



9 April 2019

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 Monday, 15 April 2019 at 6.00pm for consideration of the following business -

- (1) Acknowledgement of Country
- (2) Recording of Meeting Statement
- (3) Apologies for non-attendance
- (4) Disclosures of Interest
- (5) Public Forum
- (6) Mayoral Minute
- (7) Confirmation of Minutes - Ordinary Council Meeting held on 18.03.19
- (8) Matters arising from Minutes
- (9) Reports of Staff
  - (a) Executive Services
  - (b) Corporate Services
  - (c) Infrastructure Services
  - (d) Planning and Environmental Services
- (10) Delegates Reports
- (11) Closed Meeting

Yours faithfully

Mark Dicker  
**Acting General Manager**

**5.50pm Newcrest Presentation to Can Assist – Funds Raised from Cadia Valley Open Day Event held 6 April 2019**

## Meeting Calendar 2019

### April

<b>Time</b>	<b>Date</b>	<b>Meeting</b>	<b>Location</b>
2.30pm	12 April 2019	Upper Macquarie County Council Meeting	Kelso
6.00pm	15 April 2019	Council Meeting	Community Centre

### May

<b>Time</b>	<b>Date</b>	<b>Meeting</b>	<b>Location</b>
6.00pm	6 May 2019	Cultural Centre Working Group Meeting	Community Centre
9.00am	10 May 2019	Mining and Energy Related Councils Meeting	Forbes
6.00pm	16 May 2019	Sports Council Meeting	Community Centre
6.00pm	20 May 2019	Council Meeting	Community Centre
10.00am	23 May 2019	Centroc and Central NSW JO Meeting	Sydney
6.00pm	28 May 2019	Tourism, Towns and Villages Committee Meeting	Community Centre
9.00am	31 May 2019	Country Mayors Association	Sydney

### June

<b>Time</b>	<b>Date</b>	<b>Meeting</b>	<b>Location</b>
10.00am	7 June 2019	Traffic Committee Meeting	Community Centre
5.00pm	13 June 2019	Cemetery Forum Meeting	Community Centre
6.00pm	13 June 2019	Access Advisory Committee Meeting	Community Centre
2.30pm	14 June 2019	Upper Macquarie County Council Meeting	Kelso
6.00pm	24 June 2019	Council Meeting	Community Centre

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**HELD ON MONDAY 15 APRIL 2019**

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01) **MINUTES OF THE PREVIOUS COUNCIL MEETING HELD MONDAY  
18 MARCH 2019**

**Department:** Executive Services

**Author:** General Manager

**CSP Link:** 2. Local Governance and Finance

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

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**Recommendation:**

That the Minutes of the Ordinary Council Meeting held on 18 March 2019, being minute numbers 1903/001 to 1903/021 be confirmed.

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING  
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY  
CENTRE, ON 18 MARCH 2019, COMMENCING AT 6.00PM**

Present: Crs S Ferguson (Mayor), A Ewin, D Kingham (Deputy Mayor), J Newstead, B Reynolds and D Somerville

General Manager (Mrs R Ryan), Director Corporate Services (Mr A Franze), Director Infrastructure Services (Mr G Baker), Director Planning & Environmental Services (Mr M Dicker) and Executive Assistant to the General Manager (Mrs L Ferson)

**ACKNOWLEDGEMENT OF COUNTRY**

**MINUTE SILENCE ACKNOWLEDGING CHRISTCHURCH  
TERRORIST MASSACRE VICTIMS**

**RECORDING OF MEETING STATEMENT**

**APOLOGIES**

Cr Scott Denton – Leave of Absence approved at the December 2018 Council Meeting (Resolution No. 1812/004)

**DISCLOSURES OF INTEREST**

Nil

The following Disclosure of Interests were made at the Financial Assistance Committee Meeting being Report Item No 9: Minutes of the Financial Assistance Committee Meeting held 5 March 2019' (Page 65) of the Business Paper:

<b>Councillor/ Staff</b>	<b>Interest</b>	<b>Reason</b>
Cr Somervaille	Non Pecuniary (less than significant)	Member of Rotary who are potential user of the Blayney Town Association PA system and spouse is on the organising committee for the Food Week event.
Anton Franze	Non Pecuniary (less than significant)	Secretary of Blayney Little Athletics

**PUBLIC FORUM**

Leigh Dunster – Group Home Millthorpe

**CONFIRMATION OF MINUTES****MINUTES OF THE PREVIOUS COUNCIL MEETING HELD  
MONDAY 18 FEBRUARY 2019****1903/001****RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 18 February 2019, being minute numbers 1902/001 to 1902/030 be confirmed.

(Newstead/Ewin)  
**CARRIED**

**MATTERS ARISING FROM THE MINUTES**

Nil

**EXECUTIVE SERVICES REPORTS****FLYERS CREEK WIND FARM VOLUNTARY PLANNING  
AGREEMENT****1903/002****RESOLVED:**

That Council authorise the General Manager to review the existing Voluntary Planning Agreement for the Flyers Creek Windfarm and initiate renegotiation discussions with Infigen Energy.

(Ewin/Reynolds)  
**CARRIED**

**MINUTES OF THE BLAYNEY SHIRE TOURISM, TOWNS AND  
VILLAGES COMMITTEE MEETING HELD 26 FEBRUARY 2019****1903/003****RESOLVED:**

That the minutes of the Blayney Shire Tourism, Towns and Villages Committee meeting, held on Tuesday 26 February 2019, be received and noted.

(Reynolds/Newstead)  
**CARRIED**

**CORPORATE SERVICES REPORTS****REPORT OF COUNCIL INVESTMENTS AS AT 28 FEBRUARY 2019**

1903/004

**RESOLVED:**

1. That the report indicating Council's investment position as at 28 February 2019 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

(Somerville/Kingham)

**CARRIED****YOUTH WEEK 2019**

1903/005

**RESOLVED:**

That the report on Youth Week 2019 be received and the allocations of Youth Week funding be endorsed as follows:

Le Danse School \$1,170

Blayney Town Committee Skate Park Working Party \$2,000

Centrepont (Blayney Shire Council) \$1,000

(Ewin/Reynolds)

**CARRIED****DISABILITY INCLUSION ACTION PLAN 2017 - 2021 STATUS REPORT**

1903/006

**RESOLVED:**

That Council receive and note the Blayney Shire Disability Inclusion Action Plan status report as at 31 December 2018.

(Reynolds/Newstead)

**CARRIED****AUDIT, RISK AND IMPROVEMENT COMMITTEE ANNUAL REPORT**

1903/007

**RESOLVED:**

That the Annual Report on the operations of the Blayney Shire Audit, Risk and Improvement Committee for the period 1 January 2017 to 31 December 2018, be received and noted.

(Somerville/Ewin)

**CARRIED****MINUTES OF THE BLAYNEY SHIRE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 21 FEBRUARY 2019**

1903/008

**RESOLVED:**

1. That the minutes of the Blayney Shire Audit, Risk and Improvement Committee meeting held 21 February 2019 be received and noted.
2. That the matter of additional remuneration for the Committee Chairman be referred to the April Council Meeting.
3. That the Committee endorses the report subject to the agreed amendments and refers the 2017-2018 Annual Report, as

amended, to Council.

(Somerville/Reynolds)

**CARRIED**

**MINUTES OF THE FINANCIAL ASSISTANCE COMMITTEE**  
**MEETING HELD 5 MARCH 2019**

1903/009

**RESOLVED:**

1. That the minutes of the meeting held 5 March 2018 be received.
2. That the Financial Assistance policy and guidelines be reviewed to include:
  - funding of public liability insurance in full for town, village, or progress associations or similar groups that represent interests of a town, village or locality;
  - funding of public liability insurance for groups that provide a broadly used community facility that can demonstrate long term sustainability and be subject to a 50% funding cap of \$1,500.
3. That the approvals of fee waivers and sporting related Financial Assistance by the General Manager in the amount of \$2,105 be noted
4. That the recommendations for 2018/19 - Round 2 of the Community Financial Assistance Program by the Financial Assistance Committee, in the amount of \$46,154 be approved.

(Somerville/Kingham)

**CARRIED**

**INFRASTRUCTURE SERVICES REPORTS**

**DIRECTOR INFRASTRUCTURE SERVICES MONTHLY**  
**REPORT**

1903/010

**RESOLVED:**

That the Director Infrastructure Services Monthly report for March 2019 be received and noted.

(Ewin/Newstead)

**CARRIED**

**CONTRACT 2/2019 - SUPPLY OF GOODS AND SERVICES**

1903/011

**RESOLVED:**

1. That Council adopt the attached list of contractors to supply goods and services for the period from 1 April 2019 to 30 June 2021.
2. That Council note that this tender does not prohibit Council from accepting new tenders for specific projects.

(Newstead/Reynolds)

**CARRIED**

- CONTRACT 3/2019 PROVISION OF PLANT HIRE**
- 1903/012 **RESOLVED:**
1. That Council adopt the attached list of contractors for the provision of plant hire services for the period from 1 April 2019 to 30 June 2021.
  2. That Council note that this tender does not prohibit Council from accepting new tenders for specific projects.
- (Ewin/Newstead)  
**CARRIED**

- FUNDING AGREEMENT CENTRAL WEST EQUESTRIAN AND LIVESTOCK CENTRE**
- 1903/013 **RESOLVED:**
- That Council approves the execution of the NSW Department of Industry Funding Agreement for \$300,000 for the Central West Equestrian and Livestock Centre.
- (Kingham/Somervaille)  
**CARRIED**

- MINUTES OF THE BLAYNEY SHIRE SPORTS COUNCIL MEETING HELD ON THURSDAY 21 FEBRUARY 2019**
- 1903/014 **RESOLVED:**
1. That the minutes of the Blayney Shire Sports Council Meeting, held on Thursday 21 February 2019, be received and noted.
  2. That Council accept the nomination of Amanda Tomlinson as the new representative for Blayney Junior Soccer Club on the Blayney Shire Sports Council.
- (Newstead/Kingham)  
**CARRIED**

## **PLANNING AND ENVIRONMENTAL SERVICES REPORTS**

- MINUTES OF THE BLAYNEY SHIRE ACCESS ADVISORY COMMITTEE HELD TUESDAY 5 MARCH 2019**
- 1903/015 **RESOLVED:**
1. That the minutes of the Blayney Shire Access Advisory Committee, held Tuesday 5 March 2019, be received and noted.
  2. That Council when preparing its Operation Plan for 2019/20 and Long Term Financial Plan consider allocating funds to address any non-compliances identified in the 2018 Blayney Shire audit of accessible car parking.
  3. If there are any savings on the Belubula River walk stage 1 project, these funds could be used to link the Belubula River walk to the Western side of the Farm Lane and Ogilvy Street intersection.
  4. That Allison Farr and Iris Dorsett be appointed as community representatives on the Blayney Shire Council Access Committee for the remainder of this Council term.



(Reynolds/Ewin)  
**CARRIED**

**MINUTES OF THE BLAYNEY CEMETERY FORUM MEETING  
 HELD TUESDAY 26 FEBRUARY 2019**

1903/016

**RESOLVED:**

That the minutes of the Blayney Shire Cemetery Forum, held Tuesday 26 February 2019, be received and noted.

(Newstead/Kingham)  
**CARRIED**

**LATE REPORTS**

1903/017

**CODE OF MEETING PRACTICE**

**RESOLVED:**

That the Code of Meeting Practice be placed on public exhibition for a period of at least 42 days.

(Somerville/Reynolds)  
**CARRIED**

**CLOSED MEETING**

1903/018

**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:

**CENTRAL WEST EQUESTRIAN AND LIVESTOCK CENTRE**

*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.*

**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/Reynolds)  
**CARRIED**

**CONFIDENTIAL MEETING REPORTS**

1903/019

**CENTRAL WEST EQUESTRIAN AND LIVESTOCK CENTRE**

**RESOLVED:**

1. That Council accept the tender from ICR Engineering for the Central West Equestrian and Livestock Centre under Contract No. 07-2019 for the value of \$940,155.45 ex GST (\$1,034,171.00 inc GST), and subject to variations.
2. Approve delegation to the General Manager to execute a contract with ICR Engineering to enable the construction of

the Central West Equestrian and Livestock Centre.  
 (Kingham/Newstead)  
**CARRIED**

**GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW**

**Recommendation**

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

(Kingham/Somervaille)

Cr Reynolds proposed an amendment for Council to ratify the appointment of Cr Somervaille as a replacement of Cr Newstead on the Panel due to Cr Newstead's unavailability. This was supported by the mover and seconder and became the substantive motion.

**1903/020 RESOLVED:**

1. That Council ratify the appointment of Cr Somervaille as a replacement of Cr Newstead on the Panel due to Cr Newstead's unavailability.
2. That the report of the General Manager's Review Panel be received and adopted by Council.

(Kingham/Somervaille)  
**CARRIED**

**1903/021 RESOLVED:**

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

(Somervaille/Ewin)  
**CARRIED**

**AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 1903/019 TO 1903/020.**

There being no further business, the meeting concluded at 7.16pm.

The Minute Numbers 1903/001 to 1903/021 were confirmed on 15 April 2019 and are a full and accurate record of proceedings of the Ordinary Meeting held on 18 March 2019.

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Cr S Ferguson  
**MAYOR**

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Mrs R Ryan  
**GENERAL MANAGER**

**02) COUNCIL RESOLUTION REPORT****Department:** Executive Services**Author:** General Manager**CSP Link:** 2. Local Governance and Finance**File No:** GO.ME.1**Recommendation:**

That Council notes the Resolution Report to March 2019.

**Reason for Report:**

The General Manager is responsible for ensuring that Council's policies, decisions and priorities are implemented in a timely and efficient manner, consistent with the goals and objectives of Council. The General Manager provides the management oversight in relation to all information progressing from appropriate staff to Council for consideration via the Business Paper.

After a Council meeting, each resolution is allocated to the General Manager or responsible officer to action in accordance with the intent of the Council decision. Directors then provide feedback to the General Manager as to the progress of these resolutions on a monthly basis.

Council have requested an Outstanding Resolution Report on a quarterly basis.

**Report:**

This Council Outstanding Resolution Report includes Council Resolutions up until the April 2019 Council Meeting.

Council currently has 22 resolutions 'in progress'.

A note in the status section has been completed by the relevant responsible officer with a reason if available.

<b>Date of Meeting</b>	<b>Res. No</b>	<b>Resolution</b>	<b>Owner</b>	<b>Comments</b>
18-Apr-17	1704/015	<b>Planning Proposal to amend Blayney Local Environmental Plan 2012 - Flood Planning Map</b> RESOLVED That Council forward a Planning Proposal to the Minister for Planning and Environment seeking to amend the flood planning map within the Blayney Local Environmental Plan 2012.	DPES	In progress: DPE approved Gateway time extension to 19 March 2020. Communication strategy to be developed prior to exhibition commencing.

Date of Meeting	Res. No	Resolution	Owner	Comments
15-May-17	1705/006	<p><b>Minutes of the Blayney Shire Cultural Centre Working Group Meeting held Monday 1 May 2017</b>  <b>RESOLVED</b>            3. That Council undertake the Blayney Library painting and shelving project and include the additional minor items of new sliding door and installation of a small hot water service as capital expenditure requests to ensure Library and Family History Services are supported in the short term.</p>	GM	In progress. Library to be closed from 1 May 2019 to facilitate works and installation of shelving.
14-Aug-17	1708/010	<p><b>Neville Multipurpose Court</b>  <b>RESOLVED</b>            That subject to the agreement by the Presbyterian Church, Council provides approval and support for the Neville Multipurpose Court Project and formalise a long term lease or licence agreement for part of Lot 9 DP662515 then lodge a Development Application.</p>	GM	Planning consultant engaged to proceed with preparation of subdivision of Church Lot into 2 to facilitate long term lease. Design work underway.

Date of Meeting	Res. No	Resolution	Owner	Comments
25-Sep-17	1709/031	<p><b>Blayney Shire Council (R590102) Reserve Trust - Lease To Blayney Multi Service Outlet</b> RESOLVED</p> <p>1. That Council, acting in its capacity as Reserve Trust Manager, consent to a lease being issued to the Blayney Multi Service Outlet for a period of 10 years for Crown Reserve R590102 (Lot 23 Section 14 DP 758121) known as Blayney Shire Council Reserve Trust.</p> <p>2. That Council, acting in its capacity as Reserve Trust Manager, apply a lease fee of \$483 (including GST) per annum.</p> <p>3. That Council make application for the purpose of Blayney Shire Council Reserve Trust R590102 to be amended to community.</p> <p>4. That pursuant to the requirements of the Crown Land Act (1989), Council advertise for a period of 14 days its intention to enter into a long term lease for Reserve 590102.</p> <p>5. That Council authorise the General Manager to facilitate lease amendments required by NSW Department of Industry – Lands.</p> <p>6. That Council authorise the Mayor and General Manager affix the Council Seal, sign and execute the lease.</p>	DCS	<p>Following advice from DOI – Crown Lands request lodged for consolidation of Community Centre Crown Reserve and Blayney Baby Health Clinic (Old CWA) Building.</p> <p>Clarification also being sought on whether a new lease will be required upon consolidation.</p> <p>Further clarification sought as Certificate of Title is in name of Council.</p>

Date of Meeting	Res. No	Resolution	Owner	Comments
19-Feb-18	1802/017	<p><b>LGA Boundary Alteration - McKellars Lane, Hobbys Yards</b> RESOLVED</p> <p>1. That Council reaffirm the transfer of Lot 1 DP 118421 from the Bathurst Regional Council LGA to the Blayney Shire Council LGA;</p> <p>2. That, subject to approval by Bathurst Regional Council, the adjustment for rates and annual charges take effect from the next year following proclamation.</p> <p>3. That the Office of Local Government be informed of Council's decision and request Minister for Local Government to recommend to the Governor the approval to issue a proclamation under section 218B of the Local Government Act, altering the boundary with Bathurst Regional Council.</p>	DCS	Correspondence received from OLG advising matter has been referred to Minister for Local Government for referral under s218F(1) of LG Act. Minister will determine whether proposal is to be referred to Chief Executive of OLG or LG Boundaries Commission.
21-May-18	1805/013	<p><b>Amendment to Blayney Shire Community Centre Trust</b> RESOLVED</p> <p>1. That Council endorse the incorporation of the property located at 39 Church Street, Blayney (Lot 23 Section 14 DP 758121) known as Crown Reserve R590102 with the Blayney Shire Community Centre Trust, encompassing 41 Church Street, Blayney (Lot 24 Section 14 DP758121) known as Crown Reserve R1000284; and</p> <p>2. That Council make application to Crown Lands to combine Reserves R590102 and R1000284 under the Blayney Shire Community Centre Trust.</p>	DCS	Correspondence sent to DOI - Crown Lands seeking clarification of status with request from Council.

Date of Meeting	Res. No	Resolution	Owner	Comments
16-Jul-18	1807/014	<p><b>Planning Proposal To Amend Blayney Local Environmental Plan 2012 - RU1 Primary Production To RU5 Village, 61 Forest Reefs Road Millthorpe</b>  <b>RESOLVED</b>                      1. That Council, following consideration of the submissions received and the issues raised during community consultation, proceed to endorse the amendment to the Blayney Local Environmental Plan 2012.                      2. That, Council, in exercising its delegation under Section 3.36 of the Environmental Planning and Assessment Act 1979, as endorsed by NSW Planning &amp; Environment in the Gateway Determination, forward the relevant documents to Parliamentary Counsel for opinion, to amend the Blayney Local Environmental Plan 2012 by rezoning 61 Forest Reefs Road Millthorpe from Zone RU1 Primary Production to RU5 Village, and the making of the Local Environmental Plan.</p>	MP	Chartis Technology have prepared LEP mapping changes for gazettal.
17-Sep-18	1809/006	<p><b>32 Plumb Street Residential Development</b>  <b>RESOLVED</b>                      That Council;                      2. Proceed to resource and manage all aspects of the enabling infrastructure for the residential development project at 32 Plumb Street, including the provision of all utilities (electricity, gas, sewer, stormwater drainage and water) and the construction of roads and kerb and gutter to final release of Housing Land for Sale stage.</p>	GM	2. Civil design consultant engaged.

