



18 January 2024

Dear Councillor,

Your attendance is requested at an Ordinary Council Meeting of the Blayney Shire Council to be held in the Chambers, Blayney Shire Community Centre on Tuesday, 23 January 2024 at 6.00pm for consideration of the following business -

- (1) Livestreaming Video and Audio Check
- (2) Acknowledgement of Country
- (3) Recording of Meeting Statement
- (4) Apologies for non-attendance
- (5) Disclosures of Interest
- (6) Public Forum
- (7) Mayoral Minute
- (8) Confirmation of Minutes - Ordinary Council Meeting held on 13.12.23
- (9) Matters arising from Minutes
- (10) Reports of Staff
  - (a) Executive Services
  - (b) Corporate Services
  - (c) Infrastructure Services
  - (d) Planning and Environmental Services
- (11) Closed Meeting

Mark Dicker  
**General Manager**

## **Meeting Calendar 2024**

### **January**

<b><u>Time</u></b>	<b><u>Date</u></b>	<b><u>Meeting</u></b>	<b><u>Location</u></b>
6.00pm	23 January 2024	Council Meeting	Community Centre

### **February**

<b><u>Time</u></b>	<b><u>Date</u></b>	<b><u>Meeting</u></b>	<b><u>Location</u></b>
5.00pm	8 February 2024	Disability Inclusion Working Group	Community Centre
10.00am	9 February 2024	Traffic Committee Meeting	Community Centre
6.00pm	20 February 2024	Council Meeting	Community Centre
10.00am	21 February 2024	Central Tablelands Water Meeting	Blayney
10.00am	29 February 2024	Central NSW Joint Organisation Board Meeting	Lachlan Shire

### **March**

<b><u>Time</u></b>	<b><u>Date</u></b>	<b><u>Meeting</u></b>	<b><u>Location</u></b>
6.00pm	19 March 2024	Council Meeting	Community Centre
8.30am	22 March 2024	Country Mayors Meeting	Sydney

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**HELD ON TUESDAY 23 JANUARY 2024**

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## **LIVE STREAMING OF COUNCIL MEETINGS**

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

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

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**01) MAYORAL MINUTE - MINUTE' SILENCE TO ACKNOWLEDGE THE PASSING OF NEIL MANSON**

**Author:** Councillor Scott Ferguson

**File No:** GO.ME.3

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**Item:**

Councillors will hold a minute' silence to acknowledge the passing of former Councillor Neil Manson.

Neil served the community as a Councillor from 1991 to 2008.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**02) MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 13 DECEMBER 2023****Department:** Executive Services**Author:** General Manager**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** GO.ME.3**Recommendation:**

That the Minutes of the Ordinary Council Meeting held on 13 December 2023, being minute numbers 2312/001 to 2312/016 be confirmed.

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY CENTRE, ON 13 DECEMBER 2023, COMMENCING AT 6.00PM**

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

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

**ACKNOWLEDGEMENT OF COUNTRY****RECORDING OF MEETING STATEMENT****2312/001 APOLOGIES  
RESOLVED:**

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

(Gosewisch/Reynolds)  
**CARRIED**

**DISCLOSURES OF INTEREST**

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

Councillor /Staff	Interest	Item	Pg	Report	Reason
Cr Ferguson	Pecuniary	8	45	DA2023/79 – Erection of a Dwelling and Outbuilding (Detached Garage) – 57 Glenorie Road, Millthorpe	Cr Ferguson does construction contracting with owner.

**PUBLIC FORUM**

Mary-Elizabeth Andrews – Item 9 – DA2021/146 – Fifty-six (56) Lot Torrens Title Subdivision – 1279 Millthorpe Road, Millthorpe

John Harrison – Item 9 – DA2021/146 – Fifty-six (56) Lot Torrens Title Subdivision – 1279 Millthorpe Road, Millthorpe

Lexi Sturrock – Item 9 – DA2021/146 – Fifty-six (56) Lot Torrens Title Subdivision – 1279 Millthorpe Road, Millthorpe

David Fenton - Item 9 – DA2021/146 – Fifty-six (56) Lot Torrens Title Subdivision – 1279 Millthorpe Road, Millthorpe

**CONFIRMATION OF MINUTES**

**MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 21 NOVEMBER 2023**

**2312/002**

**RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 21 November 2023, being minute numbers 2311/001 to 2311/020 be confirmed.

(Newstead/Gosewisch)

**CARRIED**

**MATTERS ARISING FROM THE MINUTES**

Cr Reynolds asked the Council acknowledge Mr Ian Tooke for his contribution to Skillset Board at the January or February Council meeting.

Cr Gosewisch congratulated Cr Pryse Jones on recent election to Skillset Board.

**CORPORATE SERVICES REPORTS**

**REPORT OF COUNCIL INVESTMENTS AS AT 30 NOVEMBER 2023**

**2312/003**

**RESOLVED:**

That Council;

1. Note the report indicating Council's investment position as at 30 November 2023.
2. Note the certification of the Responsible Accounting Officer.

(Reynolds/Ewin)

**CARRIED**

**AMENDMENT TO INVESTMENT POLICY****2312/004****RESOLVED:**

That Council

1. Endorse the Investment policy, as amended, for public exhibition for a period of not less than 42 days.
2. Submit written notice of the proposed amendment and a copy of the draft Investment Policy to TCorp, pursuant to the conditions of borrowing with TCorp, and that adoption be subject to their acknowledgement.
3. Should no submissions be received during the public exhibition period the Investment Policy be adopted and included in Council's policy register.

(Somervaille/Newstead)

**CARRIED****MINUTES OF THE AUDIT, RISK AND IMPROVEMENT  
COMMITTEE MEETING HELD 22 NOVEMBER 2023****2312/005****RESOLVED:**

That Council;

1. Receive the Minutes of the Audit, Risk and Improvement Committee meeting held 22 November 2023.
2. Commence its transition to the new framework upon the legislative approval of the Risk Management and Internal Audit Guidelines for local government in NSW.
3. Share recommendations of the ICAC Report: *Operation Galley – Investigation into the conduct of three former councillors of former Hurstville City Council, now part of Georges River Council, and others* with the elected body and Council undertake an assessment of those that can be embraced.
4. Note that the NSW Office of Local Government is currently reviewing the councillor misconduct framework, following an independent review by Mr Gary Kellar PSM.

(Somervaille/Gosewisch)

**CARRIED****CODE OF CONDUCT COMPLAINTS FOR REPORTING  
PERIOD****2312/006****RESOLVED:**

That the report on Code of Conduct complaints for the reporting period 1 September 2022 to 31 August 2023 be received.

(Reynolds/Somervaille)

**CARRIED**



**MINUTES OF THE DISABILITY INCLUSION WORKING  
GROUP MEETING HELD 16 NOVEMBER 2023****2312/007****RESOLVED:**

That Council;

1. Receive the minutes of the Disability Inclusion Working Group meeting held 16 November 2023.
2. Note the Disability Inclusion Working Group support for the proposed Carrington Park accessible parking location subject to comments already provided.
3. Note the Disability Inclusion Working Group support for the proposed design for accessible seating at King George Oval noting weather, visibility, lack of alternate options and budget constraints.
4. Explore alternative options for shelter of accessible seating at King George Oval e.g. perspex.
5. Note that the Disability Inclusion Working Group does not recommend Council to proceed with the proposed accessible ramp on the Belubula River walk island, having identified and discussed multiple risks.
6. Advise the Disability Inclusion Working Group if any further improvements are proposed for the Belubula River Walk project.

(Reynolds/Gosewisch)

**CARRIED****INFRASTRUCTURE SERVICES REPORTS****INFRASTRUCTURE SERVICES MONTHLY REPORT****2312/008****RESOLVED:**

That Council note the Infrastructure Services Monthly Report for December 2023.

(Gosewisch/Ewin)

**CARRIED****PLANNING AND ENVIRONMENTAL SERVICES REPORTS**

The Mayor, Cr Ferguson, having declared an interest departed the Chair and left the Chambers. The Deputy Mayor, Cr Somervaille, assumed the Chair.

**DA2023/79 - ERECTION OF A DWELLING AND  
OUTBUILDING (DETACHED GARAGE) - 57 GLENORIE ROAD  
MILLTHORPE****2312/009****RESOLVED:**

That Council consent to Development Application 79/2023 for an Erection of a Dwelling House and Outbuilding (Detached Garage) at Lot 2 DP 1289576, 57 Glenorie Road, Millthorpe, subject to the recommended conditions of consent.

(Ewin/Newstead)

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

FOR	AGAINST	
Councillor Ewin		
Councillor Somerville		
Councillor Reynolds		
Councillor Newstead		
Councillor Gosewisch		
<b>Total (5)</b>	<b>Total (0)</b>	<b>CARRIED</b>

The Mayor, Cr Ferguson returned to the Chambers and resumed the Chair.

