



13 March 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, 18 March 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 18.02.19
- (8) Matters arising from Minutes
- (9) Reports of Staff
  - (a) Executive Services
  - (b) Corporate Services
  - (c) Infrastructure Services
  - (d) Planning and Environmental Services
- (10) Closed Meeting

Yours faithfully

Rebecca Ryan  
**General Manager**

## Meeting Calendar 2019

### March

<b>Time</b>	<b>Date</b>	<b>Meeting</b>	<b>Location</b>
6.00pm	18 March 2019	Council Meeting	Community Centre

### April

<b>Time</b>	<b>Date</b>	<b>Meeting</b>	<b>Location</b>
10.00am	5 April 2019	Traffic Committee Meeting	Council Office
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

**INDEX OF REPORTS OF THE BLAYNEY SHIRE COUNCIL MEETING**  
**HELD ON MONDAY 18 MARCH 2019**

<b>CONFIRMATION OF MINUTES</b> .....	<b>4</b>
01) Minutes of the Previous Council Meeting held Monday 18 February 2019.....	4
<b>EXECUTIVE SERVICES</b> .....	<b>14</b>
02) Flyers Creek Wind Farm Voluntary Planning Agreement .....	14
03) Minutes of the Blayney Shire Tourism, Towns and Villages Committee Meeting held 26 February 2019.....	34
<b>CORPORATE SERVICES</b> .....	<b>41</b>
04) Report of Council Investments as at 28 February 2019.....	41
05) Youth Week 2019.....	46
06) Disability Inclusion Action Plan 2017 - 2021 Status Report .....	48
07) Audit, Risk and Improvement Committee Annual Report .....	53
08) Minutes of The Blayney Shire Audit, Risk and Improvement Committee Meeting held 21 February 2019.....	60
09) Minutes of the Financial Assistance Committee Meeting held 5 March 2019 .....	65
<b>INFRASTRUCTURE SERVICES</b> .....	<b>71</b>
10) Director Infrastructure Services Monthly Report.....	71
11) Contract 2/2019 - Supply of Goods and Services.....	75
12) Contract 3-2019 Provision of Plant Hire .....	79
13) Funding Agreement Central West Equestrian and Livestock Centre.....	82
14) Minutes of the Blayney Shire Sports Council Meeting held on Thursday 21 February 2019 .....	85
<b>PLANNING AND ENVIRONMENTAL SERVICES</b> .....	<b>88</b>
15) Minutes of the Blayney Shire Access Advisory Committee held Tuesday 5 March 2019 .....	88
16) Minutes of the Blayney Cemetery Forum Meeting held Tuesday 26 February 2019 .....	92
<b>CONFIDENTIAL MEETING REPORTS</b> .....	<b>95</b>
17) Central West Equestrian And Livestock Centre.....	95
18) General Manager's Annual Performance Review .....	95

**01) MINUTES OF THE PREVIOUS COUNCIL MEETING HELD MONDAY  
18 FEBRUARY 2019****Department:** Executive Services**Author:** General Manager**CSP Link:** 2. Local Governance and Finance**File No:** GO.ME.3**Recommendation:**

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

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

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

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****RECORDING OF MEETING STATEMENT****DISCLOSURES OF INTEREST**

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

<b>Councillor/Staff</b>	<b>Interest</b>	<b>Item</b>	<b>Pg</b>	<b>Report</b>	<b>Reason</b>
Cr Ferguson	Pecuniary	4	27	Drought Communities Program 2018	A builder that Cr Ferguson contracts to has been asked to quote the Millthorpe Museum project.
Cr Ferguson	Pecuniary	7	38	Minutes of the Blayney Shire Cultural Centre Working Group Meeting	Potential contractor for Blayney Station refurbishment
Cr Ferguson	Pecuniary	8	41	Probity Plan – CentrePoint Refurbishment Project	Previously declared conflict of interest in this project
Cr Reynolds	Non Pecuniary (less than significant)	23	135	Minutes of the Traffic Committee Meeting held 8 February 2019	Cr Reynold's daughter attends Millthorpe Public School and Cr Reynolds also helps as volunteer cooking the barbeque during part of the event

Cr Reynolds	Non Pecuniary (less than sign)	26	8	Rates Hardship Request – Assessment A315667	Cr Reynolds is a member of the Orange Ex-Service's Club (OESC), which is also a creditor of the rates hardship request.
-------------	--------------------------------	----	---	---	---

### **PRESENTATION OF AUSTRALIA DAY AWARD**

The Mayor presented the Australia Day Appreciation Award for 2019 to Darrin Yates.

### **CONFIRMATION OF MINUTES**

#### **MINUTES OF THE PREVIOUS MEETING HELD MONDAY 17 DECEMBER 2018**

**1902/001**

#### **RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 17 December 2018, being minute numbers 1812001 to 1812026 be confirmed.

(Newstead/Ewin)

**CARRIED**

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

Nil

### **EXECUTIVE SERVICES REPORTS**

#### **COUNCIL RESOLUTION REPORT**

**1902/002**

#### **RESOLVED:**

That Council notes the Resolution Report to January 2019.

(Reynolds/Somerville)

**CARRIED**

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

**1902/003**

#### **RESOLVED:**

That the Risk, Work Health and Safety Report for the quarter October 2018 to December 2018 be received and noted.

(Somerville/Reynolds)

**CARRIED**

Cr Ferguson having declared a pecuniary interest departed the Chair and left the Chambers.

The Deputy Mayor, Cr Kingham, assumed the Chair.

#### **DROUGHT COMMUNITIES PROGRAM 2018**

**1902/004**

#### **RESOLVED:**

That Council endorse the General Manager signing and execution of the Drought Communities Program Funding Agreement with the Australian Government for \$1million.

(Reynolds/Ewin)

**CARRIED**

Cr Ferguson returned to the meeting and assumed the Chair.

**UPPER MACQUARIE COUNTY COUNCIL REQUEST FOR  
ADDITIONAL WEED BIOSECURITY FUNDING**

1902/005

**RESOLVED:**

That Council provides in the 2019/20 Operational Plan and subsequent Delivery Program the accumulative total of \$18,946 over 3 years as additional contributions to Upper Macquarie County Council to ensure the viability of the County Council as the regional Weed Management Authority.

(Kingham/Reynolds)

**CARRIED**

1902/006

**ORANGE 360**

**RESOLVED:**

That Council nominate the appointment of Cr Somerville as Director to TDO Limited and Cr Ferguson as the Alternate Director to the Board of TDO Limited trading as Orange360.

(Reynolds/Ewin)

**CARRIED**

Cr Ferguson having declared a pecuniary interest departed the Chair and left the Chambers.

The Deputy Mayor, Cr Kingham, assumed the Chair.

**MINUTES OF THE BLAYNEY SHIRE CULTURAL CENTRE  
WORKING GROUP MEETING HELD MONDAY 4 FEBRUARY  
2019**

1902/007

**RESOLVED:**

1. That the minutes of the Blayney Shire Cultural Centre Working Group, held on Monday 4 February 2019, be received and noted.
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.

(Newstead/Reynolds)

**CARRIED**

**PROBITY PLAN – CENTREPOINT REFURBISHMENT  
PROJECT**

1902/008

**RESOLVED:**

That Council receive and note the CentrePoint Sports and Leisure Centre Aquatic and Building Upgrades Probity Plan and appointment of Monica Kelly, Prevention Partners as Probity Advisor.

(Somerville/Reynolds)

**CARRIED**

Cr Ferguson returned to the meeting and assumed the Chair.

### **CORPORATE SERVICES REPORTS**

#### **REPORT OF COUNCIL INVESTMENTS AS AT 31 DECEMBER 2018**

**1902/009 RESOLVED:**

1. That the report indicating Council's investment position as at 31 December 2018 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

(Reynolds/Ewin)

**CARRIED**

#### **REPORT OF COUNCIL INVESTMENTS AS AT 31 JANUARY 2019**

**1902/010 RESOLVED:**

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

(Somerville/Denton)

**CARRIED**

#### **QUARTERLY BUDGET REVIEW STATEMENT – DECEMBER 2018**

**1902/011 RESOLVED:**

1. That the Quarterly Budget Review Statement for the quarter ending 31 December 2018 be received.
2. That the supplementary votes of \$281k proposed in the Quarterly Budget Review Statement be approved resulting in an increase to operating expenditure of \$565k, an increase in operating income of \$2.12m and an increase to capital expenditure of \$1.83m offset by capital income variations of \$1.70m.

(Newstead/Denton)

**CARRIED**

#### **SIX MONTHLY DELIVERY PLAN REVIEW – DECEMBER 2018**

**1902/012 RESOLVED:**

That the six-monthly review, as at 31 December 2018, of Council's 2018/19 – 2021/22 Delivery Plan be received.

(Ewin/Reynolds)

**CARRIED**

#### **COMPLIANCE AND REPORTING ACTIVITIES**

**1902/013 RESOLVED:**

That the report on Compliance and Reporting Activities for the 6

month period to December 2018 be received.

(Somervaille/Reynolds)

**CARRIED**

**NOMINATION OF NATIVE TITLE MANAGER**

1902/014

**RESOLVED:**

That Council nominate the Director Corporate Services as its Native Title Manager and give notice to the Minister for Lands and Forestry of contact details.

(Reynolds/Kingham)

**CARRIED**

**ADOPTION OF EVENT MANAGEMENT POLICY**

1902/015

**RESOLVED:**

That the Event Management Policy be adopted and included in Council's policy register.

(Denton/Newstead)

**CARRIED**

**ADOPTION OF FEE – REDMOND OVAL: MILLTHORPE SENIOR CRICKET**

1902/016

**RESOLVED:**

That Council adopt the Redmond Oval Hire Fees – Millthorpe Senior Cricket of \$570 for inclusion into Council's Fees & Charges as part of the 2018/19 Operational Plan.

(Kingham/Somervaille)

**CARRIED**

**ADOPTION OF WASTE COLLECTION SERVICES POLICY**

1902/017

**RESOLVED:**

That the Waste Collection Services policy be adopted and included in Council's policy register.

(Reynolds/Newstead)

**CARRIED**

**EXPRESSIONS OF INTEREST BORROWINGS – RESIDENTIAL LAND DEVELOPMENT**

1902/018

**RESOLVED:**

1. That the report on Expressions of Interest – Request for Borrowings submissions received from suitable lending institutions to fund Residential Land Development be received.
2. That Council proceed with Option 1 for a term of 10 years at a fixed rate.
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.
4. That in the event that Tcorp not allocate borrowings, Council select Commonwealth Bank at 3.58% p.a. over 10 years.
5. That Council delegate authority to the Mayor and General



Manager to sign all necessary documentation to establish the Loan Funding Agreement.