Date of Meeting	Res. No	Resolution	Owner	Comments
29-Oct-18	1810/E0 03	<b>Sewer Rehabilitation - Pipe Relining Services Contract</b> <b>RESOLVED</b> That Council accept and sign contracts with Interflow for the Sewer Rehabilitation - Pipe Relining Services contract.	MWW	Currently developing list of works for contracts.
19-Nov-18	1811/015	<b>Minutes of the Traffic Committee Meeting held 17 October 2019</b> <b>RESOLVED</b> 5. That Council: a. erect bicycle warning signs (W6-7) at locations identified in Schedule A, excluding those identified with a red circle, in accordance with the Director Infrastructure Services Report.; b. seek Roads and Maritime Services approval for the installation of bicycle warning signs (W6-7) on the Orange Road, as identified in Schedule A with a red circle, and associated repeater signs; and c. advise Orange City and Cabonne Councils of its decision, and request installation of similar signage on the cycling routes within their LGA.	DIS	Final locations determined, installation being arranged.
17-Dec-18	1812/007	<b>Mums 4 Refugees</b> <b>RESOLVED</b> That as a community which welcomes refugees and migrants who choose to call Blayney Shire home, Blayney Shire Council approves the signing of the Refugee Council of Australia Declaration to become a Refugee Welcome Zone.	GM	In progress



Date of Meeting	Res. No	Resolution	Owner	Comments
17-Dec-18	1812/025	<p><b>Blayney Residential Development Project Update</b> RESOLVED</p> <p>2. That the General Manager be authorised to enter into sales agreements with Real Estate Agents based in Blayney on a fixed fee arrangement of 3.3%.</p> <p>3. That the General Manager be authorised to list properties based on Urban Greenfields Sensitivity 7 pricing and negotiate sales.</p> <p>4. That Council appoint Arden Law as solicitors to act for Council with execution of land sales.</p> <p>5. That the General Manager be authorised to negotiate sales of land parcels with licenced builders for sales of land with deferred settlement terms with a report to Council to endorse any such arrangement.</p>	DCS	Solicitor engaged and draft contracts for each sale scenario being prepared. Real estate agents have been engaged and kept informed of progress. Brochure finalised and signage in progress. Sales agreements with Real Estate Agents executed.
18-Feb-19	1902/007	<p><b>Minutes of the Blayney Shire Cultural Centre Working Group Meeting held Monday 4 February 2019</b> RESOLVED</p> <p>2. That Council continue to work with Textures of One (Blayney Town Association) and Sydney/NSW Trains to develop the Art Gallery and Community Space Concept at Railway Station, progressing the Governance Model, Licence Agreement and DA requirements and a report be provided to Council.</p>	GM	In progress. On site meeting with NSW Trains on 18/03/2019.

Date of Meeting	Res. No	Resolution	Owner	Comments
18-Feb-19	1902/018	<p><b>Expressions of Interest Borrowings – Residential Land Development</b> RESOLVED</p> <p>2. That Council proceed with Option 1 for a term of 10 years at a fixed rate.</p> <p>3. That Council select the institution that facilitates the best financial outcome for Council being TCorp at 3.35% p.a. over 10 years, subject to eligibility requirements.</p> <p>4. That in the event that TCorp not allocate borrowings, Council select Commonwealth Bank at 3.58% p.a. over 10 years.</p> <p>5. That Council delegate authority to the Mayor and General Manager to sign all necessary documentation to establish the Loan Funding Agreement.</p>	CFO	An application for borrowing with TCorp was submitted 25/03/2019.
18-Feb-19	1902/021	<p><b>King George Oval Pump Renewal</b> RESOLVED</p> <p>1. That Council approve the renewal of the King George Oval bore and irrigation pumping equipment,</p> <p>2. The supplementary vote of \$68,100 be included in the third Quarterly Budget Review, to be funded from the King George Oval Internal Reserve.</p>	MWW	Currently waiting on information on bore licence from Department of Industry – Water.
18-Feb-19	1902/025	<p><b>Tender for Supply and Delivery of Quarry Materials</b> RESOLVED</p> <p>That Council accept the following tenderers onto the panel contract for Supply and Delivery of Quarry Materials:</p> <ul style="list-style-type: none"> <li>• Australian Native Landscapes</li> <li>• Boral Resources NSW</li> <li>• Earth Plant Hire</li> <li>• Hanson Construction Materials</li> <li>• Oberon Quarries</li> <li>• Regional Quarries Australia</li> <li>• Westlime Canowindra</li> </ul>	MO	Contracts sent for endorsement. Awaiting return of contract.

Date of Meeting	Res. No	Resolution	Owner	Comments
18-Feb-19	1902/029	<p><b>Amendment to Lease Agreement: Blayney Solar Farm</b> RESOLVED</p> <p>1. That the Council endorse the General Manager to finalise the revised Agreement of lease contract terms with Verde Generation Developments Pty Ltd and Blayney (Solure) Pty Ltd.</p> <p>2. That Council endorse execution of the lease of Lot 222/DP 1175708 and Lot 3/DP1103517 being 31 and 33 Gerty Street, Blayney and associated documentation by the Mayor and General Manager under Council seal.</p>	DCS	Resolution advised to lessee and endorsement of documentation in progress.
18-Mar-19	1903/002	<p><b>Flyers Creek Wind Farm Voluntary Planning Agreement</b> RESOLVED</p> <p>That Council authorise the General Manager to review the existing Voluntary Planning Agreement for the Flyers Creek Windfarm and initiate renegotiation discussions with Infigen Energy.</p>	DPES	In progress.
18-Mar-19	1903/008	<p><b>Minutes of the Blayney Shire Audit, Risk and Improvement Committee held 21 February 2019</b> RESOLVED</p> <p>2. That the matter of additional remuneration for the Committee Chairman be referred to the April Council Meeting.</p>	DCS	Report to April 2019 meeting on additional remuneration for committee chairperson.

Date of Meeting	Res. No	Resolution	Owner	Comments
18-Mar-19	1903/009	<p><b>Minutes of the Financial Assistance Committee Meeting held 5 March 2019</b> RESOLVED</p> <p>2. That the Financial Assistance policy and guidelines be reviewed to include:</p> <ul style="list-style-type: none"> <li>• funding of public liability insurance in full for town, village, or progress associations or similar groups that represent interests of a town, village or locality;</li> <li>• funding of public liability insurance for groups that provide a broadly used community facility that can demonstrate long term sustainability and be subject to a 50% funding cap of \$1,500.</li> </ul>	DCS	Policy amendment tabled for consideration at April 2019 Council meeting.
18-Mar-19	1903/015	<p><b>Minutes of the Blayney Shire Access Advisory Committee held Tuesday 5 March 2019</b> RESOLVED</p> <p>2. That Council when preparing its Operation Plan for 2019/20 and Long Term Financial Plan consider allocating funds to address any non-compliances identified in the 2018 Blayney Shire audit of accessible car parking.</p> <p>3. If there are any savings on the Belubula River walk stage 1 project, these funds could be used to link the Belubula River walk to the Western side of the Farm Lane and Ogilvy Street intersection.</p> <p>4. That Allison Farr and Iris Dorsett be appointed as community representatives on the Blayney Shire Council Access Committee for the remainder of this Council term.</p>	DPES	In progress.

**Risk/Policy/Legislation Considerations:**

Nil

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

### **03) RISK, WORK HEALTH AND SAFETY QUARTERLY REPORT**

**Department:** Executive Services

**Author:** WHS and Risk Coordinator

**CSP Link:** 2. Local Governance and Finance

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

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**Recommendation:**

That Council receive and note the Risk, Work Health and Safety Report for the quarter January to March 2019.

**Reason for Report:**

To update Council on Risk, Work Health and safety activities and performance for the period of January to March 2019.

**Report:**

Drug and Alcohol policy awareness training for managers, supervisors and workers to be conducted.

WHS & Risk Coordinator attended the Centroc meeting held at Cowra. Discussion on Chain of Responsibility and council obligations and Dust Disease for workers. Risk Coordinator reviewing both issues.

Pool incidents are being reported as per procedure.

Asbestos registers to be placed at respective locations and stickered as per legislation.

**Consultation:**

WHS Committee meeting held in March. Incidents were discussed and recommendations being actioned by WHS & Risk Coordinator.

**Training:**

Training commitments ongoing. Matrix schedule being completed for training requirements.

**Insurance:**

Council Statewide membership insurance is due for renewal. WHS & Risk Coordinator and Insurance Representative met to discuss process. Questionnaire to be completed.

	Jan 2019	Feb 2019	Mar 2019
Workplace Incidents	-	5	7
Lost time injuries	-	-	-
Hazard notifications	-	1	-
Contractor inductions	-	-	2
Volunteer Inductions	-	-	-
External notifications	3	-	-
Risk Assessments	9	-	-
Observations	4	3	-
Toolbox talks	13	8	2
Weed spray sheets	2	5	-
Play equip	-	1	-
Pool incidents	5	1	-

**Risk/Policy/Legislation Considerations:**

Update of AS/NZ ISO 31000:2018 and AS/NZ ISO 45001:2018

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**04) REPORT OF COUNCIL INVESTMENTS AS AT 31 MARCH 2019**

**Department:** Corporate Services

**Author:** Chief Financial Officer

**CSP Link:** 2. Local Governance and Finance

**File No:** FM.IN.1

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**Recommendation:**

1. That the report indicating Council's investment position as at 31 March 2019 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

**Reason for Report:**

For Council to endorse the Report of Council Investments as at 31 March 2019.

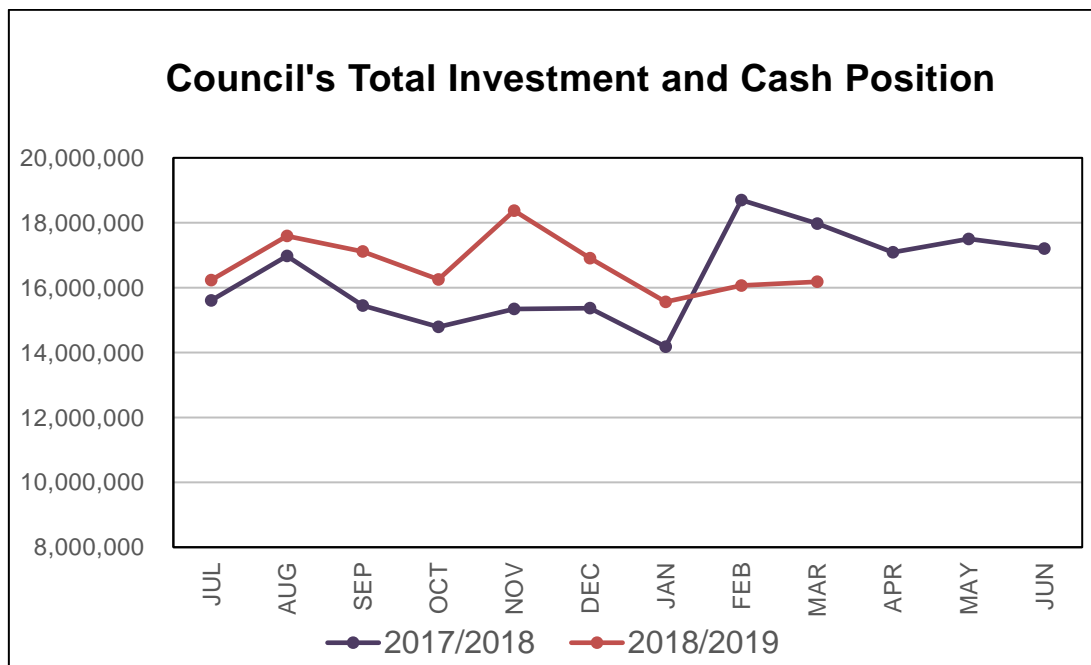
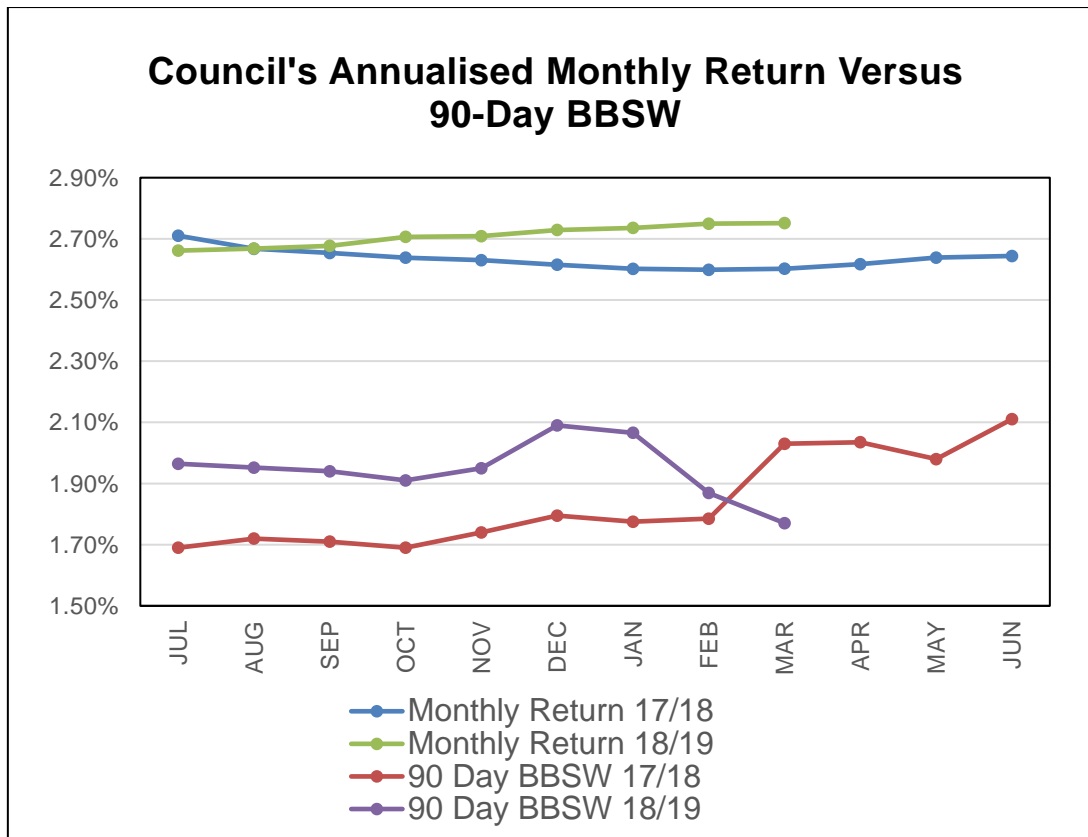
**Report:**

This report provides details of Council's Investment Portfolio as at 31 March 2019.

Council's total investment and cash position as at 31 March 2019 is \$16,182,566. Investments earned interest of \$35,890 for the month of March 2019.

Council's monthly net return on Term Deposits annualised for March of 2.75% outperformed the 90 day Bank Bill Swap Rate of 1.77%.





<b>REGISTER OF INVESTMENTS AND CASH AS AT 31 MARCH 2019</b>				
<b>Institution</b>	<b>Rating</b>	<b>Maturity</b>	<b>Amount \$</b>	<b>Interest Rate</b>
ANZ	A1+/AA-	02/04/2019	500,000	2.770%
ANZ	A1+/AA-	16/04/2019	500,000	2.790%
AMP Bank	A2/A-	30/04/2019	500,000	2.800%
AMP Bank	A2/A-	14/05/2019	500,000	2.750%
ME Bank	A2/BBB	21/05/2019	500,000	2.750%
Auswide Bank Ltd	A2/BBB	04/06/2019	500,000	2.830%
AMP Bank	A2/A-	25/06/2019	500,000	2.800%
Bankwest	A1+/AA-	02/07/2019	500,000	2.800%
Bankwest	A1+/AA-	16/07/2019	500,000	2.700%
ME Bank	A2/BBB	30/07/2019	500,000	2.830%
Bankwest	A1+/AA-	06/08/2019	500,000	2.700%
Bendigo & Adelaide Bank	A2/BBB+	13/08/2019	500,000	2.650%
AMP Bank	A2/A-	27/08/2019	500,000	2.850%
Bendigo & Adelaide Bank	A2/BBB+	03/09/2019	500,000	2.650%
ME Bank	A2/BBB	17/09/2019	500,000	2.700%
NAB	A1+/AA-	01/10/2019	500,000	2.720%
NAB	A1+/AA-	15/10/2019	500,000	2.750%
NAB	A1+/AA-	29/10/2019	500,000	2.720%
NAB	A1+/AA-	12/11/2019	500,000	2.730%
AMP Bank	A2/A-	19/11/2019	500,000	2.650%
NAB	A1+/AA-	26/11/2019	500,000	2.750%
MyState Bank Ltd	A2/BBB	03/12/2019	500,000	2.800%
Auswide Bank Ltd	A2/BBB	10/12/2019	500,000	2.850%
AMP Bank	A2/A-	07/01/2020	500,000	2.800%
MyState Bank Ltd	A2/BBB	04/02/2020	500,000	2.850%
MyState Bank Ltd	A2/BBB	18/02/2020	500,000	2.700%
MyState Bank Ltd	A2/BBB	03/03/2020	500,000	2.650%
<b>Total Investments</b>			<b>13,500,000</b>	<b>2.753%</b>
Commonwealth Bank - At Call Account *			-	1.400%
Commonwealth Bank Balance - General *			1,165,872	1.350%
Tcorp IM Cash Fund *			1,516,684	2.190%
<b>TOTAL INVESTMENTS &amp; CASH</b>			<b>16,182,556</b>	
Benchmarks:	BBSW 90 Day Index *			1.771%
	RBA Cash Rate *			1.500%

\* % Interest rates as at 31/03/2019

<b>Summary of Investment Movements – March 2019</b>		
<b>Financial Institution</b>	<b>Invest/(Recall) Amount \$</b>	<b>Commentary</b>
MyState Bank Ltd	(513,463)	Term Deposit Matured 05/03/2019
MyState Bank Ltd	500,000	Term Deposit Reinvested 05/03/2019
AMP Bank	(511,075)	Term Deposit Matured 19/03/2019
AMP Bank	500,000	Term Deposit Reinvested 19/03/2019

<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%	10%	1,516,684
AAA – AA Category	100%	33%	5,000,000
A Category	80%	20%	3,000,000
BBB+ to BBB Category	40%	37%	5,500,000
			15,016,684

<b>Individual Institution Limit</b>	<b>Rating</b>	<b>Policy Maximum</b>	<b>Actual Maximum</b>
AMP Bank	A1/A	3,000,000	3,000,000
ANZ	A1+/AA-	3,000,000	1,000,000
Auswide Bank Ltd	A2/BBB	3,000,000	1,000,000
Bankwest	A1+/AA-	3,000,000	1,500,000
Bendigo & Adelaide Bank	A2/BBB+	3,000,000	1,000,000
ME Bank	A2/BBB	3,000,000	1,500,000
MyState Bank Ltd	A2/BBB	3,000,000	2,000,000
NAB	A1+/AA-	3,000,000	2,500,000

<b>Restricted Cash, Cash Equivalents &amp; Investments</b>		
	<b>Actual 30/06/2018 \$ 000's</b>	<b>Forecast 30/06/2019 \$ 000's</b>
External Restrictions	9,122	7,417
Internal Cash Restrictions	8,093	4,001
<b>TOTAL RESTRICTED ASSETS</b>	<b>17,215</b>	<b>11,418</b>

**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 s625 of the Local Government Act (1993). Investments made are in accord with the framework established within Council's Investment Policy.