**DA2021/146 - FIFTY-SIX (56) LOT TORRENS TITLE**  
**SUBDIVISION - 1279 MILLTHORPE ROAD MILLTHORPE**  
**RESOLVED:**

2312/010

1. That Council consent to Development Application 146/2021 for fifty-two (52) residential lots, one (1) larger residential lot around the existing heritage listed cottage (1273), one (1) lot for public open space, one (1) lot for public drainage reserve and one (1) residual lot at Lot 101 DP 872388, 1279 Millthorpe Road, Millthorpe, subject to the recommended conditions of consent.
2. The recommended conditions of consent be altered in the following ways:
  - a. **Condition 7 - Landscaping** – The original alphabetical “numbering” be changed to: a), b), c), d), e), f), g), h), i).
  - b. **Condition 7b – Assessment of Eucalypts by Landscape Architect** – include sentence: This shall include an assessment of the Box Gum Eucalypts on site and recommendations on their retention or removal.
  - c. **Conditions 17 and 61 – Tree Protection** – include additional sentence: This condition is subject to the recommendations of the Landscape Architect outlined in condition 7 d).
  - d. **Condition 89 – Restrictions on Title** – include additional sentence: b) Restricts the further subdivision of any residential lots identified in the Stage 3 subdivision plan as being 900 square metres or greater.

(Somerville/Newstead)

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

FOR	AGAINST	
Councillor Ewin		
Councillor Ferguson		
Councillor Somervaille		
Councillor Reynolds		
Councillor Newstead		
Councillor Gosewisch		
<b>Total (6)</b>	<b>Total (0)</b>	<b>CARRIED</b>

## DELEGATES REPORTS

### **REPORT OF THE CENTRAL NSW JOINT ORGANISATION BOARD MEETING HELD 23 NOVEMBER 2023**

#### **2312/011 Recommendation:**

That Council

1. Note the report of the Central NSW Joint Organisation Board Meeting held 23 November 2023.
2. Note the roundtable discussion with the Premier, Treasurer, State Ministers and their representatives and local MPs; and
3. Note the return on investment from Council fees to the CNSWJO is 9.46:1.

(Somervaille/Reynolds)

**CARRIED**

## CLOSED MEETING

#### **2312/012 RESOLVED:**

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

### **TENDER 8/2023: RECONSTRUCTION OF FOREST REEFS ROAD / TALLWOOD ROAD INTERSECTION**

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

### **LEGAL MATTER**

*This matter is considered to be confidential under Section 10A(2) (a) of the Local Government Act, as it deals with personnel matters concerning particular individuals.*

**GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW**

*This matter is considered to be confidential under Section 10A(2) (a) of the Local Government Act, as it deals with personnel matters concerning particular individuals.*

(Newstead/Ewin)

**CARRIED**

**CONFIDENTIAL MEETING REPORTS**

**TENDER 8/2023: RECONSTRUCTION OF FOREST REEFS ROAD / TALLWOOD ROAD INTERSECTION**

**2312/013 RESOLVED:**

That Council:

1. Decline to accept any of the tenders received under Tender No. 8/2023 for the Reconstruction of Forest Reefs Road – Tallwood Road Intersection due to the tenders not providing sufficient value for money;
2. Not invite fresh tenders as there is no expectation that a fresh tender will provide a different outcome; and,
3. Enter into negotiations with JN Excavations Pty Ltd, with a view of entering into a contract for the Reconstruction of Forest Reefs Road – Tallwood Road Intersection.

(Reynolds/Gosewisch)

**CARRIED**

**2312/014 LEGAL MATTER**

**RESOLVED:**

That Council receive and note the report.

(Newstead/Gosewisch)

**CARRIED**

**2312/015 GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW**

**RESOLVED:**

That the report of the General Manager's Annual Performance Review be received and adopted by Council.

(Gosewisch/Newstead)

**CARRIED**

**2312/016 RESOLVED:**

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

(Gosewisch/Reynolds)

**CARRIED**

**AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 2312/013 TO 2312/015.**

There being no further business, the meeting concluded at 8.16pm.

The Minute Numbers 2312/001 to 2312/016 were confirmed on 23 January 2023 and are a full and accurate record of proceedings of the Ordinary Meeting held on 13 December 2023.

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Cr S Ferguson  
**MAYOR**

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Mr M Dicker  
**GENERAL MANAGER**

**03) QUESTIONS TAKEN ON NOTICE AT THE PREVIOUS COUNCIL MEETING**

**Department:** Executive Services

**Author:** General Manager

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

**File No:** GO.ME.3

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**Recommendation:**

That the question taken on notice at the Ordinary Council Meeting held on 13 December 2023 and the subsequent response be received and noted.

**Reason for Report:**

To formally record question taken on notice at the previous Council meeting and subsequent response.

**Report:**

**Question 1 – Item 2 - Council Investments as at 30 November 2023**

Cr Reynolds asked if a figure on a month-by-month basis be provided for grant debtors starting January 2024?

**Response:**

Providing an update to councillors on a monthly cycle would require considerable administrative resources. Information provided may also only be indicative and could be subject to timing differences as Council would have incomplete financial information, for example invoices, timesheets, store issues or plant usage not yet processed.

Council's Chief Financial Officer has proposed an update to be furnished in the Capital Expenditure report provided to Councillor Workshops as most of the grant funding is related to Council's capital expenditure program.

**Risk/Policy/Legislation Considerations:**

Nil

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**04) SPECIAL RATE VARIATION****Department:** Executive Services**Author:** General Manager**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** RV.FC.2

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**Recommendation:**

Two options are put forward for Councils consideration:

**Option 1**

That Council:

1. Note the feedback received in the 28 submissions from the community engagement process relating to the updated Long Term Financial Plan (LTFP) and the proposed Special Rate Variation (SRV), appended at *Attachment 2*.
2. Note the Community Awareness and Engagement Report on the proposed Special Rate Variation, appended at *Attachment 3*.
3. Having considered the issues raised in the community engagement process, proceed to make application to the Independent Pricing and Regulatory Tribunal (IPART), under section 508(A) of the Local Government Act 1993 for increases to the ordinary rate income of:
  - i. 10% in 2024/25 (including the rate peg),
  - ii. 10% in 2025/26 (including the rate peg),
  - iii. 10% in 2026/27 (including the rate peg).Representing a total cumulative increase of 33.1% over the three-year period, with that increase to be a permanent increase retained within the rate base.
4. Include the 28 submissions received during the community engagement process relating to the proposed SRV, referred to in Item 1, as part of the application(s) to IPART referred to in Item 3 above.
5. Adopt the updated 2024/25 – 2033/34 Long-Term Financial Plan (LTFP), Scenario four – Sustainability three-year SV option, as part of the Updated Resourcing Strategy, appended at *Attachment 4*.
6. Adopt the revised 2023-24 to 2026-27 Delivery Program and 2023-24 Operating Plan (DP/OP), appended at *Attachment 5*.
7. Adopt the revised: Strategic Asset Management Plan, Transport Asset Management Plan and Buildings Asset Management Plan, appended at *Attachments; 6, 7 and 8*.

8. Adopt the: Capacity to Pay Report and Organisational Sustainability Review and Improvement Plan, appended at *Attachments; 9 and 10*.

**or**

**Option 2**

That Council:

1. Note the feedback received in the 28 submissions from the community engagement process relating to the updated Long Term Financial Plan (LTFP) and the proposed Special Rate Variation (SRV), appended at *Attachment 2*.
2. Note the Blayney Shire Council, Special Rate Variation, Community Awareness and Engagement Report, appended at *Attachment 3*.
3. Following the community engagement, not proceed to make application to the Independent Pricing and Regulatory Tribunal (IPART) for a Special Rate Variation.
4. Note the unsustainability of the forecast operational deficiency of approximately \$2m per annum and request a report identifying:
  - i. Additional sources of operational revenue,
  - ii. Expenditure reductions,
  - iii. Service level reductions,Seeking to eliminate the deficit within 3 years.

**Reason for Report:**

For Council to consider the feedback received during the community consultation undertaken regarding a proposed Special Rate Variation (SRV).

For Council to resolve whether to proceed to make application to the NSW Independent Pricing and Regulatory Tribunal (IPART) for a proposed permanent SRV.

**Report:**

Council at its meeting of 9 November 2023 considered a detailed report regarding Council's financial position and resolved to undertake community consultation on a proposed Special Rate Variation.

A copy of the 9 November 2023 Council Meeting Report is attached to this report at *Attachment 1*.

