in the areas of Bathurst Regional Council, Blayney Shire Council, Lithgow City Council and Oberon Council.

The Council covers a region of approximately 13,500 square kilometres servicing a very diverse area that includes productive agricultural lands, forests and large areas of national park.

The governing body is responsible for managing the affairs of the County Council and this includes 2 Councillors from each of the 4 local government areas Bathurst Regional, Lithgow City, Oberon and Blayney Shire.

Councillors who serve as Delegates on County Councils are required to undertake the same responsibilities as for the Council they represent and the particular County Council Policies.

Delegates receive councillor remuneration and reimbursement of costs as established by the NSW Local Government Remuneration Tribunal; and determined in the County Council Payment of expenses and provision of facilities Policy.

Meetings are held every second month, generally on a Friday at the CTWA offices in Kelso.

Unless specifically excluded a County Council are bound by the same provisions of NSW Local Government legislation, reporting and compliance requirements as per a General Purpose Council.

Risk/Policy/Legislation Considerations:

The Local Government Act (1993) details who comprise the governing body of a County Council (Chapter 12, Part 5, s390 clause 3).

It is those Councillors from a constituent Council who are eligible to be elected as members of the governing body of the County Council, in accordance with the Regulations.

Part 11, Division 12 of the Local Government (General) Regulation (2021) refers to Schedule 9 (part 2) to conduct the election of members of County Councils by the respective constituent Council.

In summary the key points from Schedule 9 include:

- The General Manager is the returning officer
- Nominations must be in writing delivered to the returning officer and is not valid unless the nominee has indicated consent to the nomination
- The names of the nominees will be announced at the Council meeting
- If the number of candidates nominated is not more than the number to be elected, those candidates are to be declared elected
- If there are more candidates than the number to be elected, an election is to be held, determined by preferential ballot, conducted in the presence of Council
- The votes are counted in accordance with Schedule 4 of the Regulation

Schedule 4 (clause 3-6) of the Regulation, prescribes the counting of an election for only one candidate:

- The candidate elected is the one who first receives an absolute majority of first preferences
- If no candidate receives an absolute majority, the candidate with the lowest number of first preferences is eliminated and their second preference is counted as a first preference vote for that candidate
- The process of elimination continues if necessary until a candidate receives an absolute majority

Therefore, in accordance with Schedule 4 of the Regulation, if there are more than two (2) nominations, the election of the two (2) Blayney Shire Council members of Central Tablelands Weeds Authority will be conducted separately, one member at a time.

Councillors have been provided with a blank nomination form for completion.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

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

That Council set the Ordinary Meeting of Council, to be 6.00pm in the Blayney Shire Community Centre on Tuesday 22 October 2024.

Reason for Report:

For Council to set the October Ordinary Meeting of Council.

Report:

Council in accordance with the Code of Meeting Practice, shall adopt an annual schedule of dates at the September meeting.

It is noted that Council can by resolution can set the date and time of any meeting.

Given a new Council has been formed, it is intended to seek Councillor input and feedback at the October workshop, with the intent of a report to the October 2024 Council meeting, to set the meeting date and time until September 2025.

Risk/Policy/Legislation Considerations:

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

The Blayney Shire Council Code of Meeting Practice (2022) and Model Code of Meeting Practice for Local Councils in NSW (2021) is also relevant.

Budget Implications:

Council meetings are a normal part of the operations of the organisation and budgeted for in the 2024/25 Operational Plan. This includes travel reimbursement costs of Councillors and catering for meals.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

07) COUNTBACK BY-ELECTIONS**Department:** Executive Services**Author:** General Manager**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** GO.EL.5**Recommendation:**

Pursuant to section 291A(1)(b) of the Local Government Act (1993) (the Act) Blayney Shire Council declares that casual vacancies occurring in the office of a councillor within 18 months after the last ordinary election of councillors for the Council on Saturday 14 September 2024 are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act and directs the General Manager to notify the NSW Electoral Commissioner of the Council's decision.

Reason for Report:

For Council to formally resolve the method by which casual vacancies of Councillors are filled, within the first 18 months of the local government election, held on 14 September 2024.

Report:

The Local Government (General) Regulation (2021) through the Local Government Act (1993);

- Provide Council the option of holding a countback election to fill casual vacancies in the first 18 months of the council term instead of holding a costly by-election; and
- Prescribe the administrative requirements for countback elections.

A Council retains the option of applying to the Minister for Local Government to dispense with a by-election, in the last 18 months of a Council term should the situation arise.

Risk/Policy/Legislation Considerations:

Section 291A of the Local Government Act prescribes the application of a countback to be held instead of by-election when there is a casual vacancy in the office of a Councillor if:

- (a) the casual vacancy occurs within 18 months after the date of the last ordinary election of Councillors for the area, and
- (b) Council has at its first meeting following that ordinary election of Councillors, by resolution, declared that any such casual vacancy is to be filled by a countback of votes cast at the last election for that office.

Budget Implications:

Utilising the countback provision will negate the need and cost of a by-election.