6. That Council provide security to the successful financial institution in the form of a charge over general rates income of Council.

(Newstead/Reynolds)

**CARRIED**

## **INFRASTRUCTURE SERVICES REPORTS**

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

1902/019

#### **RESOLVED:**

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

(Reynolds/Somervaille)

**CARRIED**

### **AUSTRALIAN CRICKET INFRASTRUCTURE – FUNDING DEED**

1902/020

#### **RESOLVED:**

That Council;

1. Receive and note the report on expansion plans and endorse the overall strategic plan for the Dakers Oval precinct enhancement.
2. Approves the execution of the Australian Cricket Infrastructure Funding Deed for \$28,370 (Ex GST) for the Dakers Oval Cricket Practice Nets Project.

(Kingham/Denton)

**CARRIED**

### **KING GEORGE OVAL PUMP RENEWAL**

1902/021

#### **RESOLVED:**

1. That Council approve the renewal of the King George Oval bore and irrigation pumping equipment,
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.

(Reynolds/Newstead)

**CARRIED**

### **NAMING OF ROADWAY FOR PLUMB STREET SUBDIVISION**

1902/022

#### **RESOLVED:**

1. That Council endorse the following shortlist of names and seek community feedback prior to final determination by Council;
  - Streatfeild Close
  - Innes Close
  - Thompson Close
  - Colburt Close

2. That Council also seek community feedback on adopting an Indigenous name.

(Newstead/Kingham)

**CARRIED**

Cr Reynolds having declared a non pecuniary (less than significant) interest remained in the Chambers.

**MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 8 FEBRUARY 2019**

1902/023

**RESOLVED:**

1. That the minutes of the Blayney Traffic Committee Meeting, held on Friday 8 February 2019, be received and noted.
2. That Council endorse the Traffic Management Plan for the Millthorpe Market event, to be staged on 7 April 2019 on Redmond Oval and Millthorpe Public School as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report and subject to the following amendments:
  - The webbing along Park Street, provide for openings at driveways where required.
  - Relocate the 40km zone to include the Park and Victoria Streets intersection.
  - The TCP to display the existing permanent pedestrian crossing.
  - Traffic Controllers shall be provided at the following locations:
    - 1 at temporary pedestrian crossing
    - 2 at exit point at cemetery carpark
    - 1 at entry point at cemetery carpark
  - The provision of a Traffic Controller at the temporary disabled parking zone shall be at the discretion of the Event Organiser.
  - "Parking" directional signage shall be displayed in accordance with the Australian Standard (white on blue).
  - 60km zone signage to be corrected in accordance with, and to reflect existing posted speed zones.
  - Road Work speed limit signs to be changed to Special Event.
  - The proposed shuttle bus pick up/drop off shall be within the Millthorpe Cemetery grounds to minimise traffic impacts on the adjoining public road and be displayed on the TCP.
  - The TCP shall provide for a barricade to restrict exiting traffic from utilising the driveway via St Marks Anglican Church. Carpark traffic shall operate in a single direction through the carpark and signage be provided for and identified on the TCP.

(Reynolds/Newstead)

**CARRIED****CLOSED MEETING****1902/024 RESOLVED:**

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

**TENDER FOR SUPPLY AND DELIVERY OF QUARRY MATERIALS**

*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.*

**CENTROC PANEL CONTRACT FOR LINE MARKING**

*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. (Report contains pricing details provided from suppliers)*

**RATES HARDSHIP REQUEST - ASSESSMENT A315667**

*This matter is considered to be confidential under Section 10A(2) (b) of the Local Government Act, as it deals with the personal hardship of any resident or ratepayer.*

**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.*

**AMENDMENT TO LEASE AGREEMENT: BLAYNEY SOLAR FARM**

*This matter is considered to be confidential under Section 10A(2) (c) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

(Denton/Newstead)

**CARRIED****CONFIDENTIAL MEETING REPORTS****TENDER FOR SUPPLY AND DELIVERY OF QUARRY MATERIALS****1902/025 RESOLVED:**

That Council accept the following tenderers onto the panel contract for Supply and Delivery of Quarry Materials:

- Australian Native Landscapes
- Boral Resources NSW
- Earth Plant Hire
- Hanson Construction Materials
- Oberon Quarries
- Regional Quarries Australia
- Westlime Canowindra

(Newstead/Reynolds)

**CARRIED**

**CENTROC PANEL CONTRACT FOR LINE MARKING**

1902/026

**RESOLVED:**

1. That Council accept and sign contracts with Central West Linemarking, Complete Linemarking Services, Gumbay Holdings t/as Avante Linemarking, Oz Linemarking and/or Red Squirrel for linemarking services.
2. That Council recommends that the Centroc Contract Management Fee is replaced by an upfront Contract Management Fee that is determined by a transparent and accountable basis.

(Reynolds/Newstead)

**CARRIED**

Cr Reynolds having declared a non pecuniary (less than significant) interest remained in the Chambers.

**RATES HARDSHIP REQUEST – ASSESSMENT A315667**

1902/027

**RESOLVED:**

That Council defer consideration of the request to waive interest on rates and charges for rates assessment A315567 on hardship grounds.

(Ferguson/Kingham)

**CARRIED**

**LEGAL MATTER**

1902/028

**RESOLVED:**

That Council receive and note the report.

(Kingham/Newstead)

**CARRIED**

**AMENDMENT TO LEASE AGREEMENT: BLAYNEY SOLAR FARM**

1902/029

**RESOLVED:**

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.
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.

(Newstead/Ewin)  
**CARRIED**

**1902/030 RESOLVED:**

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

(Reynolds/Somerville)  
**CARRIED**

**AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 1902/025 TO 1902/029.**

There being no further business, the meeting concluded at 8.07pm.

The Minute Numbers 1902/001 to 1902/030 were confirmed on 18 March 2019 and are a full and accurate record of proceedings of the Ordinary Meeting held on 18 February 2019.

---

Cr S Ferguson  
**MAYOR**

---

Mrs R Ryan  
**GENERAL MANAGER**

**02) FLYERS CREEK WIND FARM VOLUNTARY PLANNING AGREEMENT**

**Department:** Executive Services

**Author:** Director Planning and Environmental Services

**CSP Link:** 5. The Natural Environment

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

---

**Recommendation:**

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.

**Reason for Report:**

Infigen Energy currently has under assessment with the NSW Department of Planning and Environment modification number 4 for the Flyers Creek Wind Farm (FCWF) project.

The application is expected to be determined by the Independent Planning Panel in the near future.

**Report:**

The Flyers Creek, Modification 4 was lodged on 4 August 2018, seeking to primarily increase the approved turbine height by 10m (from 150m to 160m).

70 submissions were received during the public exhibition period. The application will be determined by the Independent Planning Panel in the near future.

**Background**

Project Approvals;

- 14 March 2014 – Project Approval granted by NSW Planning and Assessment Commission for 42 turbines.
- 13 March 2015 – Modification number 1 was approved, authorising a 6 month extension to deferred commencement conditions.
- 14 September 2015 – Modification number 2 was approved, authorising removing the 132kV transmission line and other minor changes.
- 20 November 2017 – Modification number 3 was approved, which removed 3 properties from the project and reducing the number of turbines from 42 to 38.

In documentation lodged with modification 4 Infigen state;

- *“the increase to the maximum turbine envelope proposed as part of Modification 4 would allow for the installation of a turbine model with an installed capacity of up to 4.2 MW, as compared to the turbine models ranging between 2.0 and 3.6 MW which have been considered for the Project. By using the more efficient turbine models now proposed as part of Modification 4, the Project has the potential to generate approximately 430 GWh of electricity per year - sufficient for the average consumption of approximately 58,000 homes.”* and
- *“increase the total generation capacity of the Project by between 15 to 20% compared to the currently approved Project through the use of more efficient turbine technology than was available when the Project was originally approved.”*

Other relevant dates;

- 22 February 2019 – Construction certificate approved by Blayney Shire Council for engineering works including; new access track and site office pad.
- 6 March 2019 – Construction certificate approved by Blayney Shire Council for installation of a site shed.

The above 2 construction certificates and undertaking of those works are likely to constitute commencement of the project and therefore the project approval will not likely lapse on 14 March 2019.

#### Voluntary Planning Agreement

In 2015, Council and Infigen Energy agreed to terms for a Voluntary Planning Agreement (VPA). (**Resolution No 1508/011**) This is a public document on Council’s website, and a copy follows this report.

The current VPA provides for \$107,000 pa (to increase by CPI), which Councils finance staff have calculated would be approximately \$115,000 pa in 2019.

Council’s Director Planning and Environmental Services is Council’s Representative on the Flyers Creek Community Consultative Committee. In late 2017, the Director initiated communication with Infigen Energy in regards to the terms of the existing VPA. This was on the basis that the VPA had not been updated from Modification 2 to 3, which saw a reduction in the number of turbines.

In addition, the Southern Cadia Access Route project has significantly reduced the amount of work Infigen would have to undertake upgrading Errowanbang Road has as part of the project.

A desktop analysis of current VPAs follows for Council information.

Wind Farm Name	LGA	Year of Project Approval	Number of turbines	Per Turbine \$	Size of Wind Farm (MW)	Per MW \$	Per Annum \$
Crookwell 2	Upper Lachlan	2005	28	2,500	95.2	735	70,000
Whiterock	Glenn Innes	2012	70	2,500	175	1,000	175,000
<b>Flyers Creek (2015 \$)</b>	<b>Blayney</b>	<b>2014</b>	<b>42</b>	<b>2,815</b>	<b>144</b>	<b>741</b>	<b>107,000</b>
<b>Flyers Creek (2019 \$, CPI'd)</b>	<b>Blayney</b>		<b>38</b>	<b>3,026</b>	<b>144</b>	<b>798</b>	<b>115,000</b>
Crudine	Mid-Western, Bathurst Regional	2016	37	4,537	134	1,250	167,875
Biala	Upper Lachlan	2017	31	2,500	110	704	77,500
Liverpool Range	Upper Hunter, Warrumbungle	2018	267	3,000	1000	801	801,000

The VPA is only one component of potential financial benefit to Council if the development proceeds, which may also include;

- Construction Certificate income, and
- Potential lease payments for placement of infrastructure in Council's road reserve.

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

A VPA is a voluntary agreement based upon what two parties are willing to negotiate and offer. The VPA may be used to achieve many different planning outcomes including;

- Compensation for loss or damage caused by development
- Meeting demand for public infrastructure created by development
- Prescribing inclusions in development
- Providing planning benefits to the wider community
- Recurrent funding

Council nor DPE can force Infigen to renegotiate the terms of the current VPA.