**Budget Implications:**

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

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**05) CODE OF CONDUCT AND PROCEDURES****Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Local Governance and Finance**File No:** GO.PO.1

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**Recommendation:**

1. That Council endorse the Model Code of Conduct for Councillors, Model Code of Conduct for Council staff and Model Code of Conduct for Council Committee Members, Delegates of Council and Council Advisers and they be placed on public exhibition for a period of at least 28 days.
2. That Council endorse the Procedures for the Administration of the Model Code of Conduct and they be placed on public exhibition for a period of at least 28 days.
3. That Council adopt the Centroc panel of conduct reviewers determined in 2016 as Council's panel of conduct reviewers.
4. That Council's Delegations Register be updated to reflect the General Manager appointment of the Director Corporate Services as Complaints Coordinator and Manager Human Resources as Alternate Complaints Coordinator.

**Reason for Report:**

For Council to endorse the Code of Conduct and Procedures for the Administration of the Model Code of Conduct for public exhibition following review by the Office of Local Government (OLG) and release of the new 2018 Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct) and Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW (Procedures) prescribed under the Local Government (General) Regulation 2005.

**Report:**

The Minister for Local Government has released the prescribed 2018 Model Code of Conduct for Local Councils in NSW. Once prescribed Councils across NSW have six months to adopt a code of conduct and associated procedures that meet the new requirements. Council has until 14 June 2019 to adopt the Code of Conduct and Procedures based on the model documents issued. Council may add supplementary provisions however must not dilute the standards prescribed under the Model Code of Conduct

Council has adopted the Model Code of Conduct and Model Procedures as its own in the past and is tabled for adoption.

Through the consultation phase of preparation the OLG received feedback from Councils for separate codes of conduct for councillors, staff and delegates and committee members instead of a single code of conduct.

Council has adopted this option to prepare separate codes to assist all parties to understand their obligations.

As part of the procedures Council is required by resolution establish a panel of conduct reviewers for a term of up to 4 years. Council must call for an expression of interest from suitably qualified professionals or may by resolution enter into an arrangement with one or more other councils to share a panel of conduct reviewers. The term of the panel appointed by Blayney Shire Council expired in 2017. Centroc sought expressions of interest and appointed a panel in July 2016 that is due for expiry in June 2020. It is proposed that Council adopt the panel determined by Centroc.

The Procedures also require the General Manager to appoint a member of staff of the council or another person to act as a complaints coordinator. Council's Complaints Coordinator is the Director Corporate Services and the alternate is the Manager Human Resources. It is proposed that Council's Delegations Register be updated to include this function.

A copy of proposed Code of Conduct documents are provided as an attachment to this report for endorsement for exhibition.

**Risk/Policy/Legislation Considerations:**

Local Government Act s.440 and s.440A requires Council to adopt the Procedures for the Administration of the Model Code of Conduct.

**Budget Implications:**

Costs associated with administration and associated compliance associated with the Code of Conduct are borne within Council's Operational Plan.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

- |   |   |          |
|---|---|----------|
| 1 | OLG Circular 18-44 Commencement of the new Model Code of Conduct for Local Councils in NSW and Procedures | 9 Pages  |
| 2 | 1B Code of Conduct for Councillors  | 44 Pages |
| 3 | 1D Code of Conduct for Staff  | 40 Pages |
| 4 | 1E Code of Conduct for Council Committee Members, Delegates of Council and Council Advisers               | 35 Pages |
| 5 | 1F Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW               | 36 Pages |

**06) AUDIT, RISK AND IMPROVEMENT COMMITTEE CHAIRPERSON  
REMUNERATION**

**Department:** Corporate Services

**Author:** Director Corporate Services

**CSP Link:** 2. Local Governance and Finance

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

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**Recommendation:**

1. That remuneration for Chairperson of the Audit, Risk and Improvement Committee be increased by \$250 to \$750 per meeting; and
2. That Council amend the Blayney Shire Audit, Risk and Improvement Committee Charter to include an outline of additional responsibilities of the Chairperson.

**Reason for Report:**

For Council to consider payment of additional remuneration for Chairperson of the Audit, Risk and Improvement Committee.

**Report:**

Council at its meeting held 18 March 2019 considered a recommendation from the Audit, Risk and Improvement Committee (ARIC) and requested a further report come back to the April 2019 Council meeting following engagement of other councils involved with appointment of Independent Members to each Council's respective committee.

The Committee Charter and associated arrangements with the ARIC makes no provision for payment of additional remuneration for the Chairperson of the Audit, Risk and Improvement Committee, of whom must be an Independent Member. Independent members are paid an amount of \$500 per meeting plus travel expenses and 3 meetings are held annually.

Cabonne Council and Central Tablelands Water have been approached on payment of remuneration and consensus has been reached between Councils. As Cabonne had resolved at their Council meeting held 26 March 2019 to pay an additional \$250 per meeting, all Councils have agreed to pay that same amount.

A review of arrangements for other Audit, Risk and Improvement Committees in NSW found that payment of additional remuneration to Committee Chairpersons was common.

Central Tablelands Water have also proposed that the Committee Charter be amended to reflect additional responsibilities of the Chairperson. These responsibilities have been determined as follows:

- Approval of draft meeting minutes;
- Input into Committee agenda;
- Driving the completion of audit program.
- Suggestions for changes/improvements to Charter.
- Timely completion of annual Committee Report.
- Initiation of a periodic review of the effective of the ARIC against its Charter at least once every two (2) years.

Cabonne Council have indicated their preference not to amend their Charter while Central Tablelands Water intend to table the amendment for consideration of their Council. The inclusion of additional responsibilities for the Committee Chairperson is supported for the purposes of justification and for reference for future committee appointments.

A copy of the Committee charter with inclusion of the additional responsibilities is attached for reference.

**Risk/Policy/Legislation Considerations:**

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

The Committee role is to provide independent assurance and assistance to Council with respect to the following key areas as per Section 428A of the Local Government Amendment (Governance and Planning) Bill 2016. Such areas include compliance; risk management; fraud control; internal control; financial management; governance; service reviews; other matters prescribed by the regulations, and execution of Council functions.

**Budget Implications:**

Costs associated with ARIC meetings and associated service reviews are provided for in Council's annual Operational Plan.

The adoption of this report for an additional fee for the Chairperson of \$250 per meeting will add an additional \$750 per annum to Council's Operational Plan, indexed by annually with independent committee member remuneration by 2.5%.

**Enclosures (following report)**

1 Blayney Shire Audit Risk and Improvement Committee Charter 9 Pages

**Attachments (separate document)**

Nil





## **BLAYNEY SHIRE AUDIT, RISK AND IMPROVEMENT COMMITTEE CHARTER**

### **Objective**

The objective of the Audit, Risk and Improvement Committee (Committee) is to function as an independent and objective assurance activity that provides independent oversight and assistance to improvement of the Blayney Shire Council on risk management, control, governance, and external accountability responsibilities.

### **Selection and Appointment**

All appointments to the Committee shall be made by Council.

Selection of independent external members should be taken in a transparent and unbiased basis. This will encompass call for expressions of interest from interested persons.

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

### **Authority**

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

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

## **Composition and Tenure**

### Members (voting)

- One Councillor (excluding the Mayor)
- Two independent external members, being community representatives, with demonstrated knowledge / experience in the field of Internal Audit.

### Attendee (non-voting)

- General Manager
- Director Corporate Services as the appointed Secretariat of the Audit Committee
- Risk Officer
- Chief Financial Officer
- Internal Auditor

### Invitees (non-voting) for specific agenda items

- Representatives of the External Auditor.
- Other officers may attend by invitation as requested by the Committee.

The independent external members will be appointed for the term of Council, after which they will be eligible for extension or re-appointment following a formal review of their performance. The term of office of independent external members shall extend until 90 days following a Local Government Election. An independent external member is not eligible for re-appointment after serving for 2 Council terms (a maximum of 8 years).

The Chair shall be an independent member of the Committee.

## **Role and Responsibilities**

The Committee has no executive powers, except those expressly provided by the Council. In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of Council rests with the Council and the General Manager as defined by the Local Government Act 1993, as amended.

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

### Risk Management

- Review whether management has in place a current and comprehensive risk management framework, and associated procedures for effective identification and management of business and financial risks, including fraud.

- Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings;
- Review the impact of the risk management framework on its control environment and insurance arrangements; and
- Review whether a sound and effective approach has been followed in establishing business continuity planning arrangements, including whether plans have been tested periodically.

#### Internal Control framework

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

#### External Accountability

- Satisfy itself the annual financial reports comply with applicable Australian Accounting Standards and the Local Government Code of Accounting Practice and Reporting, including all relative legislative requirements and supported by appropriate management sign-off on the financial statements and the adequacy of internal controls.
- Review the external audit opinion, including whether appropriate action has been taken in response to audit recommendations and adjustments.
- To consider contentious financial reporting matters in conjunction with Council's management and external auditors.
- Review the processes in place designed to ensure financial information included in the annual report is consistent with the signed financial statements.
- Satisfy itself there are appropriate mechanisms in place to review and implement, where appropriate, relevant State Government reports and recommendations.
- Satisfy itself there is a performance management framework linked to organisational objectives and outcomes.

Legislative Compliance

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

Internal Audit

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

External Audit

- Act as a forum for communication between the Council, General Manager, senior management, internal audit and external audit.
- Provide input and feedback on the external audit coverage proposed by the External Auditor, and provide feedback on the external audit services provided.
- Review all external plans and reports in respect of planned or completed external audits, and monitor the implementation of audit recommendations by management.
- Consider significant issues raised in relevant external audit reports and better practice guides, and ensure appropriate action is taken.

Compliance

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

Fraud and corruption prevention

- Oversee Council's fraud and corruption prevention arrangements and:
- Review and discuss with management their philosophy with respect to business ethics and corporate conduct, its written Code of Conduct and the programme it has in place to monitor compliance with that code.
- Monitor the level of and issues raised in relation to Public Interest Disclosures, customer complaints, and internal and external conduct investigations (for example by the Independent Commission Against Corruption).
- Review Council's assessment of the level of exposure to fraud and corruption.
- Review management's strategies and controls to manage fraud and corruption risks.

Business Improvement

Oversee Council's business improvement activities by:

- Reviewing the overall approach and arrangements in place that support management implementing a successful culture of continuous improvement to drive productivity and efficiency gains;
- Monitoring business improvement initiatives, programmes, projects etc., including :
  - Organisational reviews.
  - Service delivery reviews.
  - Strategic plans.
  - Development of performance criteria / data requirements and the collection of data for performance reporting against such criteria.
- Reviewing the annual performance of Council against its documented key performance criteria and providing advice to the General Manager on the adequacy of Council's performance against the documented criteria;
- Reviewing Council's community survey results and providing advice to the General Manager on the adequacy of Council's performance in terms of community satisfaction; and
- Identifying and recommending to the General Manager Council activities, services, business processes, systems etc. that may benefit from a review, through the Committee's exercise of its functions.

Accountability

The key requirements are:

- The Committee is accountable for ensuring that it meets the requirements as set out in this Charter;
- All members are accountable to ensure that they abide by the Council Code of Conduct at all times;
- All members are accountable to ensure that they act in accordance with the conflicts of interest section of this Charter;
- All members of the Committee are individually accountable for:
  - Understanding the relevant legislative and regulatory requirements appropriate to Council;
  - Contributing the time needed to study and understand the papers provided;
  - Applying good analytical skills, objectivity and good judgment;
  - Expressing opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry.
  - Acting honestly and in good faith;
  - Actively participating in the work of the Committee;
  - Performing their duties in a manner that engenders public trust in the integrity, objectivity, and impartiality of the Committee;
  - Conducting the business of the Committee with the care, diligence and skill appropriate to the role;
  - Declaring any change in employment status; and
  - Complying with the Committee's Charter.

Transparency

- The Committee will provide advice to Management on the public disclosure of records relating to the internal audit function, consistent with relevant legislation (such as The Privacy and Personal Information Protection Act 1998 and the Government Information (Public Access) Act 2009), including the redaction of any sensitive information;
- Due to the inherent risks associated with the disclosure of potentially sensitive and/or confidential information, the Committee will give due consideration to each item presented at a Committee meeting on a merit (case by case) basis;
- In some instances, the Committee may recommend the non-release, or delayed release, of a particular report, at least until such time as the findings contained within it are sufficiently managed so as not to jeopardise Council's financial, legal, safety or other risks;
- The Committee may seek input or advice from Council's nominated GIPA and PPIPA specialists in relation to any public disclosures; and
- The Committee will ensure that generally, all agendas and minutes of Committee meetings will be made publicly available subject to privacy and confidentiality considerations.

### **Additional Responsibilities of the Chair**

**The Chair shall receive additional remuneration to carry out functions of the role. Additional responsibilities of the Chair, while not exhaustive, include:**

- **Approval of draft meeting minutes;**
- **Input into Committee agenda;**
- **Driving the completion of audit program.**
- **Suggestions for changes/improvements to Charter.**
- **Timely completion of annual Committee Report.**
- **Initiation of a periodic review of the effective of the ARIC against its Charter at least once every two (2) years.**

### **Reporting**

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

- A summary of the work of the Committee performed to discharge its responsibilities;
- The approved Internal Audit Plan of work for the previous financial year showing the current status of each audit.
- Details of meetings, including number of meetings held during the relevant period, and the number of meetings each member attended.
- An overall assessment of the risk, control and compliance framework including details of any significant emerging risks or legislative changes impacting Council.
- The Committee may, at any time, report to Council any other matter it deems of sufficient importance to do so.

### **Meetings**

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

- Create and adopt an internal and external audit schedule for the following 12 months.
- Review the progress of the annual Internal Audit Plan
- Review completed internal and external audit reports.
- Consider management responses to audit issues reported including monitoring and reviewing the implementation of agreed remedial actions.

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

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

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

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

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

#### **Decision Making and Voting**

The Committee is expected to make decisions by consensus, however if voting becomes necessary then the vote will be by a majority of votes by members present and the details of the vote recorded in the minutes.

#### **Secretariat**

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

#### **Conflicts of Interest**

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

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

#### **Induction**

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



**Assessment Arrangements**

The Chair of the Committee will initiate a review of the performance of the Committee at least once every two years. The review will be conducted on a self-assessment basis (unless otherwise determined by the Chair), with appropriate input from management and any other relevant stakeholders, as determined by the Chair.

**Review of Audit, Risk and Improvement Committee Charter**

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

<b>Adopted:</b>	<b>Date: 09/05/2011</b>	<b>Minute: 1105/008</b>
<b>Lasted Reviewed:</b>	<b>Date: 14/11/2011</b>	<b>Minute: 1111/026</b>
	<b>Date: 21/03/2016</b>	<b>1603/005</b>
	<b>Date: 20/08/2018</b>	<b>1808/014</b>
<b>Next Reviewed:</b>	<b>Date: 17/02/2021</b>	

**07) VOLUNTARY PLANNING AGREEMENT POLICY**

**Department:** Corporate Services

**Author:** Director Corporate Services

**CSP Link:** 2. Local Governance and Finance

**File No:** GO.PO.1

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**Recommendation:**

That the Voluntary Planning Agreement Policy be placed on public exhibition for a period of at least 28 days.

**Reason for Report:**

For Council to endorse the Voluntary Planning Agreement policy for public exhibition.

**Report:**

Council has developed the Voluntary Planning Agreement Policy following the review of the Development Process undertaken in 2016 using the ICAC Development Assessment Tool. A procedure was previously developed to address this action however upon review it was determined that a policy endorsed by Council would be more suitable. This matter was an outstanding action from the Audit, Risk and Improvement Committee and upon adoption will close this.

The objectives of the policy are:

- To establish a clear, open, transparent and accountable framework to govern the negotiation, use, management and implementation of planning agreements by Council;
- To ensure that the framework is soundly based upon probity and enables efficient, fair, transparent and accountable negotiations and implementation;
- To promote public trust and confidence in the processes of negotiation, execution and implementation of planning agreements;
- To ensure that Council, Council officers and proponents understand their roles and responsibilities when negotiating, assessing and implementing planning agreements;
- To provide planning flexibility for Council to negotiate fair, reasonable and equitable development contributions by proponents of planning proposals and development applications
- To enhance the range and extent of development contributions towards the optimal delivery of public infrastructure services and facilities in the Council area; and
- To enable innovative approaches to the delivery of public infrastructure, services and facilities.

The policy will apply where a proponent voluntarily proposes a planning agreement referred to under s.7.4 of the Environmental Planning and Assessment Act.

A copy of the draft policy is provided as an attachment to this report.

As part of Council's commitment to transparency and openness, public notice is recommended to be given prior to the policy adoption process.

**Risk/Policy/Legislation Considerations:**

The Environmental Planning and Assessment Act s.7.4 sets the legislative guidance on planning agreements.

Adoption of the policy will establish a framework and sound governance for the negotiation and management of planning agreements in the Blayney local government area.

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

1	18D Voluntary Planning Agreement Policy	15 Pages
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**08) INFORMATION TECHNOLOGY POLICIES**

**Department:** Corporate Services

**Author:** Director Corporate Services

**CSP Link:** 2. Local Governance and Finance

**File No:** GO.PO.1

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**Recommendation:**

That the Information Technology Security and Usage policy and Email and Internet policy be placed on public exhibition for a period of at least 28 days.

**Reason for Report:**

For Council to endorse the Information Technology Security and Usage policy and Email and Internet policy for public exhibition.

**Report:**

Council has developed an Information Technology Security and Usage policy and reviewed the Email and Internet policy following a recent audit and associated recommendations from the External Audit facilitated through the NSW Audit Office.

The objectives of the Information Technology Security and Usage policy is to outline the acceptable use of computer equipment at Blayney Shire Council and rules around security access to network resources. These rules are in place to protect the employees and Council.

The objectives of Email and Internet policy is to provide parameters for the acceptable use of Council's corporate systems for email/calendars and internet browsing.

A copy of the draft policies are provided as an attachment to this report.

As part of Council's commitment to transparency and openness, public notice is recommended to be given prior to the policy adoption process.

**Risk/Policy/Legislation Considerations:**

Adoption of these policies will assist Council with establishment of a framework for Email, Internet and Information Technology Security and Usage.

**Budget Implications:**

Nil

**Enclosures (following report)**

- |   |  |         |
|---|--|---------|
| 1 | Information Technology Security and Usage Policy | 6 Pages |
| 2 | Email and Internet Policy                        | 5 Pages |

**Attachments (separate document)**

Nil



## Information Technology Security and Usage Policy

<b>Policy</b>	8C
<b>Officer Responsible</b>	Manager Information Technology
<b>Last Review Date</b>	30/03/2019

**Strategic Policy**

## 1. OBJECTIVE

The purpose of this policy is to outline the acceptable use of computer equipment at Blayney Shire Council and rules around security access to network resources. These rules are in place to protect the employees and Blayney Council. Inappropriate use exposes Blayney Council to risks including virus attacks, compromise of network systems and services and legal issues.