Following consideration of the report, Council subsequently resolved **(resolution number 2311/E002)**;

*"That Council*

1. *Endorse the updated 2024/25 – 2033/34 Long-Term Financial Plan (LTFP) as part of the Updated Resourcing Strategy, appended at Attachment 2, for public exhibition until 15 December 2023.*



2. *Endorse the commencement of community consultation on a potential application to the Independent Pricing and Regulatory Tribunal for a proposed permanent Special Rate Variation (SRV) of;*
  - c) *10 per cent in 2024-25 (including the forecasted rate peg of 3.5 per cent), 10 per cent in 2025-26 (including the forecasted rate peg of 2.5 per cent) and 10 per cent in 2026-27 (including the forecasted rate peg of 2.5 per cent), representing a cumulative Special Variation of 33.1 per cent over three years, which is the Scenario 4 - Sustainability – Three-year SRV option in the updated Long Term Financial Plan.*
3. *Endorse the revised 2023-24 to 2026-27 Delivery Program and 2023-24 Operating Plan (DP/OP), appended at Attachment 7, for public exhibition until 15 December 2023.*
4. *Receive a further report regarding community consultation undertaken to determine any final application to be made to the Independent Pricing and Regulatory Tribunal for a Special Rate Variation.”*

Four options, which included 3 SRV options, were presented to Council. The options presented at the 9 November 2023 Council meeting are shown in Table 1 and Figure 1 respectfully.

Table 1: Special Variation options considered by Council				
SRV Options	2024-25	2025-26	2026-27	Comparison over 3 years
1. Base Case	3.5%	2.5%	2.5%	8.7%
2. Sustainability – One-year SRV	26.5%	2.5%	2.5%	32.9%
3. Sustainability – Two-year SRV	14.0%	14.0%	2.5%	33.2%
4. Sustainability – Three-year SRV	10.0%	10.0%	10.0%	33.1%

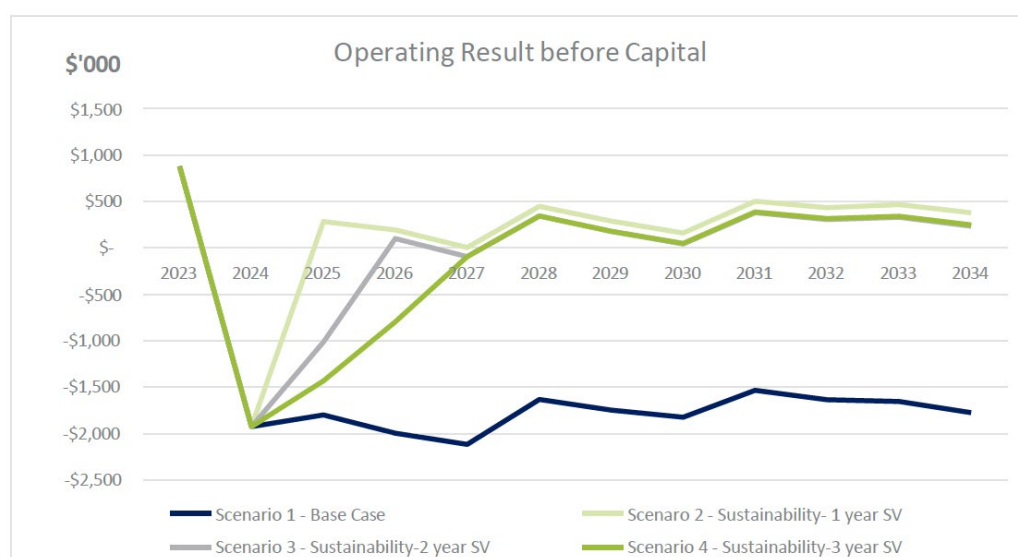


Figure 1: Graphical representation of 4 scenarios (including 3 potential SRV options) presented to Council.

Council resolved to undertake community engagement on one option only, being; 3-year SRV of 10% p.a. (including rate peg), which is a cumulative increase of 33.1% over the period as a permanent rate yield increase.

#### Community Consultation

Community Engagement was undertaken based on the Community Engagement Plan endorsed by Council on 9 November 2023.

Community consultation commenced on Friday, 10 November 2023 and concluded Friday, 15 December 2023 (35 days).

A significant effort was made to effectively explain the proposed SRV, with a wide range of communication tools and platforms utilised to inform the community and explain how members of the community could participate and provide feedback on the proposed SRV put forward by Council, including;

<b>Mechanism</b>	<b>Description</b>	<b>Reach</b>
<b>Website</b>	A dedicated webpage was set up collating all relevant information on the proposed SRV. Information included a Message from the Mayor, relevant documents (e.g. LTFP, Improvement Plan, DP/OP), a series of FAQs, Drop-in session information (which was added to throughout the process), timeline and an online form to submit questions or put in a formal submission.	803 Page Visits
<b>Letter from Mayor and Information Sheet</b>	<p>A letter from the Mayor and two-page information sheet was sent to all ratepayers via Australia Post (priority post) the day following the Council meeting on 9 November 2023.</p> <p>The letter and information sheet contained information on what Council was proposing, the average increase, cumulative increase, dates for drop-in sessions and a QR Code to the webpage.</p> <p>The same information was provided to real estate agents requesting the information be forwarded onto tenants throughout the Blayney Shire.</p>	<p>3,456 Ratepayers</p> <p>8 Real Estate Agencies</p>
<b>Email Newsletter</b>	<p>An email newsletter was sent out to subscribers of Council's monthly e-newsletter at the commencement of the engagement period with the Mayor Message, information flyer, drop-in session information and link to the website.</p> <p>An SRV Update was also included in the December monthly newsletter.</p>	<p>627 Subscribers</p> <p>2 Newsletters</p>

<b>Mechanism</b>	<b>Description</b>	<b>Reach</b>
<b>Facebook</b>	<p>Council's Facebook page was utilised to share various information on the SRV.</p> <p>All posts included the link to the SRV webpage for more information and were pinned to the top of the Facebook page during the engagement period.</p>	<p>12 Posts</p> <p>5,010 Followers</p> <p>10,281 Total Reach</p>
<b>Media Release</b>	<p>A media release was sent to local media outlets following the Council meeting. This resulted in a TV interview with Prime 7 at the beginning and end of the engagement period.</p> <p>There were also print articles in the Blayney Chronicle, Central Western Daily and The Orange App.</p> <p>Radio Interviews were also undertaken with 2BS Radio and ABC Central West.</p>	<p>25 Contacts</p> <p>3 Articles</p> <p>4 Interviews</p>
<b>Print Advertisement</b>	<p>Council's weekly advert in the local newspaper 'A Conversation with the GM' in the Blayney Chronicle, provided weekly updates on the SRV process.</p> <p>These included; Mayor's Message, an information flyer and various FAQs, which were updated following feedback, and questions received at the Drop-in Sessions.</p>	<p>6 Adverts</p> <p>Readers of the Blayney Chronicle</p>
<b>Council Reception</b>	<p>All documents, flyers and FAQs available on Council's website were also printed in hardcopy form and available at the Council office reception.</p>	<p>All visitors to Council office reception</p>

	Summary	Engagements
<b>Drop-in sessions</b>	<p>11 drop-in sessions were held throughout the Blayney Shire, including all surrounding villages, providing an opportunity for the community to attend, seek information, ask direct and tailored questions on the proposed SRV.</p> <p>Sessions were held generally over a 3-hour period from 4pm – 7pm with additional morning sessions also held in Millthorpe and Blayney from 9am – 11am.</p> <p>The sessions had representatives from both Councillors and Council staff.</p>	<p>Millthorpe: 15            Millthorpe: 6            Blayney: 5            Newbridge: 5            Lyndhurst: 11            Blayney: 9            Blayney: 12            Neville: 11            Mandurama: 9            Carcoar: 10            Millthorpe: 2  <b>Total: 95</b></p>
<b>Requested Meetings</b>	<p>Council staff informed representatives from Cadia Valley Operations, of the proposed SRV.</p> <p>Cadia are currently Council's singular largest ratepayer (approximately 50% of Council's rate base) and would bear the singular largest increase from the SRV, if approved.</p> <p>Council staff also informed representatives from the proposed McPhillamys Gold Project of the proposed SRV.</p> <p>Council Staff and Councillors also attended meetings when specifically requested. This included two meetings with NSW Farmers and one meeting with the Lyndhurst Village Committee, which included their members.</p>	<p>Cadia: 2            McPhillamys: 1            Lyndhurst: 10            NSW Farmers 1: 39            NSW Farmers 2: 50 (estimate)</p>
<b>Submit a Question</b>	<p>The dedicated webpage allowed for residents to submit questions on the SRV proposal.</p> <p>Council staff either called or emailed the residents and answered the questions submitted. Council staff also answered impromptu questions related to the SRV on the phone and at front office reception.</p>	<p>5 Online/email            10 Phone</p>

### Feedback and Submissions

Council received 28 submissions in regard to the SRV as follows:

- 25 against the proposal
- 1 neutral
- 2 supportive

The 28 submissions are included as appendix B of the Community Awareness and Engagement Outcomes Report. The 28 submissions have also been appended at *Attachment 2* and will be provided to IPART.