Should Infigen and Council amend the current VPA, Council would be required to endorse it for public exhibition for 28 days.

#### **Budget Implications:**

The VPA is for 25 years, so final terms of any VPA for the Flyers Creek wind farm project has the potential to significantly impact the financial obligation to Infigen and potential revenue to Council.

The NSW Mining and Energy Related Councils (MERC) recommended to member councils a \$1,250 per MW quantum for Wind Farm VPAs. If applied



to this project it would generate an additional \$1,637,500 over the 25 years of the agreement.

Installed Capacity – 144 MW

	Annual	Life of Project
Current VPA terms	115,000	2,875,500
MERC \$1,250 quantum	180,000	4,500,000

**Enclosures (following report)**

1 Flyers Creek VPA

13 Pages

**Attachments (separate document)**

Nil

# Planning Agreement

Between



**Blayney Shire Council**

ABN: 47619651511

and



**Flyers Creek Wind Farm Pty Ltd**

ACN: 130 749 012

14/04/2014

**Blayney Shire Council**

**91 Adelaide Street Blayney NSW 2799**

**Phone 02 6368 2104**

[council@blayney.nsw.gov.au](mailto:council@blayney.nsw.gov.au) / [www.blayney.nsw.gov.au](http://www.blayney.nsw.gov.au)

Page 1 of 16

## 1. PARTIES

- Blayney Shire Council of 91 Adelaide Street, Blayney, NSW 2799 ('Council');
- Flyers Creek Wind Farm Pty Ltd of Level 22, 56 Pitt Street, Sydney, NSW 2000 ('Proponent').

## 2. BACKGROUND

- 2.1 On 16<sup>th</sup> December 2008 the Proponent made a Development Application to the NSW Department of Planning & Infrastructure for Development Consent to carry out the Development on the Land (approximately 15 kilometres west of Blayney). This Development is identified by the Department of Planning & Infrastructure as Major Project Application No. 08\_0252.
- 2.2 The Proponent has agreed to enter into this Agreement and, provided that Construction Commencement is achieved, to pay the Development Contributions to the Council on the basis that Development Consent is granted by the NSW Government.

## 3. OPERATIVE PROVISIONS OF THIS AGREEMENT

### 3.1 PLANNING AGREEMENT UNDER THE ACT

The Parties agree that this Agreement is a Planning Agreement governed by Subdivision 2 of Division 6 of Part 4 of the Act.

### 3.2 APPLICATION OF THIS AGREEMENT

This Agreement applies to the Development as identified in Attachment A of this Agreement on Land which is identified in Attachment A of this Agreement.

### 3.3 OPERATION OF THIS AGREEMENT

- a) The operation of this Agreement is subject to and conditional upon:
- (i) final Development Consent for the Development being received on terms and conditions acceptable to the Proponent acting reasonably; and
  - (ii) Construction Commencement being achieved,
- (together the '**Conditions**').
- b) This Agreement shall have no force or effect until both of the Conditions have been satisfied.
- c) Payment of the financial contributions due in the first calendar year shall be made pro rata, dependent on the date in that year the Conditions are met.

### 3.4 DEFINITIONS AND INTERPRETATION

In this Agreement, the following definitions apply:

**Act** means the *Environmental Planning and Assessment Act, 1979*.

**Approval** means any approvals, consents, certificates, permits, endorsements, licences, conditions or requirements (and any modifications or variations to them) which may be required by law or by adjoining owners for the commencement and carrying out of the Development generally and includes an approval under Part 3A of the Act (if relevant).

**Base Year** means the calendar year commencing 1 January 2014.

**Business Day** means a day on which banks are open for general business in Sydney excluding Saturdays, Sundays and public holidays.

**Conditions** is defined in clause 3.3(a).

**Council** means Blayney Shire Council.

**Construction Commencement** means the Project has reached financial close in securing all debt and equity required to build the Project, the Department has approved the Construction Environmental Management Plan for the Project and an Environmental Protection Licence has been issued by the NSW Department of Environment on terms acceptable to the Proponent and the Proponent has mobilised to site in preparation for commencing civil works on public road infrastructure and the project site itself. For the avoidance of doubt, mobilisation to site does not include undertaking activities such as geotechnical investigations, surveys of any nature or resource monitoring.

**CPI** means:

- a) the Consumer Price Index (All Groups, Sydney) published by the Australian Bureau of Statistics from time to time; or
- b) if for any reason the Consumer Price Index (All Groups, Sydney) is not published for any year, or if publication is delayed until after the relevant CPI Adjustment Date, the Consumer Price Index (All Groups, Sydney) published for the previous year; or
- c) if the Australian Bureau of Statistics ceases to publish the Consumer Price Index (All Groups, Sydney) and publishes another index which replaces it, then the other index.

**CPI Adjustment Date** means 1 January in each successive year after the Base Year.

**Dealing**, in relation to the Land, means, without limitation, selling, transferring, assigning, mortgaging, charging, encumbering or otherwise dealing with the Land.

**Decommissioning** means the date of which the Proponent has ceased commercial operations and removed the plant and equipment that comprise the Wind Farm and returns the land formations upon which plant and equipment was installed, as far as practicable, to the levels existing prior to the Construction Commencement in accordance with the conditions of any Approvals.

**Department** means the NSW Department of Planning and Infrastructure.

**Development, Project or Wind Farm** means the project known as the 'Flyers Creek Wind Farm' as detailed in Attachment A of this document.

**Development Application** has the same meaning as in the Act.

**Development Consent** has the same meaning as in the Act.

**Development Contribution** means a monetary contribution or the provision of a material public benefit, the schedule of which is listed in Table 1 contained herein.

**Dispute** is defined in clause 7.1.

**GST** has the same meaning as in the GST Law.

**GST Law** has the meaning given to that term in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other act or regulation relating to the imposition or administration of the GST.

**Insolvency Event** means any of the following events:

- a) a Party ceases to (or is unable to) pay its creditors (or any class of them) in the ordinary course of business, or announces its intention to do so;
- b) a receiver, manager, receiver and manager, administrator or similar officer is appointed with respect to a Party or any of its assets;
- c) a Party enters into, or resolves to enter into, a scheme of arrangement, compromise or composition with any class of creditors;
- d) a resolution is passed or an order is made for the winding up or dissolution of a Party; or
- e) anything having a substantially similar effect to any of the events specified above happens under the law of any applicable jurisdiction.

**Land** means the land described in Attachment A of this Agreement.

**Modification** –means a modification to the Development Application that would result in more than forty three (43) wind turbines being approved for the Project.

**Party** means a party to this agreement, including its successors and assigns.

**Proponent** means Flyers Creek Wind Farm Pty Ltd or any subsequent owner of the Development.

**Traffic Study** means the study conducted as part of the Construction Traffic and Management Plan specified in Schedule C - Administrative Conditions of the Development Consent

### 3.5 INTERPRETATION OF THIS AGREEMENT

In the interpretation of this Agreement, the following provisions apply unless the context otherwise requires:

- a) Headings are inserted for convenience only and do not affect the interpretation of this Agreement.
- b) A reference in this Agreement to a business day means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney.
- c) If the day in which any act, matter or thing is to be done under this Agreement is not a business day, the act, matter or thing must be done on the next business day.
- d) A reference in this Agreement to 'dollars' or '\$' means Australian dollars and all amounts payable under this Agreement are payable in Australian dollars.
- e) A reference in this Agreement to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision.

- f) A reference in this Agreement to any agreement, deed or document is to that agreement, deed or document as amended, novated, supplemented or replaced.
- g) A reference to a clause, part, schedule or attachment is a reference to a clause, part schedule or attachment to this Agreement.
- h) An expression importing a natural person includes any company, trust, partnership, joint venture, association, body corporate or governmental agency.
- i) Where a word or phrase is given a defined meaning, another part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning.
- j) A word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular, and a reference to any gender denotes the other genders.
- k) References to the word 'include' or 'including' are to be construed without limitation.
- l) A reference to this Agreement includes the agreement recorded in this Agreement.
- m) A reference to a party to this Agreement includes a reference to the servants, agents, and contractors of the party, and the party's successors and assigns. For the avoidance of doubt, all future owners of Flyers Creek Wind Farm Pty Ltd are bound by the terms of this agreement.
- n) Any schedules, tables and attachments form part of this Agreement.

#### 4. DEVELOPMENT CONTRIBUTIONS TO BE MADE UNDER THIS AGREEMENT

- 4.1 Subject to satisfaction of the Condition and the operation of clause 3.3, the Proponent commits to make the Development Contributions listed in Table 1 below to Council, by Electronic Funds Transfer, in accordance with the manner and timing stated in the same table.

**Table 1: The Development Contributions**

Number	Summary Description	Total Financial Contribution to be made (\$)	Manner & Timeframe for Payment of the Contributions
1	Community Benefit Fund	1,375,000	\$55,000/year paid for 25 years, with 50% payable on 1 <sup>st</sup> July and 50% payable on 5 <sup>th</sup> January each year.
2	Road Maintenance	1,000,000	\$40,000/year paid for 25 years with 50% payable on 1 <sup>st</sup> July and 50% payable on 5 <sup>th</sup> January each year.
3	Project Related Council Administration and Observations	300,000	\$12,000/year paid for 25 years, with 50% payable on 1 <sup>st</sup> July and 50% payable on 5 <sup>th</sup> January each year.
	<b>Total over the first 25 years of the life of the Project</b>	<b>2,675,000 + CPI</b>	

The Proponent will not be required to make any ad hoc contributions (in addition to the Development Contributions); however, it may at its discretion make other donations for community purposes.

- 4.2 On each CPI Adjustment Date, Development Contributions which are payable by the Proponent will be indexed by reference to the CPI for the year ending 31 September in the calendar year preceding the year in which the CPI Adjustment Date occurs. The adjustment is to be calculated by the following formula:

$$DC_n = DC_1 \times I_n / I_1$$

where:

DC<sub>n</sub> is the indexed Development Contribution (for year n);

DC<sub>1</sub> is the original amount of the Development Contribution, as set out in column 4 of Table 1;

I<sub>n</sub> is the CPI for the year ending 31 September in the calendar year preceding the year for which the calculation is being made; and

I<sub>1</sub> is the CPI for the Base Year.