## 2. SCOPE

Internet/Intranet related systems, including but not limited to computer equipment, software operating systems, storage media, network accounts providing e-mail, Web browsing are the property of Blayney Shire Council. These systems are to be used for business purposes in serving the interests of Blayney Shire Council and our customers and community in the course of normal operations.

Information and/or data stored on Council's network are the property of Blayney Shire Council.

This policy applies to all employees, contractors, consultants and other workers at Blayney Shire Council including all personnel affiliate with third parties.

## 3. GENERAL USE AND OWNERSHIP

While Blayney Shire Council's network aims to provide a reasonable level of privacy, users should be aware that the data created on the corporate systems remains the property of Blayney Shire Council.

For security and network maintenance purposes, authorised individuals within Blayney Shire Council may monitor equipment, systems and network traffic at any time.

## 4. PASSWORD SECURITY

Authorised users are responsible for the security of their passwords and accounts. Authorised users can be held responsible for activities performed with user's credentials.

The following password security rules shall apply:

- Passwords expire and must be changed after 60 days.
- Not contain the user's account name or parts of the user's full name that exceed two consecutive characters
- Be at least six characters in length Uppercase characters (A through Z)
- Lowercase characters (a through z)
- A number (0 through 9)
- Non-alphabetic characters (for example, !, \$, #, %)
- Last 2 passwords cannot be used

- Passwords are not to be shared with other staff. If a staff member needs to act in your role then appropriate access will be granted to your own login for the duration of the acting period.

### **UNACCEPTABLE USE**

Under no circumstances is an employee of Blayney Shire Council authorised to engage in any activity that is illegal under State or Federal legislation while utilising Blayney Shire Council owned resources. The lists below are by no means exhaustive but attempt to provide a framework for activities which fall into the category of unacceptable use:

- Unauthorised copying of copyrighted material.
- Introduction of malicious programs into the network or server (e.g. viruses, worms, Trojans, malware)
- Using a Blayney Shire Council computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment workplaces laws.
- Sending unsolicited email messages including the sending of junk mail or other advertising material.
- Any form of harassment via email, whether through language, frequency or size of messages.
- Employees may not attribute personal statements, opinions or beliefs to Blayney Shire Council when engaged in blogging.
- Use of Council's IT resources for other than Council business which impedes Council business or incurs a cost to Council.

### **5. APPROVED SOFTWARE**

No software shall be installed or purchased unless it has been approved by the Manager Information Technology for use on Council computers. Software will only be approved if Council has a current licence to install and use the software if:

- it is fit for the intended use;
- the procurement procedure has been followed; and
- it will not endanger network security and the software can be supported either internally and have support/contract arrangements with external vendors



## **6. EMAIL PRIVACY AND CONTENT**

Email should not be considered a private or secured form of communication as it may be forwarded or read by a third party. Content of emails should be carefully considered before sending.

## **7. ACCESSING INFORMATION HELD IN PROTECTED DIRECTORIES AND MAILBOXES**

In a situation where a staff member is unavailable and information is required from their mailbox or directories for which they have exclusive access, this information can be retrieved by the Manager Information Technology or IT Officer where:

- The need for the information is urgent and cannot wait for the availability of the authorised user; and
- A manager to whom the authorised user is responsible requests the information by email.

In a situation where the staff member is on extended leave and their email account needs monitoring, the Manager Information Technology can provide access to their inbox to a designated Council officer following a written request via email from the relevant manager.

## **8. GRANTED ACCESS**

### **Standard Access**

Staff members shall be granted standard access to computer, network shares and resources. These include:

- Own Drive Access
- Public folder access
- Staff Intranet
- Corporate software (based on model user if one)
- Other Council systems identified and approved by manager/director after completing IT New Starter Form
- No Access to install software on computers

**Privileged (Administrator Access)**

Privileged access shall be granted to staff that require special access to the network and other resources and requires approval from the relevant Director

These include:

- IT Staff
- Staff that require access to install software
- Domain Administrator Server Access
- Full Access to Corporate software; Business Paper software and Asset Management Software

**9. NEW STAFF**

An Employee IT Access Form is required to be completed and approved by the relevant department Director prior to Information Technology creating network access. Once the employee has commenced and inducted into the IT system the form will be sent to Human Resources for addition to the staff members' file.

**10. DEPARTING EMPLOYEES**

Upon a staff members departure the Information Technology department will fill in the Departing Employee IT Access Form. Once completed this will be sent to Human Resources to be added to the staff members' file.

**11. CHANGE OF ROLE**

Where a staff member changes roles, the Information Technology department must be informed by the Human Resources department. A Change of IT Access form will then be filled in and approved the relevant Director before changes are made.

**12. ACTING IN A ROLE**

Where a staff member is required to act in another staff member's role for a period of time, Information Technology must be informed by the staff members Director prior to the leave commencing so that appropriate access can be provisioned for the duration of the acting period.

**End**

<b>Adopted:</b>	xx/xx/2019	
<b>Last Reviewed:</b>	xx/xx/2019	
<b>Next Reviewed:</b>		



## Email and Internet Usage Policy

<b>Policy</b>	8A
<b>Officer Responsible</b>	Manager Information Technology
<b>Last Review Date</b>	30/03/2019

**Strategic Policy**

**Objective**

To provide parameters for the acceptable use of Blayney Shire Council's corporate systems for email/calendars and internet browsing.

**PROTOCOLS FOR USE OF COUNCIL RESOURCES FOR INTERNET AND EMAIL****Access**

Access to the use of Council resources for internet and email shall be made available to all councillors, staff, and authorised persons (referred hereon as users) who require such access to support the carrying out of official duties and who have access to a device that is connected to the Council network.

Access to individual mailboxes / email addresses shall normally be restricted to the individual and the system administrator user, however, broader access to a mailbox / email address may be organised when such access adds value to the business function and is authorised by the **Director or** General Manager. Users who are absent due to leave can organise delegated access to their mailbox/email address prior to commencing on that leave **after Director or General Manager approval.** **With the authority of the General Manager or Director, such delegated access should be controlled and limited to one person, unless the General Manager or Director instructs there to be more.**

**Acceptable Usage**

The following uses are acceptable and encouraged:

1. Investigations, research and support of vendor's products. This may include the retrieval and distribution of information, technical material, support documentation or promotional material that may assist users in their daily operations. This includes Social media sites Facebook and Twitter.
2. Peer group communications including retrieval and distribution of electronic messages, documentation, contributing or participation in group forums.
3. Use of network resources for personal or academic reasons during the Users' own time. Personal use does not extend to any activities that may provide personal commercial gain or interfere with **work of** other users **work** for the Council.

**Unacceptable Usage**

The following uses are unacceptable:

1. Conducting activities such as unsolicited distribution of advertising material.
2. Using the network for conducting personal business transactions.
3. Creating, transmitting or knowingly activating a computer virus.
4. Creating or distributing chain letters, personal advertising etc. to individuals or lists of individuals so as to cause a nuisance or congest the Council's network.

5. Using an account owned by another user who is authorised for Internet access to gain unauthorised access to the internet.
6. Allowing unauthorised users to access the internet or email using your login I.D.
7. Personal use of the network for obtaining illegally distributed or unlicensed software including Bit torrent downloads.
8. Sending or requesting messages or documents that are inconsistent with Council's policies.
9. Using the internet to access store or distribute pornographic, racist, sexist, inflammatory or otherwise offensive material.
10. Misrepresenting the Council or uses that are considered malicious or unethical.
11. Performing excessive, unauthorised downloads from the internet.
12. Uses that may violate any Federal or State laws such as copyright infringement.
- 13. ~~Emails between Councillors and Staff unless authorised by the General Manager~~**
14. Emails that interferes with the ability by others to conduct Council business.
15. Users will not reveal or publicise confidential material.

#### **Rules for use of Email**

1. Email should be treated with the same significance as Council signed letter.
2. User email, that provides evidence of Council's business activities, shall be registered, together with any attachments, in the corporate record keeping system.
3. Email is a business tool. Users must make sure that email is brief, concise and business related and is kept in the system only as long as required.
4. Email should not be assumed to be secure and viewing by third parties may occur. Users should be aware of potential risks involved in sending confidential or sensitive information.
5. Email may continue to exist after it has been deleted. Deletion eliminates the email or file name from the Email Server but the information still exists in the back up system until it has been overwritten which is currently held for 3 weeks.
6. ~~Users should have an 'Auto Signature' at the bottom of each message in the following format. Contact Information Technology section (IT) to be shown how to do this if unsure.~~

**User email signatures are controlled by the Information Technology section and are automatically created upon logging into a computer. Email signatures on mobile devices are created manually on a per device basis.**

Example as follows;

Regards,

{Name}

{Title}

**Blayney Shire Council**

PO Box 62 Blayney NSW 2799

P – (02) 6368 2104 | F – (02) 6368 3290 | W – [blayney.nsw.gov.au](http://blayney.nsw.gov.au)

7. Users should not forward someone else's email, without prior **permission consent** of the original sender, if it is considered sensitive. Users that receive email incorrectly sent should inform the sender promptly and delete the email.
8. Email is admissible as evidence in court and users must use good judgement and think carefully about the contents.
9. Users should follow email etiquette. Keep the message polite and **don't not** write in upper case, as this is considered as "shouting". Only send information that is of value to the receiver and **don't not** make it High Priority unless it is truly urgent.
10. Email is subject to the full range of laws applying to other communications, including copyright, breach of confidence, defamation, privacy, contempt of court, harassment and criminal laws.
11. Users are to be conscious that attachments may contain viruses, which may affect the integrity of Council's computer network. Council has installed the necessary anti-virus software on the net to detect any viruses, but Users are to remain aware that new viruses may go undetected. Accordingly, any suspicious emails received should not be opened and immediately reported to IT for the appropriate action to be taken.

#### **Rules for the use of Internet**

1. Internet use will be for Council business purposes. Personal use of the Internet is acceptable but should be limited to break times and not contravene any point in "Unacceptable Usage"
2. Users will not upload, download or transmit commercial software or copyrighted materials, without the authority of the owner of the software or material.
3. Council reserves the right to implement internet filtering software to ban access to sites that are considered inappropriate.
4. Users may solicit mail on a particular topic by subscribing to a mailing list from which they can also unsubscribe at any time.

#### **Monitoring**

Council reserves the right to monitor all internet access and email messages received by and contained within Council's computer system(s) and will do so to support:

- System maintenance
- System management
- Document management
- Investigate **ion of** illegal use or wrong doing
- **Support c**Council's policies
- **Support IL**Legal requirements

- **For a**Any other business purpose.

Monitoring shall be undertaken by the Information Technology section. Any use deemed excessive or inappropriate will escalate to the person’s **mManager, Director** or General Manager.

The Information Technology section or other users should report misuse to their **Manager, Director** or to the General Manager for appropriate action within Council’s standard conditions of employment, HR guidelines and policies.

Any disciplinary action taken will be in accordance with the guidelines set out in Council’s Performance Management, Code of Conduct and Disciplinary policy.

**Ethics/Personal Use**

The internet and email system has been developed to support Council’s business function and enhance communication. The Council will allow reasonable personal use and users are encouraged to use good judgment and integrity when they do so.

**Related Polices**

Policy 1B: Council Code of Conduct  
 Policy 11B: Records Management

**Legislative Context**

Local Government Act 1993  
 Local Government (General) Regulations 2005  
 State Records Act 1998 No 17  
 State Records Regulations 2015  
 Privacy and Personal Information Protection Act 1998 (NSW)  
 Privacy and Personal Information Protection Regulation 2014  
 Government Information (Public Access) Act 2009 No 52  
 Government Information (Public Access) Regulation 2018  
 Workplace Surveillance Act 2005 No 47  
 Workplace Surveillance Regulation 2017

<b>Adopted:</b>	<b>Date: 11/02/2002</b>	<b>Minute:636</b>
<b>Last Reviewed:</b>	<b>Date: 14/05/2007</b>	<b>Minute:07/094</b>
<b>Repealed:</b>	<b>Date: 12/11/2012</b>	<b>Minute:1211/014</b>
<b>Adopted:</b>	<b>Date: 08/12/2014</b>	<b>Minute: 1412/005</b>
<b>Last Reviewed:</b>	<b>Date: xx/xx/2019</b>	
<b>Next Review:</b>	<b>Date: 15/03/2021</b>	

**09) RECISSION OF USE OF FOOTPATHS POLICY**

**Department:** Corporate Services

**Author:** Director Corporate Services

**CSP Link:** 2. Local Governance and Finance

**File No:** GO.PO.1

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**Recommendation:**

That the Use of Footpaths Policy be rescinded and removed from Council's policy register.

**Reason for Report:**

For Council to endorse the rescission of the Use of Footpaths Policy.

**Report:**

Council developed the Use of Footpaths Policy in 2004 and its intent was to establish a framework governing use of the footpath for the display or placement of furniture, items or signage.

There are now existent State Environmental Planning Policies and the Blayney Development Control Plan (DCP) that have superseded the policy and rendered it obsolete. Part D2.9 of the DCP deals with Street Trading / Footpath Dining.

As the policy is no longer required it is proposed for removal from the policy register.

**Risk/Policy/Legislation Considerations:**

As detailed above State Environmental Planning Policies and the Blayney DCP encompass use of footpaths.

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil



**10) RECORDS MANAGEMENT POLICY**

**Department:** Corporate Services

**Author:** Director Corporate Services

**CSP Link:** 2. Local Governance and Finance

**File No:** GO.PO.1

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**Recommendation:**

That the Records Management policy be placed on public exhibition for a period of at least 28 days.

**Reason for Report:**

For Council to endorse the Records Management policy to be placed on public exhibition.

**Report:**

Council has undertaken a review of the Records Management Policy to align it with changing records management standards and to provide flexibility should additional standards be introduced.

The objectives of the policy are to define a framework for Council to:

- manage records efficiently and effectively;
- meet accountability requirements and community expectations; and
- comply with legislative and policy requirements relating to record keeping practices

The policy currently includes reference to disposal of records under GA39 - General retention and disposal authority: local government records. It has been amended to make the policy narrative more generic to expand the policy scope beyond GA39 and for Council to permit disposal of records using other disposal authorities issued under the State Records Act 1998.

A copy of the draft policy is provided as an attachment to this report.

As part of Council's commitment to transparency and openness, public notice is recommended to be given prior to the policy adoption process.

**Risk/Policy/Legislation Considerations:**

Administration of Council records is governed under the State Records Act 1998. Adoption of the policy will establish a framework for Records Management.

**Budget Implications:**

Nil

**Enclosures (following report)**

1 Records Management Policy

6 Pages

**Attachments (separate document)**

Nil



## Records Management Policy

<b>Policy</b>	11B
<b>Officer Responsible</b>	Director Corporate Services
<b>Last Review Date</b>	18/04/2019

**Strategic Policy**

## OBJECTIVES

The objectives of this policy are to define a framework for Council to:

- manage records efficiently and effectively;
- meet accountability requirements and community expectations; and
- comply with legislative and policy requirements relating to record keeping practices.

## 1. BACKGROUND

The purpose of this policy is to provide a framework for the management of Blayney Shire Council's (BSC) corporate records in accordance with relevant legislation, standards and codes approved by State Records.

State legislation requires that full and accurate records of all activities and decisions of BSC are created, managed, retained and or disposed of appropriately. This policy sets out the principles and responsibilities to promote information accessibility and accountability while ensuring the protection of the rights and interests of council, staff, customers and the community.

BSC has implemented the ITVision Software (Synergysoft) as the official Electronic Document Management System (EDMS).

## 2. DEFINITIONS

**Access:** Right, opportunity, means of finding, using or retrieving information.

**Archives:** Those records which are no longer required for current use, but have been selected for permanent retention because of their evidential or informational value.

**Capture:** A deliberate action which results in the registration of a record into a recordkeeping system.

**Disposal Schedule:** A systematic listing of records created by an organisation in accordance with an approved retention/disposal authority that plans the life of these records from the time of their creation to their disposal.

**Electronic/Digital Records:** Records communicated and maintained by means of electronic equipment.

**Migrating/Migration:** The process of moving records from one system to another, while maintaining the records' authenticity, integrity, reliability and useability.

**Record:** Something created and kept as evidence of agency or individual functions, activities and transactions.

**State Records:** Any records made and kept or received and kept, by any person in the course of the exercise of official functions in a public office, or for any purpose of a public office, or for the use of a public office.

**Vital Records:** Records and information that are essential for the ongoing business of the Council and without which the council could not continue to function effectively including those records needed to operate and re-establish council functions in the event of a disaster.

### 3. RESPONSIBILITIES

#### 3.1. General Manager

Under the State Records Act, the General Manager is responsible for ensuring that BSC complies with the regulations and requirements of the *State Records Act 1998*.

#### 3.2. Director Corporate Services

The Director Corporate Services functions as BSC's Corporate Records Manager (CRM) for the purposes of the Records Management Program. The CRM is accountable for the management of the program as well as ensuring BSC's compliance with the *State Records Act 1998* standards.

#### 3.3. Records Supervisor

The Records Supervisor reports directly to the Director Corporate Services and is responsible for the implementation and efficient operation of BSC's Records Management Program and the provision of services to users.

#### 3.4. Directors and Managers

Directors and Managers are responsible for ensuring that staff respond to correspondence and action tasks in a timely manner and for ensuring that members of staff who have access to confidential information are instructed regarding their rights and obligations when dealing with such matters.

#### 3.5. Information Technology (IT) Staff

IT Staff are responsible for ensuring that Council programs and systems operate in support of Council records management through the management of data integrity including back-ups, internal audits procedures, maintenance of Council's hardware and the prevention of data loss during any decommission of systems.

#### 3.6. Staff

All staff are accountable for compliance with this policy and related policies, standards and guidelines. Staff members are responsible for capturing and creating business records and registering them into SynergySoft.

These records will include:

- decisions
- oral decisions and commitments, including telephone discussions
- meetings
- interviews / discussions with customers (internal and external)
- other events
- business activities in which they take part.

All staff will:

- Capture information by ensuring accurate registration into the EDMS (SynergySoft) in accordance with protocols;
- Handle records and information sensibly and with care and respect so as to avoid damage to the records and prolong their life (Hardcopy records in particular);
- Not alienate, relinquish control over, damage, alter or destroy records of Council;
- Access only the official records that they are authorised to access
- Identify vital records in consultation with the Records Supervisor.

### **3.7. Contractors**

Contractors must manage records that they create on behalf of BSC according to the terms of their contract. Access to records held by the contractor such as performance of services, information collected from members of the public or information provided to the contractor by BSC may be subject to access applications under the *Government Information (Public Access) Act 2009*.

## **4. MANAGING RECORDS AND INFORMATION**

### **4.1. Records Management Program**

The *State Records Act 1998* s.12(2) requires that BSC maintains a Records Management Program. This program is an organisation wide program that covers the full range of BSC records and information.

The objectives of the program are to:

- Have full and complete information and records of all Council operations to support business activities
- Ensure that information and records are useable and accessible for as long as they are required
- Regularly monitor information management activities; and
- Have information management systems and practices that comply with external requirements and standards.

### **4.2. Migration**

When purchasing or implementing new systems, an assessment must be undertaken to identify the types of records that will be created or stored within that system and consultation must take place with the Records Supervisor to determine the appropriate management of those records.

In the event that software or system is de-commissioned, a robust migration plan must be put in place to protect Council records from loss including transfer, appropriate metadata and format readability.