The key themes and issues raised throughout the engagement were;

1. Affordability, hardship and cost of living pressures
2. Financial Impact on farmers
3. Council efficiencies and cost savings
4. Extent of proposed SRV amount
5. Importance of Council services
6. Importance of continuing current Council service levels

A Community Awareness and Engagement Outcomes Report, appended at *Attachment 3*, provides an overview of the engagement program delivered and communications activities undertaken to promote the engagement program, as well as the engagement findings and key issues raised.

Councillors were presented the submissions and a draft Community Awareness and Engagement Outcomes Report at a workshop on 20 December 2023.

### Council identified actions

Through the community engagement process, Council has been able to identify additional measures / opportunities / activities that I can undertake to create greater financial resilience into the future for Council which directly also provides financial resilience to the entire Blayney Shire community.

- Financial Assistance Grants (FAG):
  - Seek the Australia Government return the FAG to 1% of Australia taxation revenue, and
  - Seek the New South Wales Government review and update FAG distribution methodology, ensuring equitable and appropriate distribution to small councils.
- NSW rating system:
  - Council notes the IPART Review of rate peg methodology, Final Report dated August 2023, in particular the key recommendation;

*“that the NSW Government commission an independent review of the financial model for councils in NSW including the broader issues raised in that report.”*

That Council seek the NSW Government commit as a matter of priority commence the independent review as recommended by IPART.

- Seek the NSW Government undertake a review of the current NSW Pensioner rate rebate provided in NSW.
- Grant funding:
  - Seek the NSW Government commit to providing regular and ongoing grant funding opportunities to support NSW councils impacted from mining operations and renewable energy developments.
- Communications:
  - Council to review its Community Engagement Strategy,
  - Council seek to establish a ‘Farmers Forum’ with a view to provide a direct line of communication and engagement to the Blayney Shire farming community.
- Ongoing Council efficiencies and improvements
  - Improvements and efficiencies that are investigated and/or undertaken are regularly reported to Council and the community.

#### Timeline

Subject to Council’s resolution at this meeting, should it resolve to proceed with making application to IPART for an SRV, the timeline is identified in the following table.

<b>Timeframes</b>	<b>Responsibility</b>	<b>Community Engagement Activity</b>
23 January 2024	Council	Receive report on community feedback.  Resolve whether to proceed with SRV.
February 2024 – April 2024	IPART	IPART independently conduct community engagement activity.
April / May 2024	Council	Draft 2024-25 OP and Draft 2024-25 to 2027-DP including Revenue Policy on public exhibition (28 days).
May / June 2024	Council	Community Engagement Activity – DP/OP and Revenue Policy
May 2024	IPART	IPART Final report on SRV Assessment

June 2024	Council	Endorse final; 2024-25 OP including Revenue Policy and 2024-25 to 2027-28 DP
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Subject to councils resolution at this meeting, should it resolve to proceed with making application for an SRV. The application would include a copy of all 28 submissions received during the community engagement.

IPART then proceed to assess the application including their own community consultation over February and March 2024.

See: <https://www.ipart.nsw.gov.au/Home/Industries/Local-Government/Special-Variations>.

Specifically, IPART have developed a fact sheet on how the community can engage regarding the 2024/25 assessment process. The fact sheet is appended at *Attachment 11*.

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

What would happen if we don't proceed with the SRV application or if Councils application is not approved by IPART?

A funding shortfall of approximately \$2 million per annum would need to be offset with a reduction of ongoing services / costs, a source of alternative ongoing funding or both.

Without an SRV, Council would have to significantly reduce expenditure on its infrastructure (in particular: roads, bridges and culverts) and more widely reduce all services and increase fees and charges to hirers (mainly community and user groups).

Council would have to rely on grant funding to maintain and upgrade assets (roads, bridges and culverts in particular) and consequently community infrastructure would deteriorate over time if our own funding were not available.

### Local Government Act

Section 403 of the Local Government Act 1993 (the Act) requires Council to have a long-term strategy (called its resourcing strategy) for the provision of the resources required to perform its functions (including implementing the strategies set out in the community strategic plan).

The Office of Local Government provides guidelines for the preparation of an application for a special variation to general income which includes the criteria that IPART will assess in considering a council's SRV application.

IPART sets the rate peg and approves rate increases above the rate peg.

The Local Government Act 1993 sets out the following principles of sound financial management at Chapter 3, s.8B:

- a) *Council spending should be responsible and sustainable, aligning general revenue and expenses.*

- b) Councils should invest in responsible and sustainable infrastructure for the benefit of the local community.*
- c) Councils should have effective financial and asset management, including sound policies and processes for the following—*
  - (i) performance management and reporting,*
  - (ii) asset maintenance and enhancement,*
  - (iii) funding decisions,*
  - (iv) risk management practices.*
- d) Councils should have regard to achieving intergenerational equity, including ensuring the following—*
  - (i) policy decisions are made after considering their financial effects on future generations,*
  - (ii) the current generation funds the cost of its services.*

All NSW councils are required under the Act to apply these principles in order to ultimately achieve a financially sustainable position.

Application of these principles means:

- Council must achieve a fully funded operating position.
- Council must maintain sufficient cash reserves.
- Council must have an appropriately funded capital program.
- Council must have adequate resources to meet ongoing compliance obligations.

#### Asset Management

Council is responsible for acquiring, maintaining, and renewing infrastructure assets with a gross replacement cost collectively worth over \$434 million.

As part of the Financial Sustainability Program, ML reviewed and updated the Blayney Shire Council Strategic Asset Management Plan (SAMP), Transportation Asset Management Plan and Buildings and Other Structures Asset Management Plan (being the main two General Fund asset classes).

This was undertaken to reflect asset values at 30 June 2023 and forecast asset renewal / maintenance expenditure to maintain Council's infrastructure to a satisfactory level that provides a basis to inform modelling for the SRV and updated LTFP.

The updated plans are attached to this report for endorsement and are not required to be exhibited. They are presented to Council for adoption as they were used to inform development of the SRV and updated LTFP. The Asset Management Plans for Councils other asset categories; being sewer and Parks and Gardens remain unchanged as they have previously been adopted by Council.

It is noted as part of the next iteration of the Integrated Planning and Reporting suite, which follows the 2024 Local Government election, Council will be required to review and update all Asset Management Plans.



**Assumptions**

It must be highlighted that the updated LTFP is based on a number of assumptions over which Council has no control. There are a number of other factors outside Council control that could directly impact (both positively and negatively) Council's updated LTFP.

The Council of the day will have to make informed decisions at those points in time, based on what has unfolded and forecast information at those points in time in the future.

**Budget Implications:**

A significant amount of work has been undertaken by ML, Council staff and Councillors in order to review and address Council's financial sustainability.

There is a budget allocation in the 2023/24 Operational Plan for specialist financial consulting.

Councillor and staff time will incur no additional expenditure allocated (general duties).

If Council's decision is to apply for a new SRV commencing in 2024/25, the outcome will not be known until very late in the 2024/25 budget preparation process. This will require the preparation of at least two Operational Plan and Budget scenarios to mitigate the risk if for some reason IPART do not approve the SRV application and to ensure Council complies with its statutory obligations.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

1	Council Report 9 November 2023	15 Pages
2	Submissions	30 Pages
3	Community Awareness and Engagement Report	84 Pages
4	Updated Long Term Financial Plan 2023/24	60 Pages
5	2023/24 - 2026/27 Delivery Program and 2023/24 Operational Plan	89 Pages
6	Blayney Shire Council Strategic Asset Management Plan (SAMP)	60 Pages
7	Appendix A: Transportation Asset Management Plan	22 Pages
8	Appendix B: Buildings and Other Structures Asset Management Plan	23 Pages
9	Capacity to Pay Report	39 Pages
10	Organisation Sustainability Improvement Plan	17 Pages

- 11** Face Sheet Engaging with IPART About Special  
Variation Applications 6 Pages

**05) REPORT OF COUNCIL INVESTMENTS AS AT 31 DECEMBER 2023**

**Department:** Corporate Services

**Author:** Chief Financial Officer

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

**File No:** FM.AU.1

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**Recommendation:**

That Council;

1. Note the report indicating Council's investment position as at 31 December 2023.
2. Note the certification of the Responsible Accounting Officer.

**Reason for Report:**

For Council to endorse the Report of Council Investments as at 31 December 2023.