- 4.3 The Development Contributions paid pursuant to subclause 4.1 may be pooled with other monies held by Council which have similar and relevant objectives, subject to the Proponent having the opportunity to make representations for certain expenditure for the benefit of residents in the district near the Project. The Council must have regard to the opinions expressed by the Proponent but will not be bound by them.
- 4.4 In addition to the Development Contributions listed in Table 1 above, and as per the findings of the Traffic Study (acceptable to both Parties), the Proponent undertakes at its own expense to:
- a) upgrade Errowanbang Road (between the Mid-Western Highway and Gap Road) and Gap Road (and related intersections, causeways, etc), in accordance with plans approved by Council, prior to any Project construction work commencing (other than site mobilisation);
  - b) upgrade other roads, bridges, intersections, in the Flyers Creek district that require modification in the reasonable opinion of Council, to allow construction of the Development, in accordance with plans approved by Council, prior to any Project construction work commencing (other than site mobilisation);
  - c) maintain Errowanbang Road (between the Mid-Western Highway and Gap Road) and Gap Road for the duration of the construction phase of the Development, to the reasonable satisfaction of Council;
  - d) If, during the life of the Project, Council provides evidence of significant increases in traffic volumes or vehicle types on other roads in the locality not addressed in the abovementioned Traffic Study that can be directly attributable to the Project, the Proponent agrees to reach a negotiated settlement with Council to provide

additional funds for road repair, maintenance or upgrade works. In an endeavour to avoid this impact the Proponent will require contractors and staff to travel on designated routes to be agreed with Council; and

- e) pay Council \$120/tonne ( adjusted for CPI in accordance with clause 4.2 as if they were Development Contributions) plus any reasonable carbon cost imposed by the waste management facility that accepts the waste generated by the Project.

The works a) to c) above shall be carried out by the Proponent as soon as practicable after the date the Conditions are satisfied but subject always to the operation of clause 3.3.

## **5. CONFIDENTIALITY**

- 5.1 The Parties agree that the terms of this Agreement are not confidential and that this Agreement may be treated as a public document and exhibited or reported without restriction by either Party.

## **6. AMENDMENT TO THIS AGREEMENT**

- 6.1 This Agreement may only be amended if Council and the Proponent agree to enter into a new Agreement or in accordance with clause 19.

## **7. DISPUTE RESOLUTION**

- 7.1 In the event a dispute between the Parties arises in relation to any activity, payment or item as covered in this Agreement (a "Dispute"), the Dispute is to be resolved through the following process (as required):

- a) A Party claiming that a Dispute has arisen must give written notice to the other Party specifying the nature of the Dispute;
- b) Within ten (10) days of receipt of notice of a claim of a Dispute, both Parties must endeavour, in good faith, to resolve the Dispute swiftly using informal dispute resolution methods such as discussion or expert evaluation as agreed by both Parties;
- c) If the Parties fail to resolve the Dispute within 21 Business Days of receipt of notice (or any further period agreed in writing by them) as to:
  - i) the Dispute resolution method and procedures to be adopted;
  - ii) the timetable for all steps in those procedures; or
  - iii) if applicable, the selection and compensation of the independent person required for any agreed expert evaluation,

the Parties must mediate the Dispute in accordance with the Alternative Dispute Resolution process of the Law Society of NSW. The Parties must request the President of the Law Society of NSW or the President's nominee to select the mediator;

- d) The costs associated with the mediation must be shared equally between the Parties, unless the mediator determines otherwise; and



- e) If the Dispute is not resolved within 60 Business Days after the initial notice of the Dispute is given under clause 7.1(a), then either Party, having exhausted efforts to resolve the Dispute in accordance with this section, may, in writing, terminate the Dispute resolution process and commence court proceedings in relation to the Dispute.

## **8. ENFORCEMENT**

- 8.1 The Proponent commits an “event of default” if it commits, permits or suffers to occur any breach or default in the due and punctual observance and performance of any of the covenants, obligations and provisions to be performed or observed by the Proponent under this Agreement.
- 8.2 Where the Proponent commits an event of default the Council may:
  - a) serve a notice on the Proponent requiring the breach of this Agreement to be rectified within a reasonable period (being not less than 28 Business Days from the date of the notice); and
  - b) claim damages for breach of contract from the Proponent.
- 8.3 The rights vested in Council pursuant to clause 8.2 above do not prevent the Council from exercising any other rights that it may possess at law.
- 8.4 If there is any Dispute as to whether an event of default has occurred, then any enforcement by the Council of this Agreement shall be suspended pending the outcome of the Dispute resolution procedure prescribed in clause 7.

## **9. TERMINATION AND SUSPENSION**

- 9.1.1 Subject always to clause 8.4, this Agreement terminates upon the occurrence of any of the following events:
  - a) the Parties agree in writing to terminate this Agreement;
  - b) Decommissioning of the Wind Farm;
  - c) an Insolvency Event affects a Party; or
  - d) the Council, acting reasonably, serves notice on the Proponent terminating this Agreement where the Proponent has failed to comply with a notice issued in accordance with clause 8.2(a).
- 9.2 Upon termination of this Agreement:
  - a) all future rights and obligations of the Parties under this Agreement are discharged; and
  - b) all pre-existing rights and obligations of the Parties under this Agreement continue to subsist.

## **10. NOTICES**

- 10.1 Any notice, consent, information, application or request that must or may be given or made to a Party under this Agreement is only given or made if it is in writing and sent in one of the following ways:

- a) delivered or posted to that Party at its address set out below; or
- b) faxed to that Party at its fax number set out below.

**Blayney Shire Council**

Attention: General Manager  
Address: 91 Adelaide Street Blayney, NSW 2799  
PO Box 62, Blayney, NSW 2799  
Fax Number: (02) 6368 3290

**Flyers Creek Wind Farm Pty Ltd**

Attention: Mr Jonathan Upson, Senior Development Manager  
Address: Level 22, 56 Pitt Street, Sydney, NSW 2000  
Fax Number: (02) 9247 6086

- 10.2 If a Party gives the other Party three Business Days notice of a change of its address or fax number, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted or faxed to the latest address or fax number.
- 10.3 Any notice, consent, information, application or request is to be treated as given or made at the following time:
  - a) if it is delivered, when it was left at the relevant address;
  - b) if it is sent by post, two Business Days after it is posted; or
  - c) if it is sent by fax, as soon as the sender receives from the sender's fax machine, a fax report of an error free transmission to the correct fax number.
- 10.4 If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a Business Day, or if on a Business Day, after 5 pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next Business Day.

**11 COSTS**

Each Party shall pay its own costs in relation to negotiating, preparing and executing this Agreement.

**12 ENTIRE AGREEMENT**

This Agreement contains everything to which the Parties have agreed in relation to the matters it deals with. No Party can rely on an earlier document, or anything said or done by another Party, or

by a director, officer, agent or employee of that Party, before this Agreement was executed except as permitted by law.

### **13 FURTHER ACTS**

Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to affect, perfect or complete this Agreement and all transactions incidental to it.

### **14 GOVERNING LAW AND JURISDICTION**

This Agreement is governed by the law of New South Wales. The Parties submit to the non-exclusive jurisdiction of its courts and courts of appeal from them. The Parties will not object to the exercise of jurisdiction by those courts on any basis.

### **15 NO FETTER**

Nothing in this Agreement shall be construed as requiring Council to do anything that would cause it to be in breach of any of its obligations at law, and without limitation, nothing shall be construed as limiting or fettering in any way the exercise of any statutory discretion or duty.

### **16 REPRESENTATIONS AND WARRANTIES**

16.1 Each of the Parties represents and warrants to the other Party that it has power to enter this Agreement and comply with its obligations under this Agreement and that entry into this Agreement will not result in the breach by it of any law applicable to it.

16.2 Each Party warrants to each other Party that:

- a) this Agreement creates a legal, valid and binding obligation, enforceable against the relevant Party in accordance with its terms; and
- b) unless otherwise stated, it has not entered into this Agreement in the capacity of trustee of any trust.

### **17 SEVERABILITY**

If a clause or part of a clause of this Agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way. If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this Agreement, but the rest of the Agreement is not affected.

### **18 MODIFICATION**

No modification of this Agreement will be of any force or effect unless it is in writing and signed by the Parties to this Agreement.

## **19 RENEWAL/REPLACEMENT OF THIS AGREEMENT**

During the term of this Agreement, the Parties agree to review and amend the Agreement if a Modification to the original planning consent is sought for the Development. Any amendments resulting from such a review will only become effective if the Modification is approved by the consent authority and the works relating to the Modification are commenced.

Regardless, during the twenty fifth year after Construction Commencement of the Development, the Parties agree to negotiate a replacement for, or an extension of, this current Agreement as determined by circumstances at the time.

This Planning Agreement shall be deemed to remain in force, even beyond the initial twenty five year period, and until such time as it is renegotiated and replaced.

## **20 WAIVER**

The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this Agreement, does not amount to a waiver of any obligation of, or breach of obligation by, another Party. A waiver by a Party is only effective if it is in writing. A written waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given. It is not to be taken as an implied waiver of that obligation or breach in relation to any other occasion.

## **21 GST**

- 21.1 Capitalised terms used in this clause 21 which are not otherwise defined have the same meanings as in the GST Law.
- 21.2 Any consideration or amount payable under this Agreement, including any non-monetary consideration (as reduced in accordance with clause 21.6 if required) ("**Consideration**") is exclusive of GST.
- 21.3 If GST is or becomes payable on a Supply made under or in connection with this Agreement, an additional amount ("**Additional Amount**") is payable by the Party providing the Consideration for the Supply ("**Recipient**") equal to the amount of GST payable on that Supply as calculated by the Party making the Supply ("**Supplier**") in accordance with the GST Law.
- 21.4 The Additional Amount payable under clause 21.3 is payable at the same time and in the same manner as the Consideration for the Supply but is only payable on receipt of a valid Tax Invoice.
- 21.5 If for any reason (including the occurrence of an Adjustment Event) the amount of GST payable on a Supply made under or in connection with this Agreement (taking into account any Decreasing or Increasing Adjustments in relation to the Supply) varies from the Additional Amount payable by the Recipient under clause 21.3:

- a) the Supplier must provide a refund or credit to the Recipient, or the Recipient must pay a further amount to the Supplier, as appropriate;
  - b) the refund, credit or further amount (as the case may be) will be calculated by the Supplier in accordance with the GST Law; and
  - c) the Supplier must notify the Recipient of the refund, credit or further amount within 14 days after becoming aware of the variation to the amount of GST payable. If there is an Adjustment Event in relation to the Supply, the requirement for the Supplier to notify the Recipient will be satisfied by the Supplier issuing to the Recipient an Adjustment Note within 14 days after becoming aware of the occurrence of the Adjustment Event.
- 21.6 Notwithstanding any other provision in this Agreement, if an amount payable under or in connection with this Agreement (whether by way of reimbursement or otherwise) is calculated by reference to an amount incurred by a Party, whether by way of cost, expense, outlay, disbursement or otherwise ("**Amount Incurred**"), the amount payable must be reduced by the amount of any Input Tax Credit to which that Party is entitled in respect of that Amount Incurred.
- 21.7 Any reference in this clause 21 to an Input Tax Credit to which a Party is entitled includes, without limitation, an Input Tax Credit arising from a Creditable Acquisition by that Party but to which the Representative Member of a GST Group of which the Party is a Member is entitled.
-