#### **4.3. Storage and Security of Records**

All records will be stored appropriately to allow for their retrieval and use for the life of their retention. This includes preservation of both digital and physical record formats.

Access to records will be restricted to protect their integrity, privacy and confidentiality.

Employees must not alienate, relinquish control over, damage or destroy BSC's records.

#### **4.4. Archiving, Disposal and Destruction of Records**

Local government records are governed by a specific disposal authority, the general retention and disposal Authority: local government records (GA39), which has been approved under the *State Records Act 1998*.

**Blayney Shire Council records ~~covered under GA39 must will~~ be protected, maintained and accessible for duration of their required retention. Archiving and Disposal of records will be undertaken in accordance with GA39 retention and disposal authorities issued under the State Records Act 1998, records cannot be disposed of without approval and signed authorisation by the General Manager.**

### **5. ACCESS TO COUNCIL RECORDS AND INFORMATION**

Access to Council Records will be in accordance with relevant legislation and Council Policy. The public will not be permitted access to the Records Management Section, storerooms or staff work areas.

### **6. RELATED COUNCIL DOCUMENTS AND POLICIES**

- 01B Code of Conduct
- 02C Complaints Management Policy
- 02G Access to Information Policy
- 11C Privacy Management Plan

### **7. RELEVANT LEGISLATION AND STANDARDS**

- Government Access (Public Access) Act 2009
- Local Government Act 1993
- Ombudsman Act 1976
- Privacy and Protection of Personal Information Act 1998
- State Records Act 1998
- Standards issued under the State Records Act 1998
  - Standard: No. 12 Standard on records management
  - Standard: No. 11 Standard on the physical storage of state records

<b>Adopted:</b>	<b>Date: 17/01/2000 &amp; 13/11/2000</b>	<b>Minute: 12 &amp; 647</b>
<b>Last Reviewed:</b>	<b>14/05/2007</b>	<b>Minute: 07/094</b>
	<b>10/12/2012</b>	<b>1212/004</b>
	<b>25/06/2018</b>	<b>1806/011</b>
<b>Next Reviewed:</b>	<b>19/04/2021</b>	



**11) COMMUNITY FINANCIAL ASSISTANCE POLICY AMENDMENT**

**Department:** Corporate Services

**Author:** Director Corporate Services

**CSP Link:** 2. Local Governance and Finance

**File No:** CR.SD.2

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**Recommendation:**

That the Community Financial Assistance Policy, as amended, be placed on public exhibition for a period of at least 28 days.

**Reason for Report:**

To seek Council approval for an amendment to the Community Financial Assistance Policy and to be placed on public exhibition.

**Report:**

Council at its meeting held 18 March 2019 approved the Financial Assistance Committee meeting minutes that recommended an amendment to the Community Financial Assistance policy to clarify funding of public liability insurance.

The objectives of the policy are as follows:

- encourage local participation in the development and maintenance of community projects, infrastructure and facilities for current and future generations;
- foster the social, economic and/or environmental wellbeing of the community;
- support local schools and individuals to recognise academic and sporting achievements of local young citizens and
- develop and promote the sporting, cultural and tourism potential of the shire through events and activities that support social inclusion and attracts regional attention.

As recommended by the Financial Assistance committee an amendment to the policy has been proposed for contributions to public liability insurance premiums to be determined as follows:

- funding of public liability insurance in full for town, village, or progress associations or similar groups that represent interests of a town, village or locality;
- funding of public liability insurance for groups that provide a broadly used community facility that can demonstrate long term sustainability and be subject to a 50% funding cap of \$1,500.

A copy of the draft policy is provided as an attachment to this report. The guidelines will be amended following exhibition and adoption of the policy.

**Risk/Policy/Legislation Considerations:**

Local Government Act s356 permits Council to financially assist others for the purpose of exercise of its functions. Exhibition of Council's resolution for financial assistance is not required where financial assistance is part of a specific program.

**Budget Implications:**

Council has an amount of \$100,000 allocated in its 2018/19 Operations Plan for this purpose.

**Enclosures (following report)**

1 Community Financial Assistance Policy 9 Pages

**Attachments (separate document)**

Nil



## Community Financial Assistance Policy

<b>Policy</b>	31
<b>Officer Responsible</b>	Director Corporate Services
<b>Last Review Date</b>	15/04/2019

**Strategic Policy**

## **Objectives**

The primary objective of the Blayney Shire Council's Community Financial Assistance Policy is, through the provision of financial assistance to community organisations, to:

- (a) encourage local participation in the development and maintenance of community projects, infrastructure and facilities for current and future generations;
- (b) foster the social, economic and/or environmental wellbeing of the community;
- (c) support local schools and individuals to recognise academic and sporting achievements of local young citizens and
- (d) develop and promote the sporting, cultural and tourism potential of the shire through events and activities that support social inclusion and attracts regional attention.

### 1. LEGISLATION

The Community Financial Assistance Policy has been approved by resolution of Council. It is authorised under section 356 of the *Local Government Act 1993* which permits a Council to contribute money of otherwise grant financial assistance to persons for the purpose of exercising its functions.

### 2. ELIGIBLE RECIPIENTS

To receive financial assistance under this policy an applicant must be an eligible community organisation. For the purposes of this policy, an eligible community organisation is a separately constituted legal entity:

- (a) which operates on a "not-for-profit" basis (meaning that any proceeds of its activities and used for the benefit of the organisation and are not available for distribution to its members); and
- (b) the members of which are predominately members of the Blayney Shire community or, if not, which organises an event or function of regional significance which is supported by Council and benefits the Blayney Shire community.

Examples include Village Progress Associations; Town Committees; Trustees of Public Halls; Schools of Arts; Showground and other Reserves; Historical Societies; Show Societies; Community Service Organisations; Educational establishments; Charity Groups; Churches and Religious establishments; Sporting Clubs; Cultural Groups and Societies; Youth Groups and Senior Citizens; CWA branches; RSL Clubs and other groups assisting Council carry out service functions (as determined by Council).

Financial assistance is provided across a broad range of activities and projects conducted by such organisations.

### 3. CATEGORIES

Financial assistance to community organisations is provided in two categories:

- (a) **Recurrent Annual Donations.** These are donations made to community organisations on an annual basis to assist financially with specified outgoings (such as public liability insurance), the waiver of Council rates and charges, waiver of Council rental charges, a school activity, or the holding of a regular community event or cultural activity.

Schedule 1 sets out the guidelines for determining the amount of such donations in each case.

The amount of these donations for each organisation or event is approved by Council in its annual budget contained in the Operational Plan. The General Manager may approve other donations to an organisation or event under delegated authority, provided the donation is consistent with the guidelines, within budget and reported to Council via the next available Financial Assistance Committee meeting.

- (b) **One-off financial assistance.** This assistance is provided for projects involving the construction, maintenance or repair of community facilities, the purchase of equipment, or for the organising and conducting of local events and functions. In each case having demonstrated broad community benefit and support. Projects must be in accordance with the Community Strategic Plan and the four year Delivery Program.

Under this category community organisations are eligible to receive Council funding via a competitive submission process. There are two (2) funding rounds each year. Applications are called in June and December via a public notice published in the local newspaper and on Council's website.

Applications received after the close of business on the due dates will not be considered, unless the Financial Assistance Committee in its discretion agrees otherwise. Financial assistance will be made available in June and November.

Schedule 2 to sets out guidelines for determining the amount of such donations in each case. Applications are assessed in accordance with the criteria in paragraph 8 below.

#### 4. **AMOUNT**

An annual budget allocation for the Community Financial Assistance Policy is made each year in Council's Operational Plan.

This budget allocation covers both categories described above. The amount available for the one-off financial assistance category will be calculated for each round after deducting an estimate for the cost of the recurrent annual donations category, and any prior allocation from the off financial assistance category in that financial year.

#### 5. **SPECIAL PROJECTS**

Subject to funding availability, a higher level of financial assistance may be available for special projects. These usually entail capital works such as ground works, building construction, and/or major equipment purchase. Funding for special projects is non-recurrent and is subject to the applicant entering into a management agreement for the facility with Blayney Shire Council or the Crown with Council's support.

Council assistance may include support for applications for grants made to a government or other public funding organisation. Success in such applications may result in a reduction of Council financial assistance.

#### 6. **APPROVAL PROCESS**

All applications for one-off financial assistance are decided by Council upon the recommendation of Council's Financial Assistance Committee, which is a section 355 committee of Council.

The Financial Assistance Committee is chaired by a Councillor nominated by Council and comprises the Chairman, the General Manager of Newcrest Mining

or their delegate; and 4 community representatives appointed by Council. The executive officer is Council's Director of Corporate Services.

Assessment of applications will remain confidential and no appeal is permitted as to any funding allocation decision.

#### **7. ASSESSMENT CRITERIA**

Council will use the following general criteria when considering requests for financial assistance:

- (a) activities which address gaps in service or community development;
- (b) activities which promote community development in a multicultural context and seek to address issues of access and equity;
- (c) involvement from volunteers and self-help initiatives which build upon Council's contribution;
- (d) consumer / user participation in management of services / activities
- (e) innovative and creative approaches to identified needs; and
- (f) activities which use Council funding to attract further resources.

Council will give low priority to following types of requests for financial assistance:

- (a) activities/services which do not attempt to become self-supporting where the potential exists through fees or other feasible income-producing activities;
- (b) activities of a purely social nature, which do not address the needs of disadvantaged groups;
- (c) activities which are eligible for support from state-wide or regional parent bodies; and
- (d) organisations, which have not observed accountability requirements for past Council assistance.

#### **8. WHAT IS NOT FUNDED?**

One-off financial assistance is not available for:

- (a) projects or organisations wholly outside the shire of Blayney;
- (b) operating or administrative overheads, such as rent, wages, office equipment or utility costs or travel, accommodation and conference costs;
- (c) projects by individuals or that benefit personal business interests;
- (d) projects that duplicate an existing project or service; or
- (e) completed projects.

#### **9. GENERAL CONDITIONS/PAYMENT**

Funds approved under the community financial assistance policy are to be claimed by 30 June of the following financial year of approval. In the event that funds are not claimed the applicant shall re-apply, if required, and funds will be returned to the community financial assistance program budget for reallocation.

**9.1 Recurrent Annual Donations**

- (a) Where Council is providing a contribution for Rates and Sewer charges, this funding will be processed after the Rates Instalment notice has been issued in July.
- (b) For grants for sporting achievement:
  - (i) only the highest level of achievement will be recognised;
  - (ii) participation must be based on merit (not self-selection); and
  - (iii) evidence of participation and a letter of support from the relevant sporting association should be provided.
- (c) For those categorised as Public Liability Insurance or Rental, Council requires a tax invoice prior to payment of financial assistance to be accompanied by the relevant Insurance Policy and Premium notice or proof of payment. GST will be added to all financial assistance where applicable. Applicants should provide their ABN. Applicants without an ABN must submit a "Statement by a Supplier" form available from the Australian Tax Office or from Council.

**9.2 One-off Financial Assistance**

- (a) Projects must be clearly described, illustrate the community benefit that the financial assistance will provide and identify which of Council's vision statements in the Community Strategic Plan will be addressed.
- (b) Council does not offer any guarantee of funding as funding is subject to funds being available and not previously allocated. Also, as not all projects will receive funding, available funds will be allocated for projects that best meet the required community based criteria.
- (c) Applications that match \$ for \$ will be considered favourably. Any matching funding from the applicant or other sources are to be identified on the application.
- (d) Applicants must ensure that necessary approvals such as development applications or licences are considered prior to application lodgement. Evidence to this end in the form of a pre-development application consultation letter or correspondence from the relevant licence authority should accompany the application.
- (e) For projects involving construction / installation of new assets or renewal of existing assets on any Council controlled land, park, oval or recreational facility, consultation with the responsible Council department will be required prior to application lodgement.
- (f) Council reserves the right to manage any project approved on Council controlled land, park, oval or recreational facility as it deems required in consultation with the community organisation.



- (g) All applicants must provide certificates of currency for public liability insurance and the constitution or rules of their organisation where requested.
- (h) Council must be acknowledged in all promotional activities and must be provided with copies of advertising or promotional materials featuring Council for Council's approval prior to use in any promotional activity.
- (i) Any funds unspent at the completion of the project must be returned to Council.
- (j) Council requires a tax invoice prior to payment of financial assistance. GST will be added to all financial assistance where applicable. Applicants should provide their ABN. Applicants without an ABN must submit a "Statement by a Supplier" form available from the Australian Tax Office or from Council.
- (k) Applicants who are not registered for GST should consider the applicability of Council's Community Infrastructure Projects Policy (No. 3h) which is intended to assist such groups with projects on Council land by enabling them to recover the GST paid on taxable supplies associated with of the project.
- (l) Council fees and charges incurred in the holding of an event may be deducted before the financial assistance is paid.
- (m) For financial assistance of \$10,000 and above, a performance agreement must be completed between Council and the organisation following approval.

In submitting an application, the applicant accepts and acknowledges the general conditions set out in this Policy and in the Guidelines and in particular acknowledges that if unsuccessful it cannot appeal, contest or petition any councillor, staff member or community representative acting on behalf of or for council or its funding partners.

#### 10. **APPLICATION FORM**

An application on the approved Council form must be submitted for those applicants seeking Council support under this Policy. Letters of request or verbal applications will not be accepted as funding applications.

An application form and Guidelines for applicants is available on Council's website and from Council's offices. These guidelines describe the information that must be included in the application and set out the acquittal and reporting requirements which must be complied with.

**SCHEDULE 1  
Guidelines for Annual Donations**

<b>Type of assistance</b>	<b>Amount</b>
Public liability insurance	<p><del>(i) reimbursement of 100% of the premium up to \$1,000 pa; and</del></p> <p><del>(ii) reimbursement of 50% of the premium exceeding \$1,000 up to a maximum grant of \$2,000 pa</del></p> <p>(i) <u>funding of public liability insurance in full for town, village, or progress associations or similar groups that represent interests of a town, village or locality</u></p> <p>(ii) <u>funding of public liability insurance for groups that provide a broadly used community facility that can demonstrate long term sustainability and be subject to a 50% funding cap of \$1,500.</u></p>
Property rates and charges	as per Notice of Assessment
Rental	as per Council invoice
Schools and sporting related donations	<p>(iii) for school prizes, \$100 per school per annum</p> <p>(iv) for sporting achievements:                      (A) \$100 for regional selection;                      (B) \$300 for state selection; and                      (C) \$500 for national selection</p>
Community Events/Cultural Activities	Not exceeding \$2,000 except with the approval of Council

**SCHEDULE 2  
Guidelines for One-off Financial Assistance**

<b>Type of assistance</b>	<b>Amount</b>
Financial Assistance for community facilities	Up to \$3,000
Special projects enhancing a community facility (see paragraph 6 of the Community Financial Assistance Policy)	Up to \$10,000

Development Applications	The total amount development application costs levied on works to be undertaken on Council-owned facilities
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<b>Adopted:</b>	<b>Date: 15/06/2015</b>	<b>Minute: 1506/010</b>
<b>Last Reviewed:</b>	<b>Date: 15/06/2015</b>	<b>Minute: 1506/010</b>
	<b>Date: 16/05/2016</b>	<b>1605/010</b>
	<b>Date: 17/12/2018</b>	<b>1812/010</b>
<b>Next Review:</b>	<b>Date: 19/04/2021</b>	

**12) DIRECTOR INFRASTRUCTURE SERVICE MONTHLY REPORT****Department:** Infrastructure Services**Author:** Director Infrastructure Services**CSP Link:** 1. Public Infrastructure and Services**File No:** GO.ME.1**Recommendation:**

That the Director Infrastructure Services Monthly Report for April 2019 be received and noted.

**Reason for Report:**

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

**Report:****Topical Issues**Lyndhurst Speed Zone Review

Speed Zone signage has now been installed across the urbanised area of Lyndhurst as identified in the RMS Speed Zone Review, and NSW Police have also been notified.

**Major Works**Mandurama Road

The road construction crew continue on Mandurama Road with the project at approximately 80% completion. Localised rock was identified at one location requiring additional equipment to be engaged to break up and remove, incurring a delay of approximately 1 week, and a cost variation of approx. \$30,000. Despite the delay the project remains on schedule.

Forest Reefs Road

Council crews continue works on Forest Reefs Road in the vicinity of the Forest Reefs Tavern with work progressing toward Millthorpe. There has been a minor delay in progress due to excess moisture in pavement materials from the recent rains. Subject to the extent, crews are either removing/replacing or opening up and providing an opportunity for natural climate evaporation.

Base layer placement is scheduled to commence 8 April 2019.

Southern Cadia Access Route

Land acquisitions continue to be progressed. Two road closure notices were issued in the week commencing 1 April to close segments of road reserve no longer required as a result of realignments for the Dirt Hole creek bridge and between Halls Lane and Burnt Yards Road.

### Newbridge Road

Detailed design for the reconstruction of Newbridge Road between the Moorilda Road turnoff and the recently constructed Pte. W.W. Wilson Bridge over Evans Plains Creek is currently under review, with work to commence upon completion of the Mandurama Road project.

### Carcoar Road Bridge

A Request for Tender for the design and construction of a single lane, 1:20yr ARI (5% AEP) bridge has been released with submissions closing on 18 April 2019. Once tenders are assessed, it is anticipated a report will be provided for Council consideration at the May Council meeting.

### Browns Creek Road

Linemarking and guardrail installation has completed works for the Browns Creek Road reconstruction.

### Road Maintenance Works

Crews have undertaken maintenance grading on Kings Plains Road, Nyes Gates Road, Greghamstown Road, Spring Hill Road, Beneree Road, Yangoora Road, and Sunnyside Road

### Vegetation Maintenance

The vegetation maintenance crew has been focussing on roadside slashing on village streets within the shire, with a further of rural roads proposed as regrowth has occurred with recent rains, and Councils deferred slashing program seeking to offer roadside grazing opportunities for local landholders during the summer period.

### Footpaths

The concrete gang continues to progress works on the Belubula River Walk in Blayney, with work from Ogilvy Street to Church Street 90% complete, and work to then progress along Henry Street.

### Land Development

The Civil Design Works package has been issued to a suitably qualified local consultant. The design process will include a peer review of the stormwater design by Council's flood consultant. The delivery of the design package will result in a further delay to the delivery of the project, and until such time as the design has been finalised and consideration of the scope of works undertaken, a defined completion date for the project is unable to be determined.

### **Major Contracts**

#### Central West Equestrian & Livestock Centre

Tender Contracts have been executed for the construction of the shed super structure with ICR Engineering.

Construction works have started, commencing with the site preparation works including removal of trees, cattle ramps, fences and water infrastructure. The

earthworks to provide the level pad for the shed is now nearing completion ready for the shed structure works to commence.

It is anticipated the construction of the shed will commence in May with the footings to be installed in preparation for the steelwork to be mounted to.

### **Assets**

Asset and finance staff have undertaken the Asset Management Maturity Audit, conducted by University of Technology Sydney. The Progress Report and Action Plan for Blayney should be available by the end of June. Staff have also contributed to the Interim Financial Audit for 2018/19, including inputting all asset additions into the Asset Management System for the financial year to-date.

Staff have completed the Methodology Document for the 2020 revaluation of the Transportation Asset Class and are compiling all relevant supporting documents. Staff have delivered a presentation to the Central Water Utilities Alliance on an internally developed mobile data capture system for defect and condition assessment of Sewer Manholes. This system will drive the Manhole maintenance and renewal programs.