**Report:**

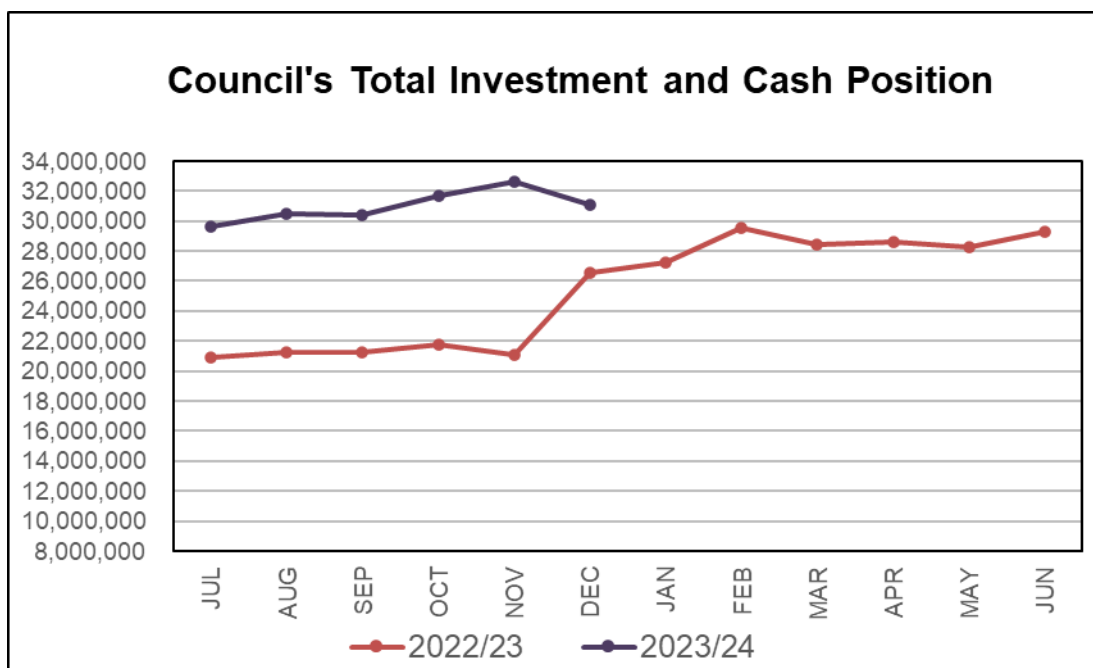
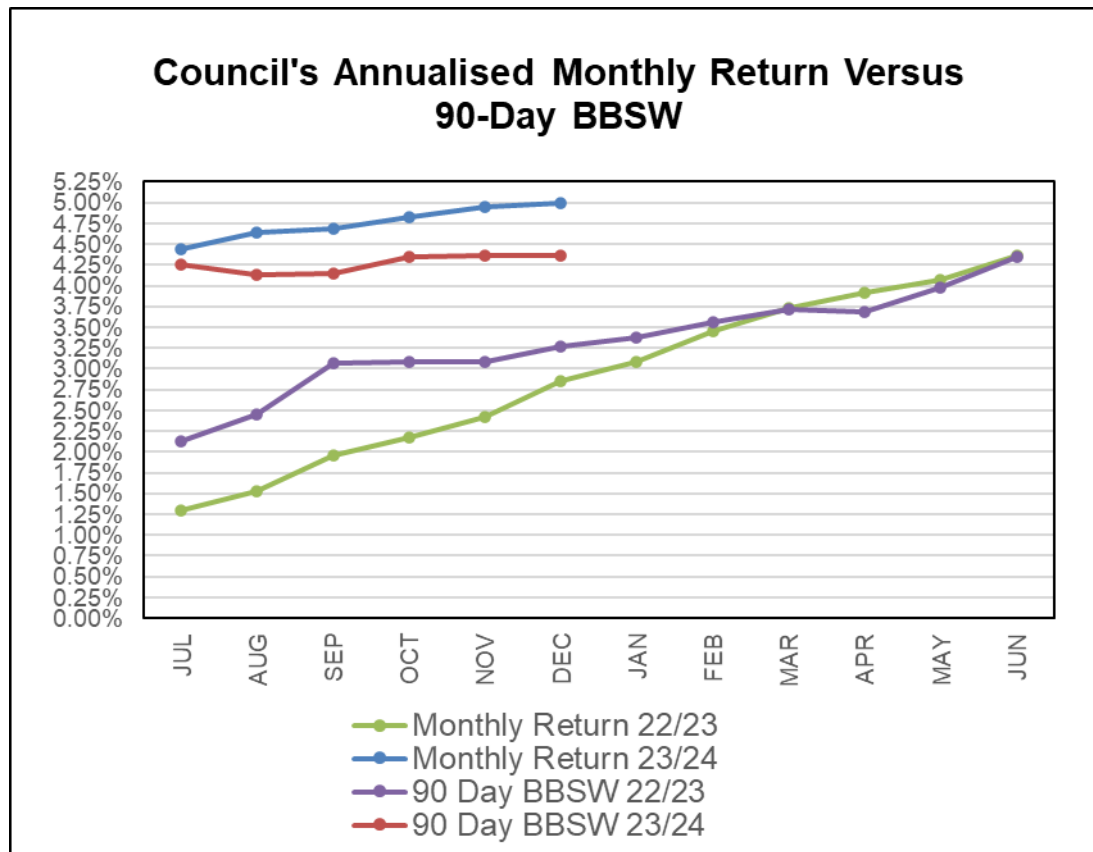
This report provides details of Council's Investment Portfolio as at 31 December 2023.

Council's total investment and cash position as at 31 December 2023 is \$31,104,060. Investments earned interest of \$130,971 for the month of December 2023.

Council's monthly net return on Term Deposits annualised for December was 4.97% which outperformed the 90-day Bank Bill Swap Rate of 4.36%.

As anticipated Council's current cash position declined during the month of December as a result of increased activity on capital works projects and delivery of major plant, which had been subject to significant delivery delays. An additional \$500,000 was added to the investment portfolio during the month of December increasing total investments to \$26.5m.

It should be noted that Council has scope to invest with other A1+ rated institutions however funds are not committed where returns on investment on offer are lower than interest rates currently received on Council's General Fund and Online Saver accounts. This also offers flexibility and a liquidity factor with access to cash while receiving equivalent or greater returns. Council also monitors the rates offering for these unused institutions to ensure they are still tangibly lower than the rates received across Council's current portfolio.



<b>Register Of Investments and Cash as at 31 December 2023</b>					
<b>Institution</b>	<b>Method</b>	<b>Rating</b>	<b>Maturity</b>	<b>Amount \$</b>	<b>Interest Rate</b>
NAB	Direct	A1+/AA-	09/01/2024	500,000	4.500%
IMB Bank Ltd	Direct	A2/BBB+	16/01/2024	500,000	4.800%
CBA	Direct	A1+/AA-	23/01/2024	500,000	4.490%
NAB	Direct	A1+/AA-	30/01/2024	500,000	5.250%
NAB	Direct	A1+/AA-	06/02/2024	500,000	4.550%
Ben & Adel Bank	IAM	A2/BBB+	13/02/2024	500,000	5.170%
Westpac	Direct	A1+/AA-	20/02/2024	500,000	4.950%
CBA	Direct	A1+/AA-	26/02/2024	500,000	4.300%
NAB	Direct	A1+/AA-	27/02/2024	500,000	5.000%
Reliance Bank	Direct	Unrated	09/03/2024	500,000	4.200%
Macquarie Bank	IAM	A1/A+	12/03/2024	500,000	4.750%
ING Bank	IAM	A1/A	13/03/2024	500,000	4.750%
CBA	Direct	A1+/AA-	19/03/2024	500,000	4.200%
Macquarie Bank	IAM	A1/A+	02/04/2024	500,000	4.450%
MyState Bank Ltd	Curve	A2/BBB+	02/04/2024	500,000	4.650%
CBA	Direct	A1+/AA-	09/04/2024	500,000	4.280%
NAB	Direct	A1+/AA-	16/04/2024	500,000	4.510%
Westpac	Direct	A1+/AA-	23/04/2024	500,000	4.490%
Macquarie Bank	IAM	A1/A+	30/04/2024	500,000	4.800%
NAB	Direct	A1+/AA-	07/05/2024	500,000	4.700%
CBA	Direct	A1+/AA-	14/05/2024	500,000	4.920%
NAB	Direct	A1+/AA-	21/05/2024	500,000	4.900%
Westpac	Direct	A1+/AA-	28/05/2024	500,000	4.840%
Westpac	Direct	A1+/AA-	04/06/2024	500,000	5.040%
NAB	Direct	A1+/AA-	11/06/2024	500,000	5.500%
Auswide Bank	IAM	A2/BBB+	11/06/2024	500,000	5.370%
Westpac	Direct	A1+/AA-	18/06/2024	500,000	5.450%
Macquarie Bank	IAM	A1/A+	25/06/2024	500,000	5.250%
Westpac	Direct	A1+/AA-	02/07/2024	500,000	5.420%
CBA	Direct	A1+/AA-	09/07/2024	500,000	5.300%
Macquarie Bank	IAM	A1/A+	16/07/2024	500,000	5.100%
ING Bank	Curve	A1/A	23/07/2024	500,000	5.200%
ING Bank	Curve	A1/A	30/07/2024	500,000	5.200%
Westpac	Direct	A1+/AA-	06/08/2024	500,000	5.150%
CBA	Direct	A1+/AA-	13/08/2024	500,000	5.170%
NAB	Direct	A1+/AA-	20/08/2024	500,000	5.200%
CBA	Direct	A1+/AA-	27/08/2024	500,000	5.090%
Westpac	Direct	A1+/AA-	03/09/2024	500,000	5.050%
ING Bank	Curve	A1/A	10/09/2024	500,000	5.050%
Bank of Queensland	Curve	A2/BBB+	10/09/2024	500,000	5.350%
NAB	Direct	A1+/AA-	17/09/2024	500,000	5.310%
IMB Bank Ltd	Direct	A2/BBB+	24/09/2024	500,000	5.150%
Bank of Queensland	Curve	A2/BBB+	01/10/2024	500,000	5.150%
Westpac	Direct	A1+/AA-	08/10/2024	500,000	5.280%
CBA	Direct	A1+/AA-	15/10/2024	500,000	5.150%
ING Bank	Curve	A1/A	22/10/2024	500,000	5.350%