EXECUTION

DATED:

EXECUTED AS AN AGREEMENT:

The Common Seal of **Blayney Shire Council** was affixed in the presence of:

As per Council  
Resolution No.  
1508/011 10-8-15



*[Handwritten signature]*

*[Handwritten signature]*

Mayor

General Manager

Name (printed) **SCOTT FERGUSON**

Name (printed) **REBECCA RYAN**

Executed by **Flyers Creek Wind Farm Pty Ltd** in accordance with section 127(1) of the *Corporations Act 2001* (Cth) by authority of its directors:

*[Handwritten signature]*

*[Handwritten signature]*

Director:

Director/Secretary:

Name (printed)

Name (printed)

**BRADLEY WARWICK  
HOPWOOD**

**DAVID RICHARDSON**

**ATTACHMENT A**

**THE DEVELOPMENT**

The proposed Flyers Creek Wind Farm as described in the Environmental Assessment report dated May 2011 and further described in the Preferred Project Report of May 2013, and submitted to the NSW Department of Planning and Infrastructure for review and determination.

**DESCRIPTION OF SUBJECT LAND**

The Land Title details are shown below:

Property or Landowners	Land Title Details		Turbine Numbers	Met Mast	Wind farm ancillary items
	Lot	DP			
Wind Farm Area 1	12	1063204			
	6	550053	3	Northern	New track, track upgrade, 33kV UG Cabling
	76	750358			
	53	750358	5, 6, 7		New track, track upgrade, 33kV UG Cabling
	50	750358			
Wind Farm Area 2	41	750367			UG cabling and possible track
	28	750367	4		Site office, New track, track upgrade, 33 kV UG Cabling
Wind Farm Area 3	8	750358			Substation, 132 kV Line, 33kV Line, 33 kV UG Cabling, track upgrade
	52	750358			
Wind Farm Area 4	62	750358	8		New track, 33 kV UG Cabling, 33kV Line
	181	750358	10, 11, 12		Track upgrade, 33 kV UG Cabling, New Track
	180	750358			132 kV line, New track
	10	750358			New track
Wind Farm Area 5	63	750358	9		33 kV UG Cabling
Wind Farm Area 6	7	750358	13, 14		New track, track upgrade
	66	750358			New track, track upgrade

Property or Landowners	Land Title Details		Turbine Numbers	Met Mast	Wind farm ancillary items
	Lot	DP			
	65	750358			
Wind Farm Area 7	68	750358	16		33 kV UG Cabling, 33 kV Line, New track
Wind Farm Area 8	67	750358	15		New track and track upgrade, 33 kV UG Cabling
Wind Farm Area 9	69	750358		Central	Central
Wind Farm Area 10	5	1031238			33 kV OH Line
Wind Farm Area 11	6	1031238			New track, 33 kV OH Line
Wind Farm Area 12	163	750358			
	427	1067009	21, 22, 24		New track, track upgrade, 33 kV UG Cabling
	425	1067009			
	426	1067009			
Wind Farm Area 13	162	750358	18, 19		New track, 33 kV Line
Wind Farm Area 14	161	750358	20		New track, 33 kV UG Cabling, 33 kV Line
Wind Farm Area 15	208	750359	38		New track, 33 kV UG Cabling, 33 kV Line
	72	750359			Access track to T38
	66	750359	39, 40		Access tracks and UG cabling
	1	1089162			
	2	1089162			
	1	1089147			
	2	1089147			
	3	1089147			33 kV UG Cabling
	96	750358			New track
	95	750358			New track
	94	750358			Track upgrade



Property or Landowners	Land Title Details		Turbine Numbers	Met Mast	Wind farm ancillary items
	Lot	DP			
Wind Farm Area 16	75	750358	43 to 46		New track, track upgrade, 33 kV UG cabling
Wind Farm Area 17	1	396680	23, 25		New track, track upgrade, 33 kV UG cabling
	1	1079963	26, 31, 32		New track, track upgrade, 33 kV UG cabling
Wind Farm Area 18	201	750359	28, 29		New track, 33 kV UG cabling
Wind Farm Area 19	202	750359	27, 30		New track, 33 kV UG cabling
	204	750359			
Wind Farm Area 20	206	750359	33, 34	Southern	New track, 33 kV UG cabling
	2	519767			
	120	750359			
	1	519767			
	84	750359			New track
Wind Farm Area 21	533	749105	35		New track, 33 kV UG cabling
	1	1071270			
Wind Farm Area 22	83	750359	36, 37		New track, 33 kV UG cabling
Wind Farm Area 23	78	750359	41, 42		New track, 33 kV UG cabling
	62	750359			
	1	927568			

**03) MINUTES OF THE BLAYNEY SHIRE TOURISM, TOWNS AND VILLAGES COMMITTEE MEETING HELD 26 FEBRUARY 2019**

**Department:** Executive Services

**Author:** General Manager

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

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

---

**Recommendation:**

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

**Minutes:**

**MINUTES OF THE TOURISM, TOWNS AND VILLAGES COMMITTEE  
MEETING  
HELD ON TUESDAY 26 FEBRUARY 2019  
AT THE BLAYNEY SHIRE COMMUNITY CENTRE**

Meeting commenced at 6.00 pm.

**PRESENT**

Cr Bruce Reynolds (Chair), Rebecca Ryan (General Manager), Kerry Strom, Richard Bloomfield, Elizabeth Russ, Judy Belecky, Wayne Moore, Kate McMartin, Bruce Gordon and Bill Burdett

**GUEST**

Margaret Garretty (Ability Links)

**APOLOGIES**

That the apologies received from Pip Frogley, Kate Burrell, Lorraine Dunkley, Jane Whiten, Kim Martin and Jo Richardson be accepted.

(Elizabeth Russ / Bill Burdett)

**DISCLOSURES OF INTEREST**

Nil

**ADOPTION OF MINUTES FROM PREVIOUS MEETING – 27 November 2018**

Recommended that the minutes from the previous Tourism, Town and Villages Committee meeting held on 27 November 2018 be adopted.

(Judy Belecky / Bruce Gordon)

**BUSINESS ARISING**

- Drought Communities Program underway
- SCCF Rounds 1 and 2 either completed, underway or in progress
- Financial Assistance Program closed 18 February 2019

Cr Reynolds congratulated a number of the Committee members for being nominated and awarded Australia Day Certificates. He congratulated Elizabeth Russ for receiving the Blayney Shire Citizen of the Year Award and Judy Beleky, who received a Volunteer of the Year Award.

**ABILITY LINKS – ACCESS AT A GLANCE LAUNCH**

Margaret Garretty presented information regarding this state wide program, which is essentially an Access at a glance everywhere venues. Cr Reynolds advised that Margaret Garretty to be invited to Access Advisory Committee Meeting.

**BLAYNEY SHIRE COUNCIL EVENT MANAGEMENT POLICY**

GM outlined resources available and support provided by WHS and Risk Management Coordinator. Reviewed Event Management Policy, Information on Planning an Event and Event Management Guidelines. Requirements for Insurance, Risk management and in some cases Traffic Committee approval. Council support an event debrief, and event organisers reminded of Council's What's On facility on the website.

**BLAYNEY SHIRE COUNCIL DESTINATION MANAGEMENT PLAN  
2016/2020**

A review and update will be undertaken in 2019, so any feedback welcomed. This process will commence with new Manager Tourism and Communications and stakeholders, including Village Associations will be included.

**ORANGE 360 MEMBERSHIP PROSPECTUS – BUSINESS AND VILLAGES**

- Orange 360 Industry membership is encouraged for any local tourism operation

Cr Reynolds advised that Cr Somerville has been appointed delegate to the Orange TDO Board with Cr Ferguson alternate.

**DELEGATES REPORTS****Mandurama**

- Greatly appreciate the drought funding we have secured for the hall kitchen upgrade and maintenance.
- The new undercover structure at the park is underway.
- Mandurama Public School is holding a ball in May.

**Lyndhurst**

- Lyndhurst CWA after selling their building are funding some projects in the village. The hall will received a new stage curtain, air conditioning, painting the entrance lobby, new concrete in lobby and under stage areas and a defibrillator. They are also funding two pieces of children's playground equipment for the recreation ground.

- The pathway from Capital Park to Selby Street has been completed and the Harrow Street section from the Highway along Harrow Street will be completed in April.
- The old fencing has been removed from the recreation ground. Line clearing will begin tomorrow and the new fence should be completed by end of March. The new seats along the footpath and at the recreation ground will hopefully be installed at the same time.
- Exercises classes at the recreation ground with trainer Bec Kurtz are very popular and now includes aqua aerobics at a local heated pool.
- Dancing classes at the hall are still going well Monday to Thursday afternoons.
- Music classes are starting at the school with Mark Hine volunteering to teach the children.
- A new cook is at the hotel providing meals Thursday, Friday and Saturday evenings plus a Sunday roast lunch.
- The supper room at the hall has been painted thanks to the Council heritage grant which partly funded the project.
- 50km/hr signs are coming for some of the village streets.
- The school is going to organise cricket coaching for the children at the recreation ground when the footpath is completed.
- There are moves to start the cricket club again for next season.
- Campground is still ticking over, a bit slow over the summer but some great comments on wikicamps.

### **Hobbys Yards**

- End of year BBQ held 24 November 2018 was a great success with approximately 60 adults and 25 kids in attendance.
- Work planned for this years includes gyprock in ladies toilet and back of hall, and new lighting for hall (if funding available).
- Yoga is back on Saturdays morning 7.30am to 8.30am and going well.
- Next meeting will be held 4 March at 7.30pm. Secretary position is coming up as previous secretary resigning.
- Rockabilly Dance event planned for 6 July 2019 as part of Winter Wonderland Festival.
- Hobbys Yards / Barry Fire Brigade were very busy over Christmas New Year period, with 6 lighting strikes and a house fire in a 2-3 week period.