### **Parks and Recreation**

The construction of the Mandurama Recreation Ground shelter has been completed and the facility used during the lunch stop for the Newcrest Challenge bike ride. Anecdotal evidence is that the new shelter is a welcome replacement for the previous tennis club cottage.

The contractor for the Lyndhurst Recreation Ground toilet block project has commenced on site, with works expected to be complete by end of May. The new toilets will include compliant accessible and ambulant toilets and parking.

A contractor has been engaged to undertake delivery of the Neville Memorial Park toilet block, with works due to commence following the Anzac service to be held on 14 April 2019. These works include replacement of the existing toilet with a compliant accessible toilet, pathways and carpark.

The new fence around the Newbridge Recreation Ground field is to be delivered by a local contractor, with works programmed to begin in the week commencing 15 April 2019.

The perimeter fence at Redmond Oval has been completed. The memorial gates were recently removed for restoration purposes and have been reinstated.

### **Heavy Plant and Fleet - Workshop**

Council officers are reviewing the replacement strategy for the Long Term Financial Plan. Investigations are also taking place into how Council capture plant costs, and changes that can be made to better estimate hire rates.

**Wastewater**

Council staff are progressing with CCTV inspections of the gravity network in Blayney and are compiling a list of sections which will be considered for future relining works.

Council staff have developed a manhole condition inspection reporting system to provide an approach to easily capture both structure and service condition of manholes. The program also integrates the data captured in the field directly into Council's asset management program. The Asset Systems Officer, Manager Infrastructure and Manager Water & Wastewater are presenting the manhole condition inspection reporting program to the Centroc Water Utilities Alliance in the next week.

**Risk/Policy/Legislation Considerations:**

Information report only.

**Budget Implications:**

Information report only.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**13) ROAD NAMING - SUBDIVISION OF 32 PLUMB STREET****Department:** Infrastructure Services**Author:** Manager Infrastructure**CSP Link:** 1. Public Infrastructure and Services**File No:** DB.AB-1306**Recommendation:**

That Council:

1. Adopt the recommended name Streatfeild Close for the subdivision of 32 Plumb Street, Blayney.
2. Endorse the inclusion of Billy Lambert into the list of approved names.

**Reason for Report:**

To seek Council approval to name the public road that will be created by the subdivision at 32 Plumb Street, Blayney.

**Report:**

At the February 2019 Ordinary meeting, Council endorsed the seeking of community feedback based on a shortlist of names and/or sought suggestions for a Wiradjuri leaders name for the roadway that will be created by the Plumb Street subdivision.

Council sought community feedback online through Survey Monkey between 28 February and 1 April 2019. There were 201 responses which are summarised in the table below:

<b>Proposed /Suggested Name</b>	<b>No. Votes</b>	<b>Comments</b>
Streatfeild Close	138	
Thompson Close	55	
Innes Close	5	
Colburt Close	3	
Mooker Mooker Close	1	No supporting evidence provided.
Billy Lambert Lambert Close	1	Is the only identified Wiradjuri (or possibly Gundungara) person from pre- settlement times. The Australian National Museum holds a breastplate with the inscription Billy Lambert Holwood Kings Plains 1834. Not a Wiradjuri name. Given names should be avoided.



Ngari (Nyree) Reynolds. Reynolds Close	1	GNB and BSC Policy state that names of living persons should not be used.
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As outlined in the Road Name Policy, once adopted by Council, the road name must be included on the subdivision plan, but is not required to be placed on public exhibition.

It is recommended that the name Streatfeild Close be adopted and placed on the subdivision plan for 32 Plumb Street, Blayney. It is also recommended that Billy Lambert be included on the approved list for future use.

**Risk/Policy/Legislation Considerations:**

The naming process has been undertaken in accordance with the requirements of the Roads Act 1993 and Roads Regulation 2008, Council's Road and Street Names Policy and The Naming of Public Roads and Streets Procedure.

**Budget Implications:**

The cost of supply and installation of one street sign is approximately \$300 and within existing budget allocations.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**14) MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 5 APRIL 2019**

**Department:** Infrastructure Services

**Author:** Director Infrastructure Services

**CSP Link:** 4. Community, Sport, Heritage and Culture

**File No:** TT.ME.1

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**Recommendation:**

1. That the minutes of the Blayney Traffic Committee Meeting, held on Friday 5 April 2019, be received and noted.
2. That Council endorse the Traffic Management Plan for the Cadia Valley Operations Open Day event, to be staged on 6 April 2019 at Blayney Shire Community Centre, as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report.
3. That Council endorse the Traffic Management Plans for the Blayney, Neville and Millthorpe Anzac Services as Class 3 events, subject to the conditions detailed in the Director Infrastructure Services' Report and subject to the following amendments:
  - Congregation point for Blayney event to be relocated to Burns Street, Blayney.
  - Vehicle protection to be provided at each end of Adelaide Street, Blayney.
  - Road closure barriers to be included at each end of Burns Street, Blayney.
  - Vehicle protection to be provided at each end of Park Street, Millthorpe.
  - Council to notify Cadia Valley Operations of Anzac Day procession timings.
  - Neville TCP date to be amended to 14 April 2019.
4. That Council endorse the Traffic Management Plan for the Newbridge Winter Solstice, to be staged on 22 June 2019 on Trunkey Street Newbridge as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report.

**MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE MEETING HELD ON FRIDAY 5 APRIL 2019 AT BLAYNEY SHIRE COUNCIL**

Meeting commenced at 10:00am.

**PRESENT -**

**Members:** Cr Bruce Reynolds (Blayney Shire Council - Chair), Reg Rendall (Paul Toole Representative), Andrew Cutts (Tablelands Area Road Safety Officer), Jackie Barry (Roads & Maritime Services Representative), Peter Foran (NSW Police).

**Present:** Grant Baker (Director Infrastructure Services), Nikki Smith (Administration Officer).

### **APOLOGIES**

Nil.

### **DECLARATION OF INTEREST**

That the following Declaration of Interest be noted.

<b>Number</b>	<b>Member/Officer</b>	<b>Interest</b>	<b>Report</b>	<b>Reason</b>
<b>20190405:02</b>	Reg Rendall	Non-Pecuniary – less than significant	Anzac Day Services	On RSL Committee

### **CONFIRMATION OF MINUTES**

**RESOLVED:** That the minutes of the previous Traffic Committee Meeting held on Friday, 8 February 2019 be confirmed to be a true and accurate record of that meeting.

(Reg Rendall/Cr Bruce Reynolds)

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

#### **Millthorpe Markets**

NSW Police advised that Millthorpe Markets supplied Notice of Intention to Hold a Public Assembly, Police were unable to provide formal approval due to lack of notice and limited documentation.

### **CORRESPONDENCE**

Nil.

### **REPORTS**

#### **20190405:01 – Cadia Valley Operations Open Day 2019**

**RECOMMENDED:** That Council endorse the Traffic Management Plan for the Cadia Valley Operations Open Day event, to be staged on 6 April 2019 at Blayney Shire Community Centre, as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report.

(Reg Rendall/Peter Foran)

#### **20190405:02 - Anzac Day Services**

**RECOMMENDED:** That Council endorse the Traffic Management Plans for the Blayney, Neville and Millthorpe Anzac Services as Class 3 events, subject to the conditions detailed in the Director Infrastructure Services' Report and subject to the following amendments:

- Congregation point for Blayney event to be relocated to Burns Street, Blayney.
- Vehicle protection to be provided at each end of Adelaide Street, Blayney.
- Road closure barriers to be included at each end of Burns Street, Blayney.
- Vehicle protection to be provided at each end of Park Street, Millthorpe.

- Council to notify Cadia Valley Operations of Anzac Day procession timings.
- Neville TCP date to be amended to 14 April 2019.  
(Peter Foran/Reg Rendall)

**20190405:03 - Newbridge Winter Solstice**

**RECOMMENDED:** That Council endorse the Traffic Management Plan for the Newbridge Winter Solstice, to be staged on 22 June 2019 on Trunkey Street Newbridge as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report.

(Peter Foran/Jackie Barry)

**ACTION:** Council to seek funding opportunity for regional training of volunteers in basic Traffic Control implementation.

**Convex Mirror – 1334 Millthorpe Road, Millthorpe**

As this matter relates to a State Road the item has been referred to General Business.

**20190405:04 - TRAFFIC COMMITTEE REGISTER**

That the information be noted.

**GENERAL BUSINESS****20190405:05 – Speed Compliance – Forest Reefs Road, Forest Reefs (20190208:06)****Speed Compliance – Victoria Street, Millthorpe (20190208:07)**

Report noted.

**20190405:06 – Speeding – George Street, Millthorpe**

**ACTION:** Council will program for placement of traffic counters in George Street, Millthorpe to collect traffic data.

**20190405:07 – 40 Speed Zone (Business Area), Millthorpe**

**ACTION:** Council will program for placement of traffic counters in Pym, Victoria and Blake Streets, Millthorpe to collect traffic data.

**20190405:08 - Convex Mirror – 1334 Millthorpe Road, Millthorpe**

**ACTION:** Council to provide original request to RMS.

**ACTION:** Council to write to proponent advising this item has been referred to RMS for review.

**INFORMAL MATTERS****20190405:09 – Monthly Road Safety Reports – February & March 2019.**

That the information be noted.

**20190405:10 – Chifley Local Area Command – Serious/Fatal Motor Vehicle Accidents Reports – January & February 2019.**

That the information be noted.

**FUTURE MEETING DATES - 2019**

- Friday, 7 June 2019
- Friday, 9 August 2019
- Friday, 11 October 2019
- Friday, 6 December 2019

**MEETING CLOSED**

The meeting closed at 11.52pm.

**COUNCIL ISSUES**

Development of Policy and Guidelines for Advisory Signs.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**15) DA40/2018/1 - MODIFICATION (ERECTION OF SHED)****Department:** Planning and Environmental Services**Author:** Manager Planning**CSP Link:** 5. The Natural Environment**File No:** DB.AB.1259

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**Recommendation:**

That Council refuse Development Application (Modification) DA40/2018/1 for the demolition of an existing shed and construction of a new replacement shed at 6 Blake Street, Millthorpe being Lot 8 Section E DP1713.

**Reason for Report:**

For Council to consider and determine Development Application (Modification) DA40/2018/1 for the demolition of an existing shed and construction of a new replacement shed at Lot 8 Section E DP1713.

**Report:****EXECUTIVE SUMMARY****Introduction**

Council's consent is sought to modify the Notice of Determination of DA40/2018 for 6 Blake Street, Millthorpe, being Lot 8 Section E DP1713 (the 'subject property').

The Notice of Determination for DA40/2018 was issued in August 2018, allowing for the demolition of an existing shed and construction of a new four bay garage.

Specifically, the proposed modification seeks to alter Condition 7 of DA40/2018, which requires that all roof and wall finishes be Colorbond Windspray.

The proposed modification seeks to change Condition 7 to allow for the roof to be Colorbond Woodland Grey and the walls Colorbond Surfmist.

Notably, the garage has already been constructed using the applicant's proposed colour scheme and contrary to the advice of Council staff that the shed should be constructed in accordance with the approved plans and conditions of consent for DA40/2018.

**Key Issues**

The key issue for consideration is the impact of the proposed colour scheme on the significance of the Millthorpe Heritage Conservation Area and Heritage Items in the immediate vicinity of the subject property, including the dwellings located at 8-10 Blake Street (Heritage Item 259) and 20 Pym Street (Heritage Item 296).

Further, it is relevant to note that the approval of other similar developments is likely to have a significant and detrimental cumulative impact on the broader Millthorpe Heritage Conservation Area and other Heritage Items within Millthorpe.

These considerations are to be distinguished from a common visual impact assessment, which does not take into consideration the impact of development on features of heritage significance.

**Heritage Advice**

Council's Heritage Advisor has provided advice regarding an appropriate colour scheme on three separate occasions. In summary, the Heritage Advisor does not support the colour scheme proposed by the applicant, with the exception that Woodland Grey may be used to replace Windspray on the roof of the shed.

**Conclusion and Recommendation**

In summary, it is considered that proposed modification is inconsistent with the objectives of the *Blayney Local Environmental Plan 2012, Clause 5.10 Heritage Conservation and Blayney Development Control Plan 2018, Part H5.3 Materials and Colours*.

As such it is recommended that the proposed Modification be refused.

**RECOMMENDATION**

That Council refuse Development Application (Modification) DA40/2018/1 for the demolition of an existing shed and construction of a new replacement shed at 6 Blake Street, Millthorpe being Lot 8 Section E DP1713.

**PROPOSED DEVELOPMENT (MODIFICATION)**

Council's consent is sought to modify the Notice of Determination of DA40/2018 for 6 Blake Street, Millthorpe, being Lot 8 Section E DP1713 (the 'subject property').

Specifically, the proposed modification seeks to alter Condition 7 of DA40/2018, which requires that all roof and wall finishes be Colorbond Windspray.

The proposed modification seeks to change Condition 7 to require that the roof be Colorbond Woodland Grey and the walls Colorbond Surfsmist.

The reasons provided by the Applicant for the proposed Modification include:

- Windspray colour determined by council does not suit the owners; and
- The shed has been ordered and completed in the requested colours.

The garage has already been constructed using the applicant's proposed colour scheme (Figure 1).



**Figure 1: The garage**

## **Background**

### **The Original Development Application**

The Notice of Determination for DA40/2018 was issued in August 2018, allowing for the demolition of an existing shed and construction of a new four bay garage.

The documentation lodged with the application did not include a proposed colour scheme.

Given that the subject property is located centrally within the Millthorpe Heritage Conservation Area and proximate to two local Heritage Items, Council's Manager of Planning accepted the advice of Council's Heritage Advisor and applied a condition of consent requiring that the shed be clad in Colorbond Windspray.

The Heritage Advisor's rationale for this requirement was that it would ensure that the shed would remain visually unobtrusive in the setting and typical of secondary and auxiliary structures in the Village.



In this regard, it should be appreciated that the proposed shed is 13.5m wide, 7m wide and 3.974m high, which is a very large shed for a 904m<sup>2</sup> lot in an urban area.

### **Informal consideration of an Alternative Colour Scheme**

Following receipt of Council's Notice of Determination for DA40/2018, a representative of the Applicant contacted Council's Manager of Planning. The Applicant's representative advised that the colour scheme required by Condition 7 of DA40/2018 did not suit the Applicant and requested consideration of an alternative colour scheme.

As a result, the Manager of Planning referred the request to Council's Heritage Advisor for further consideration. The advice subsequently provided by Council's Heritage Advisor stated that:

“ ...

- *Historically sheds were secondary elements and inexpensive materials were used on them as opposed to higher value materials for the house/cottage. This drew attention visually to the house and not the shed.*
- *Historically ancillary structures such as shed, garages and carports were built and clad in galvanised iron which was mid-Grey colour and this character is an important aspect to retain in the village and surrounds.*
- *Sheds should generally not match the colours of houses and this drew attention to the shed and away from the house or cottage.*

*The reason provided for the use of the same cladding on an ancillary building as the house is understood – they are on the same site and owned by the same owner.*

*However, this argument is unsound in Conservation Areas, as the Council policies indicate above. The buildings serve entirely different functions, have different values and have different visual impacts on the surrounds and neighbours.*

...”

Notwithstanding, the Heritage Advisor also noted:

*“It is understood that the proposed roof colour is Woodland Grey and not Windspray colour recommended by Council. On this matter, the difference between the two greys is not significant in this context and therefore Woodland Grey is acceptable.”*

As such, there is no objection to the use of Woodland Grey.

Following receipt of the Heritage Advisors advice and further consideration of the matter, Council's Manager of Planning contacted the representative of the Applicant to advise that if the Applicant wished to pursue their preferred colour scheme they would need to lodge an application for Modification of DA40/2018, which would be determined by the Council.

**The Proposed Modification**

The Applicant subsequently lodged the current application for Modification which seeks to modify Condition 7.

Given the circumstances, the application for Modification was again referred to Council's Heritage Advisor for comment.

The advice provided by Council's Heritage Advisor stated that:

*"The advice provided for the ancillary shed structure to be clad in Windspray.*

*The reasons are that the colour reflects that used on traditional structures in the Conservation Area.*

*The specified colour Surfmist does not meet DCP H3.5(2) and (3).*

*The applicant had purchased the materials prior to the advice and seeks to use the purchased materials.*

*The impacts will be the reflectivity of the Surfmist cladding will be considerably greater than Windspray and will stand out visually as opposed to blending in.*

*The impact of the Woodland Grey roof will be acceptable despite the difference as this colour is dark and will blend in and not stand out.*

*Should Council be of a mind to accept the modification then an appropriate mitigation would be the planting of sufficient trees and shrubs along the driveway and within the rear yard near the corner of the house so as to reduce views the shed structure from the streetscape.*

*A condition may take the following:*

*The applicant is to provide a site plan which illustrates a series of trees and shrubs to the western side of the house and the south western area of the yard so as to reduce the view of the structure from Blake Street."*

On this basis, it is recommended that Council refuse the proposed Modification.

Notwithstanding, it is to be acknowledged that Council's Heritage Advisor has indicated that if the proposed Modification were to be approved, appropriate mitigation of the impact would include planting of sufficient trees and shrubs along the driveway and within the rear yard near the corner of the house to reduce the views to the shed structure from the streetscape.

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

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

Having regard to the relevant provisions and based on an inspection of the subject property, it is considered that the proposed development is not likely

to have a significant effect on any threatened species, population or ecological communities or their habitats.

## **SECTION 4.15 EVALUATION**

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

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

### **Modifications involving Minimal Environmental Impact**

Section 4.55 (1A) of the Act identifies consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

- a) It is satisfied that the proposed modification is of minimal environmental impact, and
- b) It is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and
- c) it has notified the application in accordance with:
  - the regulations, if the regulations so require, or
  - a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and
  - it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.

With regard to the foregoing matters, it is considered that while the proposed modification would be detrimental to the Millthorpe Heritage Conservation Area, the issues are constrained to heritage matters only and therefore should be considered minimal within a wider planning context.

Further it is considered that the development, as modified, is substantially the same as the development for which consent was originally granted. The proposed modification was re-notified to adjoining landowners.

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

#### **Blayney Local Environmental Plan 2012**

##### **Part 1 – Preliminary**

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

The proposed development is considered to be consistent with the broad aims of the *Blayney Local Environmental Plan 2012* with the exception of those that relate to heritage conservation.

### Clause 1.7 Maps

Land zoning:	RU5 Village
Lot size:	450m <sup>2</sup>
Heritage:	Millthorpe Heritage Conservation Area
Terrestrial biodiversity:	N/A
Groundwater vulnerability:	N/A
Drinking water catchment:	N/A
Watercourse:	N/A
Flood:	N/A

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

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

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

This clause does not affect the rights or interest of any public authority under any registered instruments.

A search of Council's records indicates that the subject property is not affected by any of the foregoing covenants, instruments, agreements or plans.

**Clause 5.10 Heritage Conservation**

Clause 5.10 seeks to conserve the heritage significance of heritage items and conservation areas, including the associated fabric, settings and views; conserve archaeological sites and sites; and to conserve Aboriginal objects and Aboriginal places of heritage significance.

Specifically, Clause 5.10(4) requires that the consent authority must, before granting consent under this clause in respect of a heritage conservation area and heritage item, consider the effect of the proposed development on the heritage significance of the item or area concerned.

The location of the subject property within the Millthorpe Heritage Conservation Area and its proximity to local Heritage Items is provided in Figure 2, below.