The cost of an election is estimated to be approximately \$76k excluding GST, irrespective of whether it is a full election or a by-election, which will save Council potentially \$76k.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

08) LGNSW ANNUAL CONFERENCE 2024**Department:** Executive Services**Author:** General Manager**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** GR.ME.2

Recommendation:

That Council:

1. Nominate the Mayor as voting delegate to the 2024 LGNSW Annual Conference; and
2. Approve the registration and attendance of: Mayor, Deputy Mayor, Cr x and Cr x as Blayney Shire Council Delegates to attend the LGNSW Conference in 2024.

Reason for Report:

To appoint the voting delegate for Blayney Shire Council for the Local Government NSW (LGNSW) Annual Conference 2024.

To seek Council approval for the registration and payment of expenses as per Council Policy for Council Delegates attending the LGNSW Annual Conference.

Report:

The LGNSW Annual Conference is being held at the Tamworth Regional Entertainment and Conference Centre from Sunday 17 November to Tuesday 19 November 2024.

Councils must register the names of their delegates for voting during formal business sessions by 6 November 2024. Blayney Shire Council is entitled to 1 voting delegate, which historically has been the Mayor.

Motions are required to be submitted online by Thursday 15 August 2024 to allow printing and distribution of the Business Paper. The latest date motions can be accepted for inclusion in the Conference Business Paper is Sunday 20 October 2024. Council has submitted one motion for consideration.

Risk/Policy/Legislation Considerations:

Motions should be strategic, affect members statewide and introduce new or emerging policy issues and actions. The LGNSW Board will accept motions for inclusion in the Business Paper for the Conference only where they are consistent with the objects of the Association and relate to Local Government in NSW and/or across Australia.

The issue must concern or is likely to concern Local Government as a sector, seek to advance the Local Government policy agenda or the Association and/or improve governance of the association.

They must have a lawful purpose, be clearly worded and unambiguous in nature and cannot express preference for one or several members over one or several other members.

Should Councillors propose a motion it will require a title, adequate wording and background information with support evidence by a Council Resolution.

Budget Implications:

The 2024/25 budget includes an allocation for 4 persons to attend the 2024 LGNSW Annual Conference. The 4 persons have traditionally been; Mayor, Deputy Mayor, General Manager and one additional Councillor to attend the LGNSW Conference.

Attendance may be limited by accommodation availability (Tamworth is already booked out), staff have reserved 4 motel rooms.

The General Manager is unable to attend the 2024 Conference.

As per Council's 'Payment of Expenses and the Provision of Facilities to the Mayor and Councillors Policy' Council will meet the Registration, Accommodation, Travel and Car Parking costs for Council Delegates attending the LGNSW Conference as authorised by Council Resolution.

Any additional accommodation costs incurred as a result of the attendance of partners shall be borne by the Councillor or Delegate. Should a delegate be unable to attend once registered, a substitute delegate may attend in their place at no additional charge.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

09) BLAYNEY SHIRE LOCAL TRAFFIC COMMITTEE

Department: Executive Services

Author: General Manager

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

File No: GO.ME.1

Recommendation:

That Council appoint Councillor X and Councillor X (alternate) as delegates to the Blayney Shire Local Traffic Committee.

Reason for Report:

To appoint a Blayney Shire Council Delegate to the Blayney Shire Local Traffic Committee (LTC).

The first LTC is scheduled for Wednesday 16 October 2024 as there are matter the LTC needs to consider prior to the October Council Meeting.

Report:

Transport for NSW (TfNSW) are legislated as the organisation responsible for the control of traffic on all roads in NSW.

Traffic is controlled by the installation of prescribed traffic control devices, such as regulatory signs, or traffic control facilities, such as medians. TfNSW delegates certain aspects of the control of traffic on Regional and Local Roads.

The Blayney Shire Traffic Committee has no decision-making power and is primarily a technical review committee.

The committee advises Council on matters for which the Council has delegated authority, being certain prescribed traffic control devices and traffic control facilities.

Meetings are held bi-monthly and/or as needed. Agenda items range from street closure requests, major events, road safety concerns, changes to traffic conditions or road rules and consideration of DA's in relation to traffic management.

Committee members include:

- 1 Councillor representative (and 1 alternate)
- 1 NSW Police Force Representative
- 1 Local State Member (or their delegate)
- 1 Transport for NSW Representative

Council provides administrative and secretarial support to this Committee, the minutes of which are presented to Council for adoption or otherwise.

If Council changes, alters or rejects the recommendation from the Local Traffic Committee, then Council must advise TfNSW and NSW Police, in writing and then must refrain from taking any action for 14 days.

TfNSW and NSW Police in this instance will refer the matter to the Regional Traffic Committee, whose decision is binding and final.

Risk/Policy/Legislation Considerations:

The Transport Administration Act (1988) provides Transport for NSW the power to exercise the functions relating to safety and traffic management, delegate its functions to other public agencies (such as local councils) and to give directions to public authorities in relation to TfNSW functions.

Budget Implications:

Councillor travel expenses in undertaking their duties, roles and responsibilities include representing Council are addressed in Council's Payment of Expenses and Provisions of facilities to Mayors and Councillors Policy.

Enclosures (following report)

Nil

Attachments (separate document)

Nil