### **Newbridge**

- Newbridge had a very successful Swap Meet on 10 February 2019 at the Showground. A good profit was made and this will be reinvested in the Pavilion and in supporting other activities that are planned throughout the year.
- The Gladstone Hotel is doing very well and another Italian night has been booked for 9 March following the success of the last event. Expansion of the Hotel with a fire pit at the side of the Hotel is also planned.
- Plans are underway for the Winter Solstice with a number of sponsors coming forward. Still seeking volunteers for the day.
- Grants have been applied for the development of the Brian Bennett Pavilion and are working towards getting DA approval.

- Application for lease on the Railway Station is also being working through while trying to overcome some obstacles.
- New railway bridge progressing.
- A Photography Sub-Committee of the Newbridge Progress Association is also being mooted with a number of enthusiastic potential members.
- Preliminary efforts are being made to get a War Memorial site at the Showground. These efforts are in the very early stages at this point in time.

### **Neville**

- The Neville Public Hall, being part of the Crown Lands Development, has had some new younger people submit applications to be (Trustees) land managers for the next 5 year term. This is welcome news as a number of the retiring land managers will not reapply due to age and ill health. Will inject new ideas and enthusiasm into the management of this vital village landmark.
- Neville Public School has 18 students enrolled this year.
- The next village drawcard will be our Veterans Sunday. This is normally held the Sunday before ANZAC Day. This year that is Easter Sunday so the event will be held on Sunday 14 April.
- The Southern Sector Development Coordinator has put in a number of grant applications to aid the village. If they are successful they will be much appreciated.
- The hall committee will also submit an application for repairs to the back rooms of the hall. This grant will be through the Crown Lands Department round of grants. Tenders are being called for at the moment.
- Multi-purpose Court subdivision underway.

### **Blayney**

- Carols in Carrington was a successful event again and was blessed with a fine, mild evening.
- Blayney's Christmas Lights Competition was a fitting event to finalise 2018. The entries were outstanding and all entrants are to be congratulated for a fine display.
- The Blayney Skate Park was completed before Christmas and unofficially christened by the youth of Blayney a week or so before Christmas. The formal opening was conducted by the Honourable Paul Toole and Mayor Scott Ferguson on 17 February. Students and BTA members who encouraged the implementation of this project are thanked and congratulated for their persistence. Council are also thanked for their enthusiasm for this project.
- The Bathurst Cycling Challenge (B2B) is set for 17 March. This event clashes with other events so we are finding it difficult to get the number of volunteers required. Blayney High School and CSU students will be required to fill the gaps.
- The Blayney Hay Bale Art Challenge, running in conjunction with the B2B, is on again and entries are open. Last year's event was a great success. There is more hay around this year so we are hopeful of having more entrants for this popular attraction.

- The Regional Science and Engineering Challenge for High School students is being conducted for the third year at CSU Bathurst. It is notable that students from Blayney High School perform well at this event, are well presented and well behaved.
- Blayney Show is scheduled for 23 March. We encourage all those vege gardeners and craftspeople to get into the spirit of healthy competition by putting entries into the many sections.
- The Newcrest Orange Cycling Challenge, scheduled for Sunday 31 March, passes through the south west part of our shire along Belubula Way, Burnt Yards Road and Forest Reefs then to Orange. We usually supply about 20 volunteers.
- Textures of One – a sub committee of BTA – are running their annual Art Show with the theme -'a feather'. This three day event will be at the Blayney Community Centre on March 15, 16, 17. We wish them every success for this event.
- Textures of One are also very active, working closely with NSW Railways, to have our Blayney Rail Station restored to its former glory and the station rooms set up to be a District/Blayney Shire Arts precinct for exhibitions and workshop space. This is a very exciting project and we urge all those shire artists, artisans and crafts people to lend a hand to bring this project to fruition. Railway refurbishment launch will be 15 March.

### **Millthorpe**

- Millthorpe Village Committee 2018 Community Awards to 10 recipients
- Railway platform modifications complete and opening day and first service scheduled for 11.45 am Friday 15 March.
- Perimeter fence contract awarded and completion dated expected 21 March.
- Drought Communities Program funding by Federal Government grant for MGMM conference and function centre approved.
- Millthorpe Community Plan updated for 2019 and approved by Council.
- Grant applications to Council for CWA hall and Millthorpe Village Committee storage facilities.
- Exercise circuit, footpaths around oval playground and rotunda seating plans approved.
- Convent Lane Garden stage 2 planned.
- 2019 Council tree planting program agreed.
- Millfest 2018 and Banjo Festival 2019
- Winter Fire Festival scheduled for Friday 2 August.

### **VIC**

- Support VIC – volunteers needed.
- AGM is next week, concerns health and age may prevent positions being nominated.
- January 267 visitors and February 182 visitors.

### **Rotary**

- Rotary has been busy with supporting Carols in Carrington in December.

- Our Christmas Farmers Market was very successful with Santa making an entrance in the Fire Truck.
- Australia Day breakfast prepared on behalf of Blayney Shire Council was appreciated by attendees.
- The February Farmers Market was held in Heritage Park in support of the Skate Park opening. It was another successful market. The community were very happy with the location, however most of the stall holders prefer Carrington park as there is more shade.
- March will be a very busy month for us. We are committed to:-
  - Assisting with the fundraising efforts for the two children who lost their Mother last year.
  - 17 March – Blayney Farmers Market at Carrington Park
  - 17 March – Bathurst Cycling Challenge (B2B) - volunteers
  - 23 March – Blayney Show – Rotary operates gates and parking
  - 31 March – Newcrest Orange Cycling Challenge
- April is also busy:
  - 6 April – BBQ for Cadia open day
  - 7 April – assisting with setup for Autumn Grazing Dinner
  - 7 April – Millthorpe Markets Parking
  - 8 April – assisting with the Autumn Grazing Dinner
  - 21 April – Blayney Farmers' Easter Market

### **Kings Plains**

- Small emergency bushfire a couple of weeks ago.
- Belubula River Action Group Meeting on a regular basis.
- A few Kings Plains representatives selected to be part of the CCC

### **NSW Farmers**

#### Seasonal Conditions

- A very dry winter and early spring with significant late spring rain in November provided a below average feed production albeit superior to the spring of 2018. Further rain in the early part of summer gave varied pasture response through the district with some localities receiving substantial benefit and others only receiving marginal benefit.
- The horticultural areas around Mt Canobolas were devastated by hailstorm in mid-December resulting in Natural Disaster Assistance low interest loan packages provided by the Rural Assistance Authority.

#### Livestock Markets

- Livestock markets have generally held up well given the extent of the drought. The Eastern States Young Cattle Indicator (EYCI) is currently sitting at 450 cents per kg. This is about 50 cents lower than the same period in 2018 and substantially below the 700 cents plus levels of 2017.
- Lamb markets have fared a little better with rates around 640 to 670 cents per kg ,slightly above same month in 2018.

#### Farm Financials

- Generally, farm cash balances would be enhanced by livestock sales through the spring and summer. Hand feeding has only recently recommenced in most localities. Livestock numbers are continuing to

decline with continued destocking on a state-wide basis. Kill numbers 5-15 % higher than same time 2018. Feed prices are 40% higher than same time last year so extended feeding will result in substantial cash outflows.

#### Pastures

- Continuing below average seasonal conditions may affect the capability of pastures to respond once the seasons return to a more normal pattern. This may cap the ability to restock to previous capability in the short term.

#### Producer Support

- The LLS continue to provide reliable and effective advice to producers across a range of animal health and welfare issues. Producers continue to benefit from a comprehensive range of services including agronomic advice and pest control programmes.
- Financial advice and support continues to be provided by the Rural Assistance Authority and Rural Financial Councillors.

#### Seasonal Outlook

- The BOM forecast is for a relatively neutral three-month rainfall outlook. Conversely they advise an EL Nino “watch” (50% chance of El Nino) which could impact the late autumn and winter.

#### **Farmers’ Market**

- Going well.
- Market in Heritage Park went well.
- Moving back to Carrington Park.

#### **GENERAL BUSINESS**

- Blayney Bowling Club / Millthorpe Bowling Club
- Blayney Rail Station refurbishment and repaint – launch 15 April
- Council approved VIC heating and cooling
- John Holland Tender open for Feasibility Study –for Blayney to Demondrille, however status unknown
- Weather radar – Parkes/Forbes

#### **FUTURE MEETING DATES**

- Tuesday 28 May 2019
- Tuesday 27 August 2019
- Tuesday 26 November 2019

#### **MEETING CLOSE**

There being no further business the meeting closed at 7.39pm.

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

Nil

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

Nil



**04) REPORT OF COUNCIL INVESTMENTS AS AT 28 FEBRUARY 2019**

**Department:** Corporate Services

**Author:** Chief Financial Officer

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

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

---

**Recommendation:**

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.