<b>Register Of Investments and Cash as at 31 December 2023</b>					
<b>Institution</b>	<b>Method</b>	<b>Rating</b>	<b>Maturity</b>	<b>Amount \$</b>	<b>Interest Rate</b>
CBA	Direct	A1+/AA-	29/10/2024	500,000	5.250%
MyState Bank Ltd	Curve	A2/BBB+	05/11/2024	500,000	5.400%
Westpac	Direct	A1+/AA-	12/11/2024	500,000	5.320%
Defence Bank Ltd	Curve	A2/BBB	03/12/2024	500,000	5.300%
ING Bank	IAM	A1/A	17/12/2024	500,000	5.230%
Reliance Bank	Direct	Unrated	19/11/2024	500,000	5.200%
Macquarie Bank	IAM	A1/A+	26/11/2024	500,000	5.220%
<b>Total Investments</b>				<b>26,500,000</b>	<b>4.993%</b>
Commonwealth Bank - At Call Account <sup>(1)</sup>				2,841,994	4.350%
Commonwealth Bank Balance - General <sup>(1)</sup>				1,667,878	4.200%
Reliance Bank <sup>(1)</sup>				94,187	0.000%
<b>Total Cash and Investments</b>				<b>31,104,060</b>	
Benchmarks:		BBSW 90 Day Index <sup>(1)</sup>			4.358%
		RBA Cash Rate <sup>(1)</sup>			4.350%

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

<b>Summary of Investment Movements - December 2023</b>		
<b>Financial Institution</b>	<b>Amount \$</b>	<b>Commentary</b>
Bank of Queensland	(521,192)	Term deposit matured 05/12/2023
Bank of Queensland	500,000	Term deposit reinvested 05/12/2023
Defence Bank Ltd	(522,189)	Term deposit matured 12/12/2023
Defence Bank Ltd	500,000	Term deposit reinvested 12/12/2023
Auswide Bank Ltd	500,000	New term deposit 13/12/2023
ING Bank	(519,726)	Term deposit matured 19/12/2023
ING Bank	500,000	Term deposit reinvested 19/12/2023

<b>Long Term Credit Rating (or Moody's, Fitch, S&amp;P or Equivalent)</b>	<b>Policy Maximum %</b>	<b>Current Holding %</b>	<b>Current Holding \$</b>
TCorp IM Funds	100%	0%	-
AAA – AA Category	100%	57%	15,000,000
A- Category	40%	23%	6,000,000
BBB+ Category	25%	15%	4,000,000
BBB Category	5%	4%	500,000
BBB- Category and below: Local <sup>(2)</sup> ADI's	10%	4%	1,000,000
BBB+ / BBB / BBB- & below categories combined	25%	21%	
2. ADI's located within the Local Government Area			<b>26,500,000</b>

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

<b>Summary of Restricted, Allocated and Unrestricted Cash &amp; Investments</b>			
	<b>Actual 30/06/2023 \$ 000's</b>	<b>Actual 31/12/2023 \$ 000's</b>	<b>Forecast<sup>(1)</sup> 30/06/2024 \$ 000's</b>
External Cash Restrictions	20,329	19,837	9,958
Internal Cash Allocations	8,751	6,301	5,330
<b>Total Restricted, Allocated Cash &amp; Investments</b>	<b>29,080</b>	<b>26,138</b>	<b>15,288</b>
Unrestricted Cash	191	4,966 <sup>(2)</sup>	4,959 <sup>(2)</sup>
<b>Total Restricted, Allocated and Unrestricted Cash &amp; Investments</b>	<b>29,271</b>	<b>31,104</b>	<b>20,247</b>

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

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

#### CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

I, Tiffaney Irlam, certify that the investments listed in this report have been made in accordance with s625 of the Local Government Act (1993), the Local Government (General) Regulation (2005) and Council Policy.

#### Risk/Policy/Legislation Considerations:

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

**Budget Implications:**

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

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil



**06) QUARTERLY REPORT ON SOLAR ANALYTICS****Department:** Corporate Services**Author:** Manager Information Technology**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** GO.ME.1**Recommendation:**

That Council note the Solar Analytics report for the quarter ending 31 December 2023.

**Reason for Report:**

To update Council on Solar performance and savings for the October to December 2023 quarter for the 2023/24 financial year.

**Report:**

Council's solar power generation sites include the Sewer Treatment Plant, Works Depot, Council Administration Office and CentrePoint.

Solar generation and savings have increased on average across all sites compared to the previous quarter. Some issues were experienced at the Sewer Treatment Plant regarding electrical wiring that hampered generation at that site during the quarter. The below table shows that generation during the quarter was significantly reduced from that anticipated. These issues have been resolved.

**Sewerage Treatment Plant**

Month	Production	Consumption	Savings
Oct-23	8.1MWh	17.2MWh	\$1,033
Nov-23	8.2MWh	18.1MWh	\$1,074
Dec-23	5.5MWh	17.6MWh	\$711

TOTAL SAVINGS ⓘ  
(in selected range)

\$2818



Solar consumed on site

\$2154



Solar exported to the grid

\$664.63

ENERGY COST ⓘ  
(in selected range)

\$4928



Energy imported from the grid

\$5592 ✓



Solar exported to the grid

\$664.63 CR

[Change your Energy Plan information](#)

In selected range your solar panels produced 22 MWh of energy. That's enough to use your oil heater for 12130 hours!



**Works Depot**



Month	Production	Consumption	Savings
Oct-23	4.0MWh	5MWh	\$875
Nov-23	3.5MWh	4.2MWh	\$779
Dec-23	4.1MWh	4.5MWh	\$892



TOTAL SAVINGS ⓘ  
(in selected range)

\$2546

ENERGY COST ⓘ  
(in selected range)

\$1640

	Solar consumed on site	\$2230
	Solar exported to the grid	\$315.80

	Energy imported from the grid	\$1955 ✓
	Solar exported to the grid	\$315.80 CR

[Change your Energy Plan information](#)

In selected range your solar panels produced 12 MWh of energy. That's enough to bake 10215 pies in your fan forced oven!

**Council Administration Office**



Month	Production	Consumption	Savings
Oct-23	3.2MWh	4.4MWh	\$635
Nov-23	2.8MWh	4.1MWh	\$589
Dec-23	3.4MWh	3.9MWh	\$654



TOTAL SAVINGS ⓘ  
(in selected range)

\$1878

ENERGY COST ⓘ  
(in selected range)

\$1116

	Solar consumed on site	\$1707
	Solar exported to the grid	\$170.33

	Energy imported from the grid	\$1286 ✓
	Solar exported to the grid	\$170.33 CR

[Change your Energy Plan information](#)

In selected range your solar panels produced 9 MWh of energy. That's enough to use the microwave for 468073 minutes!



**CentrePoint**

Month	Production	Consumption	Savings
Oct-23	15.9MWh	28.3MWh	\$2,576
Nov-23	14.1MWh	47.1MWh	\$2,214
Dec-23	17.0MWh	47.3MWh	\$2,572

TOTAL SAVINGS ⓘ  
(in selected range)

\$7362



Solar consumed on site

\$7264



Solar exported to the grid

\$97.62

ENERGY COST ⓘ  
(in selected range)

\$9313



Energy imported from the grid

\$9411 ✓



Solar exported to the grid

\$97.62 CR

[Change your Energy Plan information](#)

In selected range your solar panels produced 47 MWh of energy. That's enough to use your oil heater for 26124 hours!

**Risk/Policy/Legislation Considerations:**

Periods of bad weather and reduced sunlight can hamper solar power production which will draw more power from the grid.

**Budget Implications:**

The installation of solar panels at Council's large generation sites creates operational savings by reducing Council's overall electricity costs. Anticipated savings have been forecast throughout Council's Operational Plan.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**07) INFORMATION TECHNOLOGY QUARTERLY REPORT****Department:** Corporate Services**Author:** Manager Information Technology**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** GO.ME.1**Recommendation:**

That Council note the Information Technology report for the quarter to 31 December 2023.