The proposed Modification has been assessed by Council's Heritage Advisor. On the basis of the advice provided by Council's Heritage Advisor, the proposed modification is considered to be inconsistent with the objectives of Clause 5.10 and is not supported.

Notwithstanding, it is to be acknowledged that Council's Heritage Advisor has indicated that if the proposed Modification were to be approved, appropriate mitigation of the impact would include planting of sufficient trees and shrubs along the driveway and within the rear yard near the corner of the house to reduce the views to the shed structure from the streetscape.

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

Not applicable.



**Figure 2: Extract of Millthorpe Heritage Conservation Area. Subject property identified by heavy red line**

**Section 4.15(1)(a)(iii) Any Development Control Plan****Blayney Shire Development Control Plan 2018****Part A1.11 Variation to Controls**

Part A1.11 identifies that Council accepts that it is not possible to plan for all development scenarios, and that it is inevitable that there will be situations where strict compliance is not able to be achieved, and or alternate solutions are preferred.

As such, Council may consent to a Development Application involving departure from a control contained within this DCP, but only where Council has considered a request that seeks to justify the departure on the following grounds:

- Compliance with the particular control within this DCP is unreasonable or unnecessary in the circumstance of the case; and
- The objectives of the particular control are met or sufficiently addressed; and
- There are sufficient environmental planning grounds to justify the departure from the particular control within this DCP; and
- The impacts of the non-compliant proposal will not be significantly greater than a compliant proposal or may enhance the outcome.

While it is considered that the foregoing matters are not applicable in the current situation, it is open to Council to have regard to these matters.

Further, it is noted that while the Applicant was invited to make a submission to Council addressing the relevant objectives of Part H: Heritage Conservation, no meaningful analysis was provided.

**Part H: Heritage Conservation**

Part H: Heritage Conservation seeks to conserve the heritage significance of the built and natural environments; ensure the management of heritage is carried out in line with the Principles and Articles of the Burra Charter for the assessment of significance of heritage places and the traditions associated with them; implement the objectives and controls contained within BLEP 2012 and any other relevant heritage legislation; conserve the heritage significance of the natural and built environment and ensure new development is sympathetic to the identified heritage values; provide planning and design guidelines for developments associated with heritage items or a heritage conservation area.

Part H5.3 Materials and Colours is relevant to new development within heritage conservation areas. It contains the following specific objectives with regard to the materials and colours in heritage conservation areas:

- Materials for new development in HCAs should not contrast with the original materials of the dominant contributory buildings in the conservation area.
- Colour schemes for existing and new development in conservation areas should have a relationship with traditional colour schemes for the dominant style of development found in the conservation area in consultation with Council.

Based on the advice provided by Council's Heritage Advisor, it is considered that the proposed modification is inconsistent with the foregoing objectives.

Notwithstanding, it is to be acknowledged that Council's Heritage Advisor has indicated that if the proposed Modification were to be approved, appropriate mitigation of the impact would include planting of sufficient trees and shrubs along the driveway and within the rear yard near the corner of the house to reduce the views to the shed structure from the streetscape.

**Section 4.15(1)(a)(iiia) Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4**

Not applicable.

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

- **In the case of a development application for the demolition of a building, the provisions of AS 2601 (Clause 92)**  
Not applicable.
- **In the case of a development application for the carrying out of development on land that is subject to a subdivision order made under Schedule 7 to the Act, the provisions of that order and of any development plan prepared for the land by a relevant authority under that Schedule (Clause 92)**  
Not applicable.
- **Fire safety and other considerations (Clause 93)**  
Not applicable.
- **Buildings to be Upgraded (Clause 94)**  
Not applicable.
- **BASIX Commitments (Clause 97A)**  
Not applicable.

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



The likely impacts of the proposed modification are considered in the body of this report.

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

The foregoing assessment demonstrates that the subject property is not suitable for the proposed development as modified.

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

The proposed modification was notified to adjoining landowners.

**Section 4.15(1)(e) Public interest**

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

**Summary / Conclusion**

The proposal is permissible with consent of Council. The proposed development does not comply with the relevant aims, objectives and provisions of BLEP 2012 or Blayney DCP 2018. A Section 4.15 assessment of the development indicates that the development is not acceptable in this instance.

**Risk/Policy/Legislation Considerations:**

With any development application, Council could be challenged to the NSW Land and Environment Court.

**Budget Implications:**

Nil.

**Enclosures (following report)**

- |   |                     |         |
|---|---------------------|---------|
| 1 | Reasons for Refusal | 1 Page  |
| 2 | Heritage Advice     | 6 Pages |

**Attachments (separate document)**

Nil

**DEVELOPMENT APPLICATION No. 40/2018/1  
REASONS FOR REFUSAL**

1. Unacceptable impact on the significance of the Millthorpe Heritage Conservation Area and proximate Heritage Items.
  - The proposed development is not consistent with the objective of *Clause 5.10 Heritage conservation* of the *Blayney Local Environmental Plan 2012* which seeks to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views.
  - The proposed development is not consistent with the broad objectives of *Part H: Heritage Conservation* which seek conserve the heritage significance of the built environment and ensure new development is sympathetic to the identified heritage values.
  - The proposed development is not consistent with the specific objectives of *Part H5.3 Materials and Colours* which state:
    - o Materials for new development in HCAs should not contrast with the original materials of the dominant contributory buildings in the conservation area.
    - o Colour schemes for existing and new development in conservation areas should have a relationship with traditional colour schemes for the dominant style of development found in the conservation area in consultation with Council.

If you are dissatisfied with this decision, Section 8.7 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court within 6 months after the date on which you receive this notice.

## Blayney Shire Council Heritage Advisory Service

**David Scobie Architects**

Level one, 177A Sailors Bay Road,  
Northbridge,  
NSW 2063

Heritage

Tel: (02) 9967 2426  
Mobile: 0412 415010  
email [scobiearchitect@optusnet.com.au](mailto:scobiearchitect@optusnet.com.au)  
ABN: 64 079 683 079

**Introduction**

David Scobie, Heritage Consultant to Blayney Shire Council prepared the following comments and Recommendations.  
The relevant statutory control is the Blayney LEP 2012 and the Millthorpe DCP

**DA40/2018 at 6 Blake Street, Millthorpe with Thelma South**

**Attention: Thelma South and Jaclyn Burns**

**Significance**

The site is within the Millthorpe Conservation Area

**Comments**

The proposal is a large replacement shed for vehicles and storage.  
The site for the shed will be visible from the streetscape down the open driveway.

The heritage principle in the Conservation Area is that the garage structure be a contemporary building with a suitable cladding and colour similar to auxiliary buildings.



Noted during the site visit as a precautionary measure, this single run boundary fence is a fibro/asbestos super-six structure.

Removal and replacement asap is recommended in relation to OH&S and Hazmat guidelines supplied by the EPA. Edges and holes in this fence are currently exposed and in the vicinity of the proposed new garage work site. A replacement fence, similar to the timber lapped and capped fence which has been built nearby on the adjoining site is recommended for the side fence shown above.

David Scobie Architects Pty Limited  
ABN 64 079 683 079

June 2018

Blayney Shire Council Heritage Advisory Service



Close view of the existing shed to be replaced

The existing shed was built in stages in recent times and does not have sufficient heritage value to warrant retention.

It is understood that the tree shown above will be retained and the shed located to the left subject to drainage and clearances.

Note that the proposal on the submitted shed drawing has a common floor level similar to that seen above on the right and then all the way through to the left side. This will require a substantial excavation and structural retaining walls in the vicinity of the boundaries or under three sides of the new shed.

This is not a heritage matter but is drawn to the attention of the parties in order that it be properly considered in relation to associated impacts, project costings and the end result.



General view of the existing shed from the rear yard

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David Scobie Architects Pty Limited  
 ABN 64 079 683 079

June 2018

Blayney Shire Council Heritage Advisory Service



View of the site for the shed from the street

**Proposal**

- Drawings by Tilmac have been reviewed. They show three roller shutter doors, a 20-degree roof pitch and an open end to the left side.
- It is noted from the site visit but not shown on the drawings that substantial excavation will be required on the left side of the structure to accommodate the levels shown in the 13500mm long shed
- While colours are not noted on the drawings, the roof on the existing house and the roof on the distant house behind appear to be similar to Windspray

**Recommendations**

- Subject to the design having a set of retaining walls provided to suit the site, the adjoining boundaries and the external materials, the structure would have an acceptable heritage impact provided that the following recommendations are adopted;
  - The shed to be clad in Colorbond Windspray throughout including Windspray custom orb roofing, Windspray vertical custom orb profile walls, Windspray unperforated quad gutters, Windspray circular downpipes and Windspray roller shutter doors. This will ensure that the shed remains visually unobtrusive in the setting and typical of secondary and auxiliary structures in the village
  - All flashings should be traditional rolled type including ridge roll and barge roll types

**David Scobie**  
Heritage Advisor to Blayney Shire Council

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David Scobie Architects Pty Limited  
ABN 64 079 683 079

June 2018

## Blayney Shire Council Heritage Advisory Service

**David Scobie Architects**

Level one, 177A Sailors Bay Road,  
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Heritage

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Email [scobiearchitect@optusnet.com.au](mailto:scobiearchitect@optusnet.com.au)  
ABN: 64 079 683 079

**Introduction**

David Scobie, Heritage Consultant to Blayney Shire Council, prepared the following Comments. The relevant statutory control is the Blayney LEP 2012 and DCP

**1. 6 Blake Street, Millthorpe**

**Attention: Daniel Drum**

**Contact: Thelma South and Ken**

**Site: The Proposal is to provide the appropriate cladding for a replacement shed**

The works relate to DA40, a site visit and meeting with Mrs. South in June 2018 and follow up email and correspondence with Council.

**Statutory controls:**

The DCP N0.6

**Item 4.3 Ancillary Structures**

The objectives require that the structures not dominate the front garden, streetscape, maintain and reinforce the landscape qualities of the site and adjoining properties and use colours that complement the existing house, though not necessarily replicate it.

**Item 4.8 Colours**

Colours are to be in keeping with colours on surrounding structures and enhance the streetscape. A general principle is to allow the material to direct the colour range choice. Steel materials are naturally grey tones and not green, red or blue



*The streetscape courtesy google maps*

During the site meeting the Advisor discussed these issues with Mrs. South – unfortunately the documents and precise colours were not available. The Advisor indicated the following rationale:

David Scobie Architects Pty Limited  
ABN 64 079 683 079

September 2018

### Blayney Shire Council Heritage Advisory Service

- Historically sheds were secondary elements and inexpensive materials were used on them as opposed to higher value materials for the house/cottage. This drew attention visually to the house and not the shed.
- Historically ancillary structures such as sheds, garages and carports were built and clad in galvanised iron which was mid-Grey colour and this character is an important aspect to retain in the village and surrounds
- Sheds should generally not match the colours of houses and this drew attention to the shed and away from the house or cottage

The reason provided for the use of the same cladding on an ancillary building as the house is understood – they are on the same site and owned by the same owner.

However, this argument is unsound in Conservation Areas, as the Council policies indicate above. The buildings serve entirely different functions, have different values and have different visual impacts on the surrounds and neighbours.

It is unfortunate that it appears the Owner purchased the products prior to consulting Council, if indeed that is the case.

Council has consistently offered free advice over many years to property owners of heritage items and properties located within the Conservation Areas within Blayney Shire. This is one of the reasons that Millthorpe has retained so much of its character and integrity while adapting places for contemporary living. The other reason is that the community appreciates these qualities and works with Council to maintain these standards and qualities.

In the current situation there are three options:

- Complete the building despite Council's advice and go without a final certificate;
- Complete the building and paint the walls in the appropriate colour; or
- Exchange the wall sheeting for the appropriate colour colorbond sheeting.

It is understood that the proposed roof colour is Woodland Grey and not the Windspray colour recommended by Council. On this matter, the difference between the two greys is not significant in this context and therefore Woodland Grey is acceptable.

Please also ensure that the other conditions relating to gutters, downpipes and doors/windows are consistent with the approval to avoid other non-compliances.

It is also presumed that the issue related to the slope across the site has been addressed as the original drawings showed the building on a level site otherwise the impact on the adjoining properties could be significant.

**David Scobie**  
Heritage Advisor to Blayney Shire

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David Scobie Architects Pty Limited  
ABN 64 079 683 079

September 2018

**Jaclyn Burns**

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**From:** David Scobie <scobiearchitect@optusnet.com.au>  
**Sent:** Monday, 12 November 2018 12:24 PM  
**To:** Jaclyn Burns  
**Subject:** RE: DA40.2018

Does this message need to be registered in the corporate recordkeeping system ?

Dear Jaclyn

Thanks for the memorandum regarding the proposed modification.

The advice provided for the ancillary shed structure to be clad in Windspray.  
The reasons are that the colour reflects that used on traditional structures in the Conservation Area.  
The specified colour Surfmist does not meet DCP H3.5 (2), and (3)  
The Applicant had purchased the materials prior to the advice and seeks to use the purchased materials.

The Impact will be the reflectivity of the Surfmist cladding will be considerably greater than Windspray and will stand out visually as opposed to blending in.

The impact of the Woodland Grey roof will be acceptable despite the difference as this colour is dark and will blend in and not stand out.  
Should Council be of a mind to accept the modification then an appropriate mitigation would be the planting of sufficient trees and shrubs along the driveway and within the rear yard near the corner of the house so as to reduce views of the shed structure from the streetscape.

Condition may take the following:

The applicant is to provide a site plan which illustrates a series of trees and shrubs to the western side of the house and the south western area of the yard so as to reduce the view of the structure from Blake Street

Regards

David

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For more information please visit <http://www.symanteccloud.com>

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**16) REPORT OF THE CENTROC BOARD MEETING AND CENTRAL NSW JOINT ORGANISATION MEETING HELD 28 FEBRUARY 2019**

**Department:** Executive Services

**Author:** Mayor

**CSP Link:** 2. Local Governance and Finance

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

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**Recommendation:**

That the Mayoral Report from the Centroc Board and Central NSW Joint Organisation Meeting held 28 February 2019 in Orange be received and noted.

**Reason for Report:**

To provide Council with the Mayors delegate report on the Centroc Board and Central NSW Joint Organisation meetings.

**Report:**

I attended the Board meeting of Centroc and Central NSW Joint Organisation Thursday 28 February 2019 at GATE (Global Ag-Tech Ecosystem) Department of Primary Industries Orange.

The Board heard a presentation from Ms Carolynne James, the GATE Project Leader & Manager, Investment and Business Development Unit, Department of Primary Industries on this initiative.

The Board were updated on the Orange Life Sciences Precinct by Mr Mark Burdack, Director of Corporate Services, from Orange City Council.

The implementation timeline for the Joint Organisation is on track for the actions required by the Office of Local Government. Prior to the Board meeting a Strategic workshop had taken place providing direction on progressing transition. A special meeting of the Joint Organisation Board will be called via a phone hook-up to approve both the Statement of Strategic Regional Priority and the Central NSW Joint Organisation Strategic Plan.

Progress has been made on the Code of Meeting Practice for the Central NSW Joint Organisation and feedback from the Office of Local Government will inform a report to the next meeting.

The Board were privileged to have in attendance Member for Calare, Assistant Minister to the Deputy Prime Minister, the Hon Andrew Gee who had arranged to address the Board regarding drought issues the Minister for Agriculture and Water Resources, Minister Assisting the Prime Minister for Drought Preparation and Response, the Hon David Littleproud.

I provide the following report for Council's information, along with the meeting minutes for the Centroc Board and the Central NSW Joint Organisation.

**Transport Infrastructure** – The Centroc Board continue advocating for a safe swift link between Central NSW and Western Sydney. At the recent meeting in January with Penrith City Council there was agreement for an “alliance of the willing” in support be developed. It will include case study material from industry.

Through the Transport Technical Group advocacy is to be made to RMS regarding the REPAIR grant program for a 4 -year approved program. The Group has also considered the development of a Freight Study for Central NSW by CSIRO, and will seek appropriate funding accordingly.

**Water Infrastructure** – The CWUA will investigate the potential for a regional application to stream 2 of the revised Safe and Secure program. This is for funding to procure consulting services to update CWUA member Council's Integrated water cycle management (IWCM) strategies.

Representation will be made to DoI water, seeking clarification of the status of their IWCM Guidelines and assurance that IWCMs currently being revised by members, will be assessed on existing guidelines and not updated guidelines as has been the case previously.

Further advice will be provided to the Board on how to progress the recommendations to the Centroc Drought Issues Paper developed by Western Research Institute. Please see the Drought Sub-Committee report to the CNSWJO.

**Health** – The Central NSW JO Board resolved for Local Government NSW to be approached to take carriage of regional health workforce challenges for NSW, requesting a one day forum shining a light on challenges for regional communities regarding health workforce. This approach include that a review of the publication Advice to the National Rural Health Commissioner on the Development of the National Rural Generalist Pathway be undertaken and the potential of leveraging the Beyond the Range website to support the attraction and retention of health workforce be proffered.

**Regional Development** – A draft Memorandum of Understanding with Regional Development Australia Central West was presented, the Board approved it be adopted and signed.

**Planning** – An update on the Priority Projects of the Central West and Orana Regional Plan from NSW Government Planning and Environment were provided, where interested members were asked to be part of a reference group to review the next set of priorities and seek advocacy for slow moving actions from lead Departments.

Advocacy for better timelines on LEPs and the planning “backlog” for the region will be undertaken.

**Tourism** –WRI will be engaged to develop a Central NSW Joint Organisation Tourism Tool to assess the real value tourism offers to a local community, particularly for smaller local government areas. The project would be over a two-year period, any specific event data will attract a further fee. Council contributions would come from funding in the Central NSW Tourism budget at \$15,000 pa for two years and a maximum of \$3,000 from each LGA per annum. Funding will also be sought through Destination Network Country and Outback to reduce the cost to LGA's.

The total investment in Public Relations (PR) and media monitoring has been \$30,000. In quarter 1 & 2 of 2018, the equivalent advertising value was calculated at \$577,800 with 31 media articles generated. In quarter 3 & 4 of 2018, the equivalent advertising value was calculated at \$1,771,614 with 52 articles generated.

**Operational** – The Central NSW JO Board approved a Memorandum of Understanding with Local Government Procurement (LGP) and will be seeking to codesign improvements to aggregated procurement with LGP in a best practice framework.

Local Government Procurement (LGP) has now concluded the FY17/18 Rebate Scheme having returned participants in excess of \$1.1m. They invite continued participation in the scheme for FY18/19.

The Board were updated on the \$10.9m in savings that Centroc has assisted members since 2009.

In the coming weeks members can expect to receive a proforma report on the Southern Lights Project. Southern Lights is a bold plan to provide 41 Local Government Areas in southern NSW, stretching from Bega to Broken Hill with smart enabled LED street lights and low to medium bandwidth communications technology. The coverage represents almost half of the 83 LGAs serviced by Essential Energy. This enabling infrastructure will provide better, safer, cheaper lighting and connectivity that will act as a catalyst for participating councils and others to invest in smart community technologies; technologies that will increase efficiencies and improve service delivery.

Further information can be provided on any of the Operational projects currently being managed by Centroc Staff.

**Financial** – The Centroc Board noted the anticipated full year profit of \$48,452 at 30 June 2019 against a budgeted profit of \$12,059.

All activities through Centroc and the Central NSW Joint Organisation are progressing well, members are asked to contact Executive Officer Ms Jenny Bennett at any stage with questions.