**Reason for Report:**

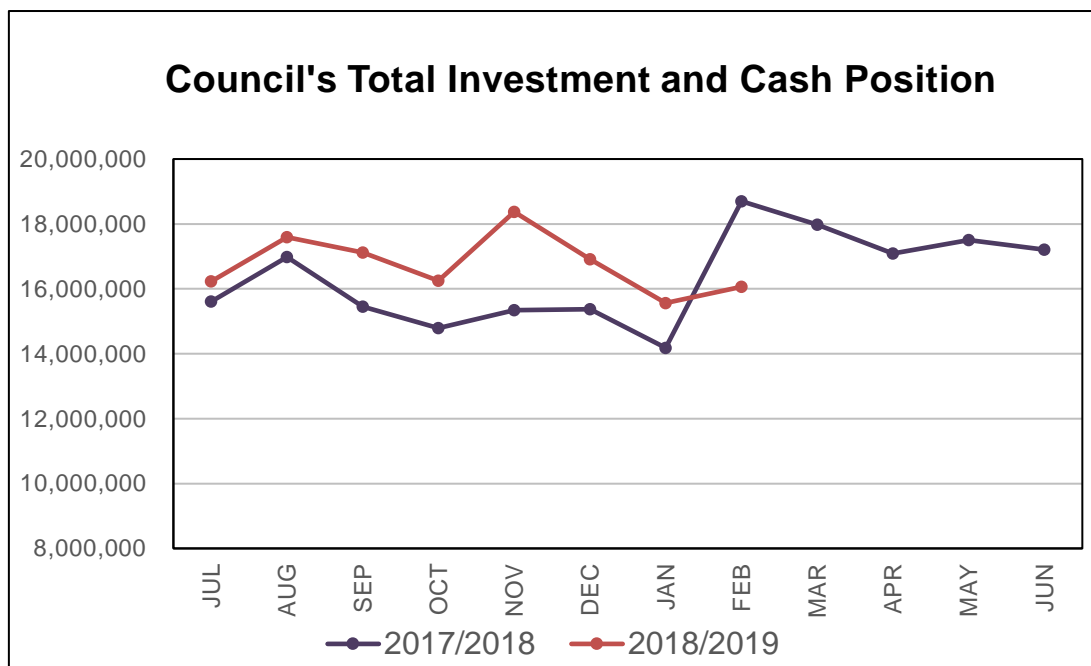
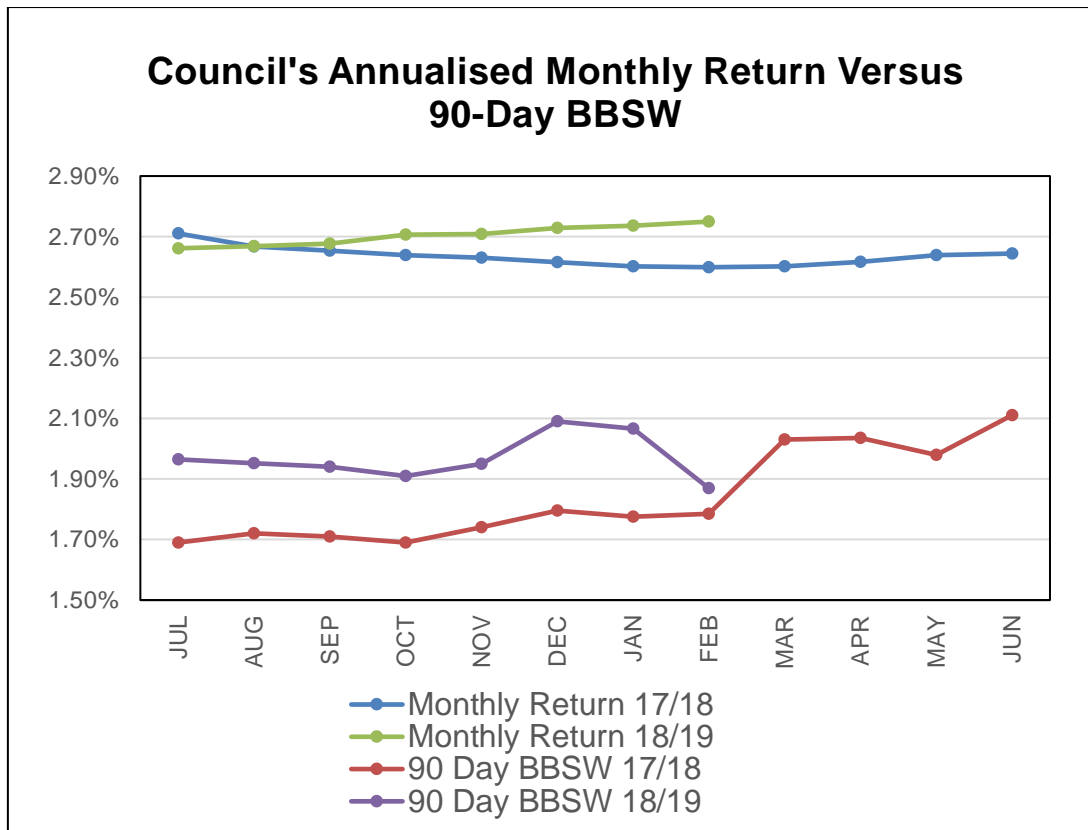
For Council to endorse the Report of Council Investments as at 28 February 2019.

**Report:**

This report provides details of Council's Investment Portfolio as at 28 February 2019.

Council's total investment and cash position as at 28 February 2019 is \$16,066,183. Investments earned interest of \$33,299 for the month of February 2019.

Council's monthly net return on Term Deposits annualised for January of 2.75% outperformed the 90 day Bank Bill Swap Rate of 1.87%.



<b>REGISTER OF INVESTMENTS AND CASH AS AT 28 FEBRUARY 2019</b>				
<b>Institution</b>	<b>Rating</b>	<b>Maturity</b>	<b>Amount \$</b>	<b>Interest Rate</b>
MyState Bank Ltd	A2/BBB	05/03/2019	500,000	2.700%
AMP Bank	A1/A	19/03/2019	500,000	2.750%
ANZ	A1+/AA-	02/04/2019	500,000	2.770%
ANZ	A1+/AA-	16/04/2019	500,000	2.790%
AMP Bank	A1/A	30/04/2019	500,000	2.800%
AMP Bank	A1/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	A1/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	A1/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	A1/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%
MyState Bank Ltd	A2/BBB	04/02/2020	500,000	2.850%
MyState Bank Ltd	A2/BBB	18/02/2020	500,000	2.700%
<b>Total Investments</b>			<b>13,500,000</b>	<b>2.753%</b>
Commonwealth Bank - At Call Account *			-	1.400%
Commonwealth Bank Balance - General *			1,052,684	1.350%
Tcorp IM Cash Fund *			1,513,499	2.190%
<b>TOTAL INVESTMENTS &amp; CASH</b>			<b>16,066,183</b>	
Benchmarks:	BBSW 90 Day Index *			1.869%
	RBA Cash Rate *			1.500%

\* % Interest rates as at 28/02/2019

<b>Summary of Investment Movements – February 2019</b>		
<b>Financial Institution</b>	<b>Invest/(Recall) Amount \$</b>	<b>Commentary</b>
MyState Bank Ltd	(512,390)	Term Deposit Matured 05/02/2019
MyState Bank Ltd	500,000	Term Deposit Reinvested 05/02/2019
MyState Bank Ltd	(512,908)	Term Deposit Matured 19/02/2019
MyState Bank Ltd	500,000	Term Deposit Reinvested 19/02/2019

<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%	1,513,499
AAA – AA Category	100%	33%	5,000,000
A Category	80%	20%	3,000,000
BBB+ to BBB Category	40%	37%	5,500,000
			15,013,499

<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) YOUTH WEEK 2019****Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 4. Community, Sport, Heritage and Culture**File No:** GS.LI.1**Recommendation:**

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
Centrepoint (Blayney Shire Council)	\$1,000

**Reason for Report:**

To inform Council on the proposed Youth Week activities proposed for the Blayney Shire.

**Report:**

Youth Week 2019 is scheduled for 10 to 18 April 2019 with the theme *“Coming together to Connect, Share, Speak Out and Celebrate”* and is aimed at youth aged 12 – 25 years.

As in recent years, Council has engaged with the community to seek expressions of interest for holding events as part of the Youth Week Grants Program. In the past, this has been a successful means to hold a number of Youth Week in the Shire.

The closing date for applications was 1 March 2019. At the closing date for expressions of interest the number received were very limited. Applications are detailed as follows:

<b>Project</b>	<b>Applicant</b>	<b>Amount</b>	<b>Event Detail</b>
Dance into Youth Week	Le Danse School	\$1,170	Free classes, to create own dance, for week ending 12 April 2019 with disco on Friday 12 April 2019 at Lyndhurst Memorial Hall.
Blayney Skate Park Coaching Clinic by Blunside Sk8	Blayney Town Committee Inc. - Skate Park Working Party	\$2,000	Proposed for Heritage Park. Date yet to be confirmed.
Let's Gets Healthy Together	Centrepoint (Blayney Shire Council)	\$1,000	Free classes and a clinic on healthy lifestyles for youth.

**Risk/Policy/Legislation Considerations:**

Timing of Youth Week has been challenging in attracting events. This year Youth Week is scheduled for the last 3 days of school term and part of the first week of school holidays and eliminates recipients of prior years' such as Blayney High School and sporting groups that have difficulty engaging youth for events in this timeframe.

**Budget Implications:**

The Youth Week Grants Program requires Council to match funding allocated. 2019 has seen the introduction a distribution of transport subsidy state wide. Youth Week funding from Department of Family and Community Services is in the amount of \$2,227 and includes \$400 transport subsidy. The total budgeted for the program is \$4,454 and will cover project allocations, advertising and promotional expenses associated with Youth Week. The 2018/19 Operational Plan has an amount of \$2,460 expenditure and \$1,230 income. These amounts will be revised to \$4,454 expenditure and \$2,227 income in the 3<sup>rd</sup> Quarterly Budget Review, an overall increase to net expenditure of \$997.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**06) DISABILITY INCLUSION ACTION PLAN 2017 - 2021 STATUS REPORT**

**Department:** Corporate Services

**Author:** Director Corporate Services

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

**File No:** CS.PO.1

---

**Recommendation:**

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

**Reason for Report:**

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

**Report:**

Blayney Shire Council developed a Disability Inclusion Action Plan (DIAP) as required under the Disability Inclusion Act 2014. The DIAP was adopted in June 2017 and underpins Council's commitment to providing quality facilities and services that enable people with disability to fully participate in our communities. More importantly the Disability Inclusion Action Plan will play a part in changing community attitudes and perceptions of people with a disability.

The Disability Inclusion Action Plan outlines specific actions Council will take to facilitate access to community services and facilities for people with disability and link more actions to assessment and monitoring.

It is a requirement of the Disability Inclusion Act that progress reports are provided to Council and the community every 6 months. This 6 monthly progress report is presented in a format which summarises the activities across the organisation sourced from Managers and Directors.

This document has in the past been tabled to Council's Access Advisory Committee however due to timing it was not finalised for their meeting held 5 March 2019. A copy has been circularised by email for information and notation.

**Risk/Policy/Legislation Considerations:**

The development of a Disability Inclusion Action Plan and ongoing reporting is required under the Disability Inclusion Act 2014.

**Budget Implications:**

Implementation of the plan is incorporated into project planning and budgeted into operational and capital works programs.