**Reason for Report:**

To update Council on Information Technology activities and performance for the October to December 2023 quarter.

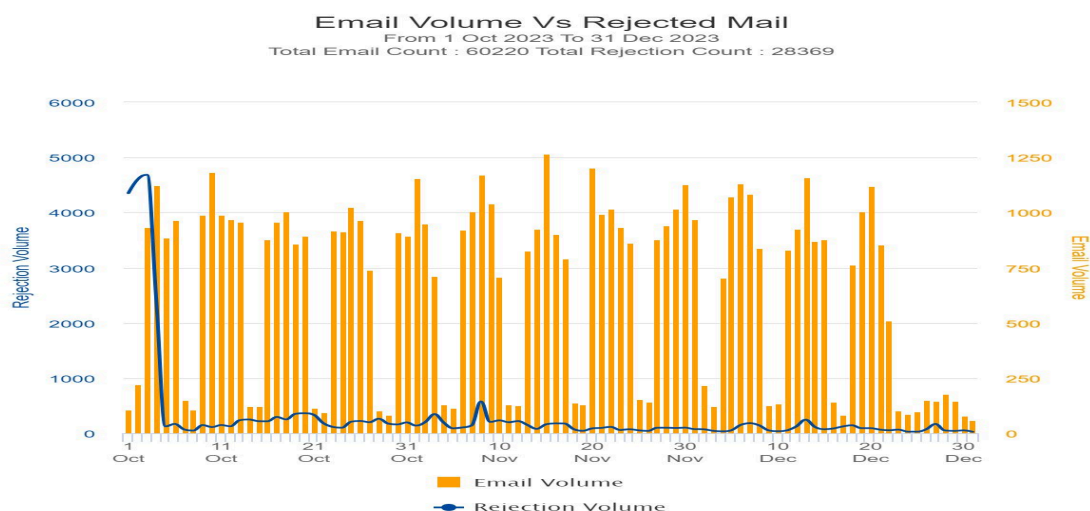
**Report:**

The following is an overview of information technology projects in progress during the quarter:

1. Decommissioning of the last of the Windows 2012 servers due to Microsoft no longer supporting this Operating System Version.
2. Council continues to engage with and utilise free resources available through Cybersecurity NSW to help mitigate Council's risk to Cyber events.
3. Work with Council's contractor to implement the reporting server for the Recycled Water Treatment Plant. Council is awaiting finalisation of work by the contractor who is now creating report templates to enable staff to obtain usage statistics and associated data.

**Email Filtering Statistics**

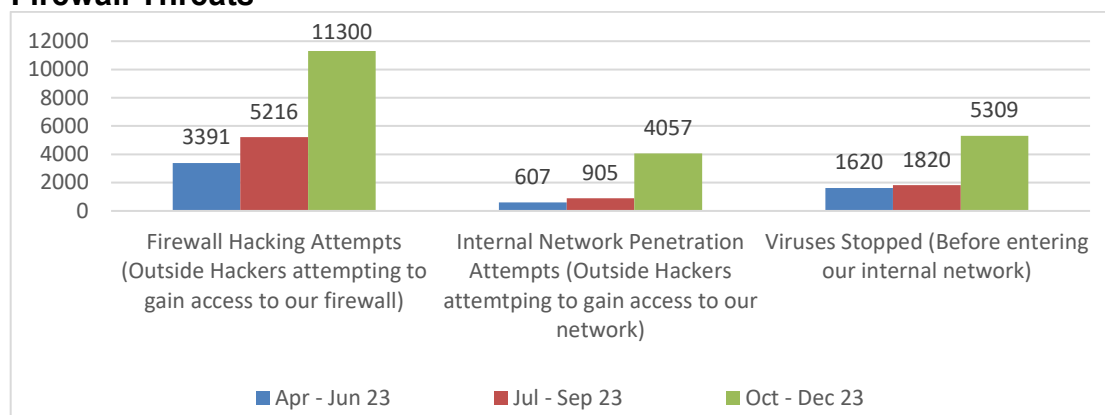
Council has not had any malicious emails enter the network during the quarter that were not stopped by email filters. The following table provides an overview of email volume to emails rejected for the quarter.



### Firewall Statistics

The number of threats to Council's Firewall has increased slightly for the October to December quarter which is typical around this time of year. The below graph provides a comparison of activity for the current and previous quarters and reflects hackers looking on the internet for open ports to penetrate. This graph does not indicate hackers deliberately targeting Council's network. As Council has no open ports, there were no successful attempts made.

### **Firewall Threats**



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

Cyber threats are noted within Council's Risk Register with mitigating controls in place.

### **Budget Implications:**

Council has provision within its Operational Plan for costs associated with Information Technology support and licencing arrangements.

### **Enclosures (following report)**

Nil

### **Attachments (separate document)**

Nil

**08) LEASE TO BLAYNEY MEALS ON WHEELS****Department:** Corporate Services**Author:** Chief Financial Officer**CSP Link:** 2. Local Governance and Finance**File No:** PM.LE.1

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**Recommendation:**

1. That the report on the lease of 39 Church Street, Blayney (Lot 23 Section 14 DP 758121) be noted.
2. That Council endorse execution of lease for 39 Church Street, Blayney (Lot 23 Section 14 DP 758121) to Blayney Volunteer Meals On Wheels Association Inc. by the Mayor and General Manager.

**Reason for Report:**

To obtain Council approval for the issue of a lease for 3 years with a 1 year option to the Blayney Volunteer Meals On Wheels Association Inc.

**Report:**

A lease of the Blayney Shire Council (R590102) Reserve located at 39 Church Street, (Lot 23 Section 14 DP 758121) Blayney better known as the Blayney Meals on Wheels office, is due for renewal on 1 March 2024. It is proposed that the property be leased for a period of 3 years with a 1 year option commencing on 1 March 2024.

It was understood that the land was Crown Land however it has become apparent, following a review of the certificate of title, that this land was freehold in the name of Council. Interests of the Crown are however noted in the second schedule of the land title.

Clarification from Crown Lands on removal of their interest has been sought however there is no legal means available. The Crown has acknowledged that Council is the landowner, and that this arrangement does not require a Crown lease.

The lease area is approximately 734m<sup>2</sup> and includes a building. Blayney Meals on Wheels has held a lease since 2012 and has undertaken significant restoration and improvement works to the building since initial occupation.

The building has been utilised as an office for services provided including meals on wheels and social services to the community. The service also offers meeting room space to a number of community organisations including support groups and youth programs. It is considered to be in the public interest that the lease be granted due to the importance of these services to the community.

The length of term proposed for the lease is 3 years with a 1 year option commencing 1 March 2024. It is proposed that existing arrangements remain with the rent charged at \$1 and the lessee to bear the financial responsibility for payment of outgoings associated with the property including services and ongoing minor maintenance associated with the property.

An additional condition has been added to Clause 13 (*Permitted Use and Occupation*) to enable Council to access the available meeting room space at no cost to Council so long as it does not interfere with the day-to-day operations of the tenant.

**Risk/Policy/Legislation Considerations:**

Nil

**Budget Implications:**

Costs associated with the leased property are minimal with outgoings borne by the lessee, with the exception of building insurance. Maintenance costs beyond the scope of minor are provided for in Council's Operational Plan as programmed.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

- 1 Draft Lease Agreement with Blayney Volunteer Meals on Wheels Association Inc. 7 Pages

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

**09) MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 8 DECEMBER 2023****Department:** Infrastructure Services**Author:** Director Infrastructure Services**CSP Link:** 1. Maintain and Improve Public Infrastructure and Services**File No:** TT.ME.1

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**Recommendation:**

That Council;

1. Receive and note the minutes of the Blayney Traffic Committee Meeting, held on Tuesday 8 December 2023.
2. Endorse the Traffic Guidance Scheme for the annual Blayney Show, to be staged on 2 March 2024 on Blayney Showground, Marshalls Lane, as a Class 3 event, subject to the conditions detailed in the Director Infrastructure Services' Report.
3. At the intersection of Glengate Road and Vittoria Road;
  - a) Place a W2-4(R) - Side Road Intersection on Straight (Right Symbolic) sign on the west side of the intersection on Vittoria Rd for traffic going eastbound.
  - b) Place a W8-2 85 km/h Advisory Speed sign with a W1-3(L) - Curve (Left symbolic) sign on top on the west side of the intersection on Vittoria Rd for traffic going eastbound.
4. At the intersection of Millthorpe Road and Glenorie Road;
  - a) Provide Millthorpe Road Traffic data to NSW Police
  - b) Perform vegetation management on Millthorpe Road immediately north of the Glenorie Road intersection.
5. Install R5-400n signage to either side of the intersection of Gold St and Unnamed Road near Mandurama Hall.
6. Install R5-20 (L) & (R) signage at the appropriate ends of the bus stop opposite Millthorpe Public School.
7. Note the tentative Blayney Shire Council Traffic Committee dates for 2024.