**Risk/Policy/Legislation Considerations:**

Nil

**Budget Implications:**

Nil

**Enclosures (following report)**

- |   |   |         |
|---|---|---------|
| 1 | Centroc Board Meeting Minutes - 28/02/2019  | 4 Pages |
| 2 | Central NSW JO Meeting Minutes - 28/02/2019 | 4 Pages |

**Attachments (separate document)**

Nil

**Minutes of the Centroc Board Meeting 28 February 2019 held at the GATE in Orange**

**Board Delegates in bold**

<b>Cr G Hanger</b>	Bathurst Regional Council	<b>Cr J Medcalf</b>	Lachlan Shire Council
<b>Mr A Jones</b>	Bathurst Regional Council	<b>Mr G Tory</b>	Lachlan Shire Council
<b>Cr S Ferguson</b>	Blayney Shire Council	<b>Cr K Sajowitz</b>	Oberon Council
<b>Ms R Ryan</b>	Blayney Shire Council	<b>Mr G Wallace</b>	Oberon Council
<b>Cr K Beatty</b>	Cabonne Council	<b>Cr S Romano</b>	Orange City Council
<b>Ms H Nicholls (acting)</b>	Cabonne Council	<b>Mr G Styles</b>	Orange City Council
<b>Cr D Somervaille</b>	Central Tablelands Water	<b>Mr K Boyd</b>	Parkes Shire Council
<b>Mr G Rhodes</b>	Central Tablelands Water	<b>Cr M Liebich</b>	Weddin Shire Council
<b>Cr B West</b>	Cowra Council	<b>Mr G Carroll</b>	Weddin Shire Council
<b>Mr P Devery</b>	Cowra Council	Ms J Bennett	Centroc
<b>Cr P Miller</b>	Forbes Shire Council	Ms Meredith Macpherson	Centroc

**1. Welcome by Chair John Medcalf 10.10am**

**2. Apologies**

Cr K Keith, Cr R Kidd, Mr D Sherley, Mr S Loane, Ms C Weston. Ms J Andrews, Mr A Albury, Ms K Purser

<b>Resolved</b>	<b>Mr G Styles/Cr P Miller</b>
That the apologies for the Centroc Board meeting 28 February 2019 listed above be accepted.	

**3. Speakers**

- **Mark Burdack, Director of Corporate Services, Orange City Council - Orange Life Sciences Precinct**
- **Carolynne James, GATE Project Leader & Manager, Investment and Business Development Unit, Department of Primary Industries - Pitchfest**  
Question from the floor – how do we leverage regional airports and the potential productivity of the region in the context of the aerotropolis?

**4. Minutes**

**4a Noting of the Minutes of the GMAC Meeting 31 January 2019**

<b>Resolved</b>	<b>Cr B West/Mr K Boyd</b>
That the Minutes of the Centroc GMAC Meeting 31 January held in Orange be noted.	

**4b Confirmation of the Minutes of the Board Meeting 22 November 2019 at Oberon**

<b>Resolved</b>	<b>Mr K Boyd/Cr K Sajowitz</b>
That the Minutes of the Centroc Board Meeting 22 November 2019 held at Oberon Mayfield Garden be confirmed	

**4c Noting of the Minutes of the AGM Thursday 22 November 2018 held at Mayfield Gardens in Oberon**

<b>Resolved</b>	<b>Cr S Romano/Cr B West</b>
That the Minutes of the Centroc 22 November 2018 held at Mayfield Gardens Oberon be noted.	

**4d Noting of the Minutes of the Central NSW Joint Organisation held Thursday 22 November 2018 held at Mayfield Gardens in Oberon**

<b>Resolved</b>	<b>Cr K Sajowitz/Mr G Styles</b>
That the Minutes of the Centroc NSW Joint Organisation 22 November 2018 held at Mayfield Gardens Oberon be noted.	

**5 Business Arising from the Minutes – Matters in Progress**

<b>Resolved</b>	<b>Mr K Boyd/Cr D Somerville</b>
That the Board note the Matters in Progress, making deletions as suggested.	

**6 Correspondence**

**6a Correspondence In**

<b>Resolved</b>	<b>Mr K Boyd/Mr G Tory</b>
That the Board note the incoming correspondence.	

**6b Correspondence Out**

<b>Resolved</b>	<b>Cr P Miller/Cr K Sajowitz</b>
That the Board note the outgoing correspondence.	

**7 Reports**

**7a Transport Infrastructure including Bells Line of Road**

<b>Resolved</b>	<b>Mr K Boyd/Cr B West</b>
That the Board note the Transport Infrastructure Report; and	
<ol style="list-style-type: none"> <li>1. make representation to RMS through the Sponsoring General Manager regarding the REPAIR grant program to a 4 -year approved program for better planning and Council budgeting;</li> <li>2. take a collaborative approach with key State agencies in the development of a Freight Study for Central NSW by CSIRO, seeking appropriate funding accordingly.</li> <li>3. a letter to be drafted in consultation with Penrith City progressing support for a safe swift link between Sydney and Central NSW to be signed by the “willing;” and</li> <li>4. progress an “alliance of the willing” in support of a safe swift link between Central NSW and Western Sydney including case study material from industry.</li> </ol>	

**7b Water Infrastructure Report**

<b>Resolved</b>	<b>Cr D Somerville/Mr K Boyd</b>
That the Board note the Water Infrastructure Report; and	
<ol style="list-style-type: none"> <li>1. Commend to the CWUA that it investigates the potential for a regional application to stream 2 of the revised Safe and Secure program for funding to procure consulting services to update CWUA member Council’s Integrated water cycle management (IWCM) strategies; and</li> <li>2. Write to DoI water seeking clarification of the status of their IWCM Guidelines and assurance that IWCMs currently being revised by members will be assessed on existing guidelines and not updated guidelines as has been the case previously;</li> <li>3. Note work to review and update the Regional Water Infrastructure Priority Matrix plan and advocacy to align the region’s priorities with the prioritisation framework being developed by State agencies;</li> <li>4. Commend to members that they consider nominating a representative to participate in WaterNSW Customer Advisory Groups for the period 2019-2022 for their area;</li> </ol>	

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| <ol style="list-style-type: none"> <li>5. Note that a report has been provided to the Joint Organisation Board from the Drought SubCommittee; and</li> <li>6. After the election a water related-delegation meet with the appropriate Minister to discuss the opportunities the upgrading of Wyangala may create with the appropriate strategic support.</li> </ol> |
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**7c Health Report**

<b>Resolved</b>	<b>Cr J Medcalf/Mr G Carroll</b>
That the Board note the Health report and note a report is being provided to the Joint Organisation Board about the Stronger Rural Health Strategy	

**7d Regional Development**

<b>Resolved</b>	<b>Cr B West/ Mr G Styles</b>
That the Board note the Regional Development Report and note that the MoU with Regional Development Australia Central West is being considered by the Joint Organisation Board.	

**7e Planning Report**

<b>Resolved</b>	<b>Mr G Styles/Mr K Boyd</b>
That the Board note the Planning Report and	
<ol style="list-style-type: none"> <li>1. Endorse correspondence to the Department of Planning regarding             <ol style="list-style-type: none"> <li>a. the need for consultation on the Primary Production and Rural Development SEPP; and</li> <li>b. the need for resources to support Councils as the embed changes to the Planning legislation;</li> </ol> </li> <li>2. note that the Inland Code State Environment Planning Policy has been released;</li> <li>3. note the review of the Implementation Plan for the Central West and Orana Regional Plan and nominate Cr P Miller, Cr S Romano and Cr B West to engage in the process as part of a reference group; and</li> <li>4. Centroc advocate for better timelines on LEPs and seek to have the planning “backlog” for the region resolved.</li> </ol>	

**7f Tourism Report**

<b>Resolved</b>	<b>Cr B West/Ms R Ryan</b>
That the Board note the Tourism Report and Members agree to the regional project; and	
<ol style="list-style-type: none"> <li>1. WRI be engaged to develop a Central NSW Joint Organisation Tourism Tool to assess the real value tourism offers to a local community, particularly for smaller local government areas;             <ol style="list-style-type: none"> <li>a. The project would be over a two-year period;</li> <li>b. Any specific event data will attract a further fee;</li> <li>c. Council contributions would come from funding in the Central NSW Tourism budget at \$15,000pa for two years and a maximum of \$3,000 from each LGA per annum;</li> <li>d. thank WRI for its contribution of \$30,000 over two years; and</li> </ol> </li> <li>2. funding be sought through Destination Network Country and Outback to reduce the cost to LGA’s; and</li> <li>3. endorse the grant application to the Office of Environment and Heritage called Unearth the Heritage of Central NSW seeking funding of \$25K towards a project with total value, including in-kind, of \$83,500.</li> </ol>	

**7g Operational Report**

<b>Resolved</b>	<b>Mr G Styles/Cr B West</b>
That the Board note the Operational Report and;	

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| <ol style="list-style-type: none"> <li>1. note the meeting with Mr Ashley Albury, DPC, to progress the opportunities for funding through the OLG’s Local Government Skills Strategy and;</li> <li>2. receive proforma reports to Council about the Southern Lights Project.</li> </ol> |
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**7h Financial report**

<b>Resolved</b>	<b>Mr K Boyd/Mr G Styles</b>
That the Board note the Financial Report.	

**8 Late Reports**

**a Progressing transition from Centroc to the Central NSW JO**

<b>Resolved</b>	<b>Cr B West/Cr M Liebich</b>
That the Board note the report transitioning from Centroc to the Central NSW JO and receive a report to the Centroc Board seeking to amend the Centroc constitution to enable the wind-up of Central NSW Councils (Centroc) transferring reporting governance and reporting arrangements to the Central NSW Joint Organisation if necessary.	

**b. Confidential Report on Electricity Procurement**

<b>Resolved</b>	<b>Mr G Styles/Mr K Boyd</b>
That the Board note the late report on electricity procurement and	
<ol style="list-style-type: none"> <li>1. Councils give consideration to participation in a renewable energy Power Purchase Agreement (PPA) for a portion of their electricity supply which would incur a fee directly to Councils and</li> <li>2. note the advice from the meeting Friday 22 February and await advice for County Council.</li> </ol>	

**9 Matters raised by members - Nil**

**10 Speakers to the next meeting – noting the meeting is scheduled to be at Parliament House Sydney.**

**11 Next Meetings**

**2 May 2019 - Executive**

**23 May 2019 –Board**

**23 May 2019 – CNSWJO Board**

**The General Meeting of the Board closed at 12.11pm**

**Page 4 is the last page of the Centroc Board Minutes 28 February 2019**



**Minutes of the Central NSW Joint Organisation meeting 28 February 2019 held in Orange****Attendees, voting members in bold.**

<b>Cr G Hanger</b>	Bathurst Regional Council	<b>Cr P Miller</b>	Forbes Shire Council
<b>Cr S Ferguson</b>	Blayney Shire Council	<b>Cr K Sajowitz</b>	Oberon Shire Council
<b>Cr K Beatty</b>	Cabonne Council	<b>Cr S Romano</b>	Orange City Council
<b>Cr B West</b>	Cowra Shire Council	<b>Cr M Liebich</b>	Weddin Shire Council
<b>Cr J Medcalf</b>	Lachlan Shire Council		

Mr A Jones	Bathurst Regional Council	Mr G Wallace	Oberon Shire Council
Ms R Ryan	Blayney Shire Council	Mr G Styles	Orange City Council
Ms H Nicholls (acting)	Cabonne Council	Mr K Boyd	Parkes Shire Council
Cr D Somerville	Central Tablelands Water	Mr G Carroll	Weddin Shire Council
Mr G Rhodes	Central Tablelands Water	Ms J Andrews	RDACW
Mr P Devery	Cowra Shire Council	Ms J Bennett	Central NSW JO
Mr G Tory	Lachlan Shire Council	Ms Meredith Macpherson	Central NSW JO

**Meeting opened 12.20pm, Chaired by Chair Cr John Medcalf****Apologies – Cr K Keith, Cr R Kidd, Mr D Sherley, Mr S Loane, Ms C Weston, Mr A Albury, Mr K Purser**

<b>Resolved</b>	<b>Cr S Ferguson/Cr B West</b>
That the apologies for the Central NSW Joint Organisation Board meeting 28 February 2019 listed above be accepted.	

**1. Minutes****1a Confirmation of the Minutes of the Central NSW Joint Organisation meeting 22 November 2018 in Oberon**

<b>Resolved</b>	<b>Cr S Ferguson/Cr B West</b>
That the Central NSW Joint Organisation Board confirm the Minutes of the meeting 22 November 2018 held at Mayfield Gardens Oberon	

**2. Business Arising from the Minutes – Matters in Progress**

<b>Resolved</b>	<b>Cr B West/Cr P Miller</b>
That the Central NSW Joint Organisation Board note the Matters in Progress, making deletions as suggested.	

**3. Correspondence****3a Incoming correspondence**

<b>Resolved</b>	<b>Cr B West/Cr G Hanger</b>
That the Board note the incoming correspondence.	

**3b Outgoing correspondence**

<b>Resolved</b>	<b>Cr B West/Cr G Hanger</b>
That the Board note the outgoing correspondence.	

**4. Drought Sub-Committee Report**

<b>Resolved</b>	<b>Cr B West/Cr S Ferguson</b>
That the Board notes the Centroc Drought Sub-Committee Report and	
<ol style="list-style-type: none"> <li>1. note the Centroc Drought Issues Paper developed by Western Research Institute;</li> <li>2. the Central NSW Joint Organisation Board receive advice on progressing the recommendations in the report; and</li> <li>3. note that advice will be provided to the Joint Organisation Board from the Regional Leadership Executive regarding progress by the Drought Subcommittee.</li> </ol>	

**5. Mandatory Code of Meeting Practice for the Central NSW Joint Organisation Report**

<b>Resolved</b>	<b>Cr B West/Cr P Miller</b>
That the Board note progress on the Draft Code of Meeting Practice for the Central NSW Joint Organisation Report and await feedback from the Office of Local Government to inform a report to the next meeting.	

**6. Remuneration for the Chair and or other Mayors in their capacity as Board members for the Central NSW JO**

<b>Resolved</b>	<b>Cr S Ferguson/Cr P Miller</b>
That the Board confirm the Charter for the Central NSW Joint Organisation and seek feedback from members on a report remunerating the Chair including advice on the Remuneration Tribunal option "Rural" of \$25,880.	

**7. Central NSW Joint Organisation engagement with neighbouring councils**

<b>Resolved</b>	<b>Cr P Miller/Cr K Beatty</b>
That the Board note the Report on the Central NSW Joint Organisation engagement with other councils and	
<ol style="list-style-type: none"> <li>1. focus all activity including operational support programming of the Joint Organisation on delivering value to member Councils;</li> <li>2. engage with other Joint Organisation, Local Government NSW, Country Mayors, the Water Directorate and other peak local government entities as appropriate in the interest of members;</li> <li>3. Midwestern and Dubbo Regional Councils be offered a non-voting membership at 50% of the fees structure for the Central NSW Joint Organisation Joint Organisation subject to them having full membership of the Orana Joint Organisation; and</li> <li>4. Lithgow City Council be offered the same arrangement but encouraged to consider full membership of the Central NSW Organisation.</li> </ol>	

**8. Strategic Update for the Joint Organisation**

<b>Resolved</b>	<b>Cr M Liebich/Cr S Ferguson</b>
That the Central NSW Joint Organisation Board note the Strategic Update report and	
<ol style="list-style-type: none"> <li>1. Hold a special meeting upon sign off by the Steering Committee to approve the strategy and Statement of Strategic Regional Priority; and</li> <li>2. Receive a report to the May Joint Organisation meeting regarding fees to resource the Joint Organisation Strategy.</li> </ol>	

**12.40pm – Suspend business to hear from the Hon David Littleproud, Minister for Agriculture and Water Resources, Minister Assisting the Prime Minister for Drought Preparation and the Hon Andrew Gee, Member for Calare, Assistant Minister to the Deputy Prime Minister.**

**Bathurst Regional Council representatives left the meeting at 1.05pm**

Oberon Shire Council representatives left the meeting 1.32pm

Mr K Boyd left the meeting 1.53pm

**9. Stronger Rural Health Strategy**

<b>Resolved</b>	<b>Cr P Miller/Cr K Beatty</b>
That the report regarding the Stronger Rural Health Strategy be noted and	
<ol style="list-style-type: none"> <li>1. Local Government NSW be approached to take carriage of regional health workforce challenges for NSW;</li> <li>2. this approach to include requesting a one-day forum shining a light on challenges for regional communities regarding health workforce;</li> <li>3. this approach negotiate support from Central NSW and other Joint Organisations;</li> <li>4. through this approach a review of the publication Advice to the National Rural Health Commissioner on the Development of the National Rural Generalist Pathway be undertaken and the potential of leveraging the Beyond the Range website to support the attraction and retention of health workforce be proffered.</li> </ol>	

**10. Draft JO and RDACW MOU**

<b>Resolved</b>	<b>Cr B West/Cr P Miller</b>
That the Board note report on the draft Memorandum of Understanding with Regional Development Australia and adopt it for signature.	

**11. Copyright Agency licensing offer**

<b>Resolved</b>	<b>Cr B West/Cr M Liebich</b>
That the Board note the Copyright Agency licensing offer report and	
<ol style="list-style-type: none"> <li>1. accept the CNSW Joint Organisation Copyright Agency Agreement;</li> <li>2. note Councils opting in to Copyright Agency licensing are the licensees;</li> <li>3. note that Copyright Agency has provided advice it will hold the pricing as per the below where all or a vast majority of members take part; and</li> <li>4. note that the Central NSW Joint Organisation will take part in the program.</li> </ol>	

**12. Memorandum of Understanding with Local Government Procurement**

<b>Resolved</b>	<b>Cr B West/Cr S Romano</b>
That the Board sign the Memorandum of Understanding with Local Government Procurement (LGP) and seek to codesign improvements to aggregated procurement with LGP in a best practice framework.	

**13. Australasian Local Government Performance Excellence Program**

<b>Resolved</b>	<b>Cr S Ferguson/Cr P Miller</b>
That the report regarding the Australasian Local Government Performance Excellence Program be noted and	
<ol style="list-style-type: none"> <li>1. Local Government Professionals be advised that Councils will be making their individual determinations regarding procurement of this tool including enhancements; and</li> <li>2. The Office of Local Government be asked for a time frame for its performance monitoring program.</li> </ol>	

**14. Local Government Focus Advertising Proposal**

<b>Resolved</b>	<b>Cr K Beatty/Cr S Romano</b>
That the Board note the proposal from Local Government Focus and	
<ol style="list-style-type: none"> <li>1. not engage at this time but consider promoting the regions collaboratively once the strategic and communications plans for the JO are completed; and</li> <li>2. provide feedback to any similar proposals that these be referred to the Communications' Plan to be developed.</li> </ol>	

**15. Administration Update**

<b>Resolved</b>	<b>Cr S Romano/CR S Ferguson</b>
That the Board note the timeline for the implementation of the JO.	

**16. Financial Report**

<b>Resolved</b>	<b>Cr S Romano/Cr P Miller</b>
That the Board note the Financial Report.	

**17. Other matters raised by members - Nil**

**18. Next meeting – Suggest meeting the day before the Board meeting in Sydney.**

**Next meeting of the Joint Organisation is 23 May 2019**

**Meeting closed 2.10pm**

**Page 4 is the last page of the Central NSW Joint Organisation meeting 28 February 2019**

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

In accordance with the Local Government Act (1993) and the Local Government (General) Regulation 2005, 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.

**17) LEGAL MATTER**

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