**Enclosures (following report)**

1 Disability Inclusion Action Plan Status Report 3 Pages

**Attachments (separate document)**

Nil

**Blayney Shire Disability Inclusion Action Plan  
Strategies and Actions - 2017/18 Six monthly report as at 31 December 2018**

Attitudes and behaviours					
Strategy	Actions	CSP Ref.	Outcome	Timeframe	Status
<b>1. Raise awareness of the contribution that people with disability make in the community</b>	Include positive images of people with disability in general promotional material.	6.2	Increased number of documents including diversity	Ongoing	In progress.  Media and Publications inclusive.
	Use of correct language in all media and publications when referencing people with disabilities.	6.2	Establishment of standard and staff informed	Ongoing	
<b>2. Ensure that customer service staff and other staff who have contact with the community continue to be educated in disability awareness</b>	Integrate training on access into Council staff inductions.	6.3	Included in induction training	2018	Free Mental Health First Aid Training provided for Interagency members, attended by 2 staff. Disability Awareness training conducted in August 2018.
	Provide ongoing training on disability inclusion to employees	6.3	Training identified in training plan	2019	
<b>3. Work with local disability organisations and community to make events, activities and facilities accessible and inclusive</b>	Partner with community organisations and groups to promote events, activities and services.	6.3	Opportunities to partner identified	2018	Quarterly Blayney Interagency Meeting held at Community Centre. Engagement with event organisers through event management approval process to raise awareness to make events more accessible. Event management guidelines updated to promote making events more accessible.
<b>5. Engage with local businesses to encourage and support inclusive practices</b>	Work with the business community to raise awareness of the importance of inclusion for people with disability	1.6	Engage with local business to promote inclusiveness	2019	Council is participating in the Access at a Glance project.
Create Liveable Communities					
Strategy	Actions	CSP Reference	Outcome	Timeframe	Status
<b>1. Improve accessible paths of travel to key destinations</b>	Identify the suitability of paths of travel to key destinations such as recreation facilities, parks and community facilities.	5.2	Assessment completed	2018	Active Movement Strategy Works completed:- Montgomery Steet, Millthorpe Ewin/Tucker Street, Blayney Lindsay Street, Blayney Renewals completed:- Olive Street, Mandurama Montgomery Steet, Millthorpe

**Blayney Shire Disability Inclusion Action Plan  
Strategies and Actions - 2017/18 Six monthly report as at 31 December 2018**

<b>Create Liveable Communities</b>					
<b>Strategy</b>	<b>Actions</b>	<b>CSP Reference</b>	<b>Outcome</b>	<b>Timeframe</b>	<b>Status</b>
<b>2. Contribute towards liveable and accessible public places</b>	Promote universal access principles for new and upgraded buildings and facilities in public places.	4.1	Access principles included in project	Ongoing	All Construction Certificate applications are assessed in accordance with the Building Code of Australia and the Disability (Access to Premises - Buildings) Standards 2010. New Mandurama Park toilet block finalised and compliant with universal access principles. Successful funding application for compliant toilet upgrades at Neville, Lyndhurst, Barry and new compliant BBQ/picnic shelter at Mandurama, shared pathways in Blayney and Lyndhurst. Wayfinding signage is upgraded/provided as issues are identified.
	Consider the particular needs of children with disability in the design, layout and security of parks and playgrounds.	4.1	Playgrounds are safe and inclusive	Ongoing	Safety audit undertaken of all Blayney Shire playgrounds (2017) with prioritisation of works identified. Funding application lodged to renew and upgrade playgrounds across the Blayney Shire.
<b>3. Promote universal access to all Council events within the community</b>	Promote disability inclusion in community events and festivals e.g. availability of accessible toilet facilities.	1.6	Promotion of inclusive events by Council	Ongoing	Event organisers informed on disability inclusion including suggestions on considerations with Council's Event Management approval process. Conducting an event guideline updated to include information on making events more accessible. "Tips for making your event more accessible" brochure on Council's website.
<b>4. Continuously upgrade Council's assets to meet legislative requirements for accessibility</b>	Complete an audit of all Council assets to ensure accessibility and identify priorities for upgrade	4.1	Audit completed and priorities identified	2019	Not yet commenced.
<b>5. Improve accessible public toilet facilities and parking</b>	Review, update and promote the location of accessible facilities and parking on Council's Mobility Map.	4.3	Development of Mobility map	Ongoing	The Access at a Glance project will be creating a digital online map identifying all facilities and business that are accessible.
	Promote needs of people with disability to event organisers of special events particularly where parking is temporary and movement around venue may be restricted.	2.1	Events include accessible parking	Ongoing	Through Event management approval process event organisers are asked to consider accessible facilities and parking with event planning.
<b>6. Contribute towards programs which aim to increase social inclusion and community connection</b>	Awareness of concessional access programs to Council facilities and community events e.g. NSW Companion Card	4.3	Investigate and participate in programs. Promotion to event holders.	2019	Not yet commenced.

**Blayney Shire Disability Inclusion Action Plan  
Strategies and Actions - 2017/18 Six monthly report as at 31 December 2018**

Create Liveable Communities					
Strategy	Actions	CSP Reference	Outcome	Timeframe	Status
7. Improve and promote community transport options available within the region	Promote local transport options including bus timetables and accessible transport services for all ages.	4.1	Opportunities to promote identified	2018	Council website updated to include available options for transport. Refer website link: <a href="http://www.blayney.nsw.gov.au/business-and-tourism/transport/public-transport-in-blayney-shire">http://www.blayney.nsw.gov.au/business-and-tourism/transport/public-transport-in-blayney-shire</a>
Employment					
Strategy	Actions	CSP Ref.	Outcome	Timeframe	Status
1. Develop employment opportunities for people with disability	Make reasonable adjustment to workplaces to facilitate work placement and employment opportunities for people with disability.	5.1	Workplace capable of supporting people with disabilities	Ongoing	Modifications made to ground floor of administrative office to accommodate people with disabilities.
	Where volunteers are required, provide volunteering opportunities that are inclusive.	5.1	Development of an inclusive Volunteer Policy	2019	Not yet commenced. Planned for July 2019.
Systems and Processes					
Strategy	Actions	CSP Ref.	Outcome	Timeframe	Status
1. Ensure accessible and inclusive community engagement across all areas of Council	Include the principles of access and inclusion in Council's service delivery.	SJP*	Consistency in messaging and communication	Ongoing	Principles of access inclusion in Media and Publications.
	Promote Council's implementation of access and inclusion principles and recognise the rights and contribution of people with disability in the community.	6.3	Promotion of the DIAP has been undertaken	Ongoing	Website review being undertaken to determine features to cater for the hearing and visually impaired. Quotation obtained for inclusion and consideration in 2019/20 Operational Plan deliberations. Introduction of program proposed for 2018/19 to assist business. Council has included \$5k in its Operational Plan to be used as a contribution to assist businesses if they require an access consultant report when lodging a DA and/or CC. 3 businesses will utilise this service in 2018/19.
3. Improve regulatory processes within Council	Utilise the Access Advisory Committee to provide comment on capital projects and development applications that relate to council buildings; facilities and infrastructure.	3.4	Process in place for Access Advisory Committee to review proposals	Ongoing	Council projects including CentrePoint major project have been referred to Access Committee on an as needs basis.
	Internal process to ensure that access is not overlooked when developing new facilities; buildings, parks, playgrounds, footpaths.	4.1	Review of internal processes for planning works	Ongoing	Design staff have undertaken accessibility training. Construction staff routinely reminded to maintain vigilance when preparing works for construction, and direct concerns to design staff for potential changes. Further staff training programmed for 2018/19.

\* Social Justice Principles

**07) AUDIT, RISK AND IMPROVEMENT COMMITTEE ANNUAL REPORT**

**Department:** Corporate Services

**Author:** Director Corporate Services

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

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

---

**Recommendation:**

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.

**Reason for Report:**

For Council to receive the Audit, Risk and Improvement Committee Annual Report for the period 1 January 2017 to 31 December 2018.

**Report:**

The Audit, Risk and Improvement Committee Charter adopted by Council requires that the Committee report at least annually on its activities. The Audit, Risk and Improvement Committee Annual Report tabled covers operation of the Audit, Risk and Improvement Committee for the period 1 January 2017 to 31 December 2018.

The report provides a background to the establishment of the Audit, Risk and Improvement Committee, its membership, operation during the period and areas for development in the year to come. This report is based on the annual reporting format suggested by the 2011 Victorian Local Government publication *Audit Committees - A Guide to Good Practice for Local Government*.

The report has been prepared by the Independent Member appointee, Mr. Phil Burgett with input from outgoing Independent Member appointee and Audit, Risk and Improvement Committee Chair, Mr. Steve Kent.

The Audit, Risk and Improvement Committee plays a key role in assisting Council to fulfil its governance obligations with oversight responsibilities in areas such as financial reporting, compliance, internal control systems, risk management systems and the internal and external audit functions. This report serves to inform Councillors on activities and accomplishments.

**Risk/Policy/Legislation Considerations:**

The Audit, Risk and Improvement Committee has been established to promote good corporate governance in Council. Good corporate governance of the Council ensures that the people of Blayney Shire receive the services

that they need in an effective and efficient manner, delivered with honesty and integrity.

The objective of the Committee is to provide independent assurance and assistance to Council with respect to the following key areas as per s.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.

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

**Budget Implications:**

Costs associated with the Audit, Risk and Improvement Committee is provided for in Council's Operational Plan.

**Enclosures (following report)**

- |   |   |         |
|---|---|---------|
| 1 | Blayney Shire Audit, Risk and Improvement Committee Annual Report | 5 Pages |
|---|---|---------|

**Attachments (separate document)**

Nil



## Blayney Shire Council - Audit Risk and Improvement Committee Annual Report to Council 2018

The retiring Chairperson (Steve Kent) of the Blayney Shire Council Audit Risk and Improvement Committee (Committee) has sought my assistance to provide a report on the activities of the Audit Committee up to the time that constituent councils were dissolved for the local government elections in September 2017 and the transition period since the election to 31 December 2018.

This report as required under the Council's Audit Risk and Improvement Committee Charter covers the activities of Committee for the period 1 January 2017 – 31 December 2018.

### **Purpose of Report**

The Audit Risk and Improvement Committee Charter adopted by Council requires that the Committee report at least annually on its activities however the personal circumstances of the retiring Chair delayed a more timely submission of this report with the consequence that this report covers a two (2) year period of the Committee's activities. The report provides background to the Audit Committee's membership, activities during the period and areas for development in the year to come. This report is consistent with the format and content suggested by the 2011 Victorian Local Government publication *Audit Committees - A Guide to Good Practice for Local Government* which has been the template for previous reports.

Prior to its presentation to Council, the report was reviewed and endorsed by the Members of the Audit Committee.

### **Background / Introduction**

Blayney Shire Council's Audit Committee (Committee) held its inaugural meeting on 28 September 2011.

The Committee conducts its activities in accordance with its Charter which is based on guidelines issued by the Department of Premier & Cabinet, Division of Local Government in October 2008 and revised in 2010. The Audit Committee Charter is complemented by an Internal Audit Charter. The Audit Committee Charter sets out the roles and responsibilities of the Committee, its authority, membership and the tenure of its members, the operation of its meetings, how decisions are made and its reporting responsibilities. It is reviewed, and amended as necessary on an annual basis.

Membership of the Audit Committee comprises one Councillor and two Independent Members.

*Blayney Shire Council Audit, Risk and Improvement Committee Annual Report 2017-2018*

A list of Committee meeting dates and attendances by Committee members is set out in the Table below:

#### **Audit Committee Membership**