**Reason for Report:**

For Council to endorse the minutes of the Blayney Shire Council Traffic Committee meeting held 8 December 2023.

**Report:**

The Blayney Shire Council Traffic Committee held its meeting on 8 December 2023.



**MINUTES OF THE BLAYNEY SHIRE COUNCIL TRAFFIC COMMITTEE MEETING  
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY CENTRE,  
ON 8 DECEMBER 2023, COMMENCING AT 10:00AM**

**PRESENT**

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

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

**APOLOGIES**

Nil

**DECLARATION OF INTEREST**

Nil

**CONFIRMATION OF MINUTES**

**MINUTES OF THE PREVIOUS MEETING BLAYNEY SHIRE  
COUNCIL TRAFFIC COMMITTEE MEETING HELD 24  
OCTOBER 2023**

**Recommendation:**

That the Minutes of the Blayney Shire Council Traffic Committee Meeting held on 24 October 2023, be confirmed to be a true and accurate record of that meeting.

(Reg Rendall / Cr John Newstead)

**MATTERS ARISING FROM THE MINUTES**

Nil

**REPORTS**

20231208:01 **STREET EVENT - BLAYNEY SHOW 2 MARCH 2024**

**Recommendation:**

That Council endorse the Traffic Guidance Scheme for the annual Blayney Show, to be staged on 2 March 2024 on Blayney Showground, Marshalls Lane, as a Class 3 event, subject to the conditions detailed in the Director Infrastructure Services' Report.

(Jason Marks / Reg Rendall)

20231208:02 **SIGHT DISTANCE - INTERSECTION GLENGATE AND  
VITTORIA ROAD, MILLTHORPE**

**Recommendation:**

That Council:

1. Place a W2-4(R) - Side Road Intersection on Straight (Right Symbolic) sign on the west side of the intersection on Vittoria Rd for traffic going eastbound.
2. Place a W8-2 85 km/h Advisory Speed sign with a W1-3(L)

- Curve (Left symbolic) sign on top on the west side of the intersection on Vittoria Rd for traffic going eastbound.  
(Jason Marks / Reg Rendall)

20231208:03 **SIGHT DISTANCE - INTERSECTION MILLTHORPE AND GLENORIE ROAD, MILLTHORPE**

**Recommendation:**

That Council:

1. Provide Millthorpe Road Traffic data to NSW Police
2. Perform vegetation management on Millthorpe Road immediately north of the Glenorie Road intersection.  
(Reg Rendall / Cr John Newstead)

20231208:04 **SIGNAGE - NO STOPPING SIGNAGE REQUEST FOR GOLD STREET MANDURAMA MANDURAMA HALL COMMITTEE**

**Recommendation:**

That Council install R5-400n signage to either side of the intersection of Gold St and Unnamed Road near Mandurama Hall.

(Jackie Barry / Reg Rendall)

20231208:05 **SIGNAGE - BUS ZONE SIGNAGE, PARK STREET - MILLTHORPE**

**Recommendation:**

That Council install R5-20 (L) & (R) signage at the appropriate ends of the bus stop opposite Millthorpe Public School.

(Reg Rendall / Jason Marks)

20231208:06 **MEETING DATES 2024**

**Recommendation:**

That Council note the Blayney Shire Council Traffic Committee dates for 2024.

**TRAFFIC REGISTER**

**TRAFFIC REGISTER**

Noted.

**20230609:** TfNSW advised signage has been installed.

Discussion on entrance safety and planned works along Mid Western Highway at the entrance to Blayney Golf Club.

**Action:** Council to email TfNSW in relation to consideration to review the safety of the entrance to Blayney Waste Facility.

**GENERAL BUSINESS**

**PEDESTRIAN CROSSING - PARK STREET, MILLTHORPE**

**Action:** TfNSW will provide Council with a copy of the assessment.

**Action:** Council to write to TfNSW enquiring if Council was able to fund Pedestrian Activated Flashing Lights at the pedestrian crossing at Millthorpe would TfNSW consider and fund installation.

**CONCERNS SIGNAGE (60KM) ALONG MILLTHORPE ROAD**

**Action:** TfNSW representative Jackie Barry will follow up the signage installed along Millthorpe Road.

**FUTURE MEETING DATES - 2023**

9 February 2024

5 April 2024

7 June 2024

9 August 2024

4 October 2024

6 December 2024

There being no further business, the meeting concluded at 10:38am.

**Risk/Policy/Legislation Considerations:**

Nil

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**10) PROPOSED VOLUNTARY PLANNING AGREEMENT - DA146/2021  
SUBDIVISION OF THE LAND INTO 56 LOTS (52 URBAN  
RESIDENTIAL LOTS) – 1279 MILLTHORPE ROAD MILLTHORPE**

**Department:** Planning and Environmental Services

**Author:** Director Planning and Environmental Services

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

**File No:** DB.AB.1728

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**Recommendation:**

That Council

1. Give public notice of the proposed Voluntary Planning Agreement relating to the dedication of drainage and open space lands associated with DA146/2021 – Subdivision of Land into 56 lots (52 Urban Residential Lots) – 1279 Millthorpe Road, Millthorpe.
2. Give public notice of its intention to classify proposed lot 231 as Operational land and proposed lot 323 as Community land.
3. If a submission is received on either the proposed Voluntary Planning Agreement or classification of land a further reported be presented to Council.
4. Should no submissions be received in relation to the Voluntary Planning Agreement, the General Manager be delegated authority to enter into and execute the agreement.
5. Should no submissions be received in relation to the classification of lands then proposed lot 231 be classified as Operational land and proposed lot 323 as Community land.

**Reason for Report:**

To advise Council of the offer of a Voluntary Planning Agreement allowing for the dedication of lands associated with Development Application 146/2021.

**Report:**

Development consent for this subdivision was granted at Council's Ordinary Meeting of 13 December 2023. Council will recall that two parcels of land will require dedication to Council. The proper mechanism to deal with the dedication of land is through a Voluntary Planning Agreement (VPA).

A VPA has been drafted between Council, Charms Developments Pty Ltd and Fenlor Group Pty Ltd in accordance with Section 7.4 of the Environmental Planning and Assessment Act 1979 to facilitate the dedication of land. A condition of consent relating to the implementation of the VPA is included in the consent conditions as follows:

**9. VOLUNTARY PLANNING AGREEMENT**

*The applicant agrees to enter into a Voluntary Planning Agreement in accordance with Section 7.4 of the Environmental Planning and Assessment Act 1979 to facilitate:*

- a) *The dedication of proposed lot 231 (drainage reserve) to Blayney Shire Council concurrently with the registration of the lots the subject of Stage 2 of the development.*
- b) *The dedication of proposed lot 323 (open space) to Blayney Shire Council concurrently with the registration of the lots the subject of Stage 2 of the development.*

The Drainage Reserve lot would allow a drainage reserve and associated drainage corridor necessary to support drainage for the land. The Open Space lot provides a 'pocket park' enabling a public connection between the land and Park Street. The pocket park would also act as a buffer to the rear of the nearby heritage cottage by ensuring that no further development can occur on this lot that interferes with the setting of the heritage cottage.

**Risk/Policy/Legislation Considerations:**

Policy 18D - Voluntary Planning Agreements applies in this instance. Under the policy the elected Council provides approval for the VPA to go on public exhibition.

Part 7, Subdivision 2 of the Environmental Planning and Assessment Act provides the legislative framework for planning agreements. Part 9, Division 1 of the Environmental Planning and Assessment Regulation provides further requirements relating to the making, amending and revocation of planning agreements, giving public notice and other procedural arrangements.

Councils Community Participation Plan reflects the legislative requirements requiring a 28 day public notice period for draft Planning Agreements.

Section 31 (2) of the Local Government Act also provides that "before a council acquires land, or within 3 months after it acquires land, a council may resolve that the land be classified as community land or operational land." Proposed lot 231 will be used for operational purposes (ie drainage) and it would be appropriate to be classified as Operational land.

Proposed lot 323 will be used for open space and it would be appropriate for it to be classified as Community. Public notice of the proposed classification is to be given for a 28 day period during which submissions may be made. Any land not classified by resolution is taken to have been classified as community land following acquisition.

Whilst it may be some time before the 2 parcels of land are formally acquired by Council, it would be appropriate to formally resolve on the classification of the 2 parcels of land and provide public notice concurrently with the VPA.

**Budget Implications:**

Should the dedication of lands proceed, Council will be responsible for the ongoing maintenance of the subject lands.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

- 1 Planning Agreement - 1279 Millthorpe Road,  
Millthorpe 26 Pages

**Matters to be dealt with in closed committee**

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

**11) CONTRACT 8/2023 - RECONSTRUCTION OF FOREST REEFS  
ROAD-TALLWOOD ROAD INTERSECTION - NEGOTIATION  
CONTRACT**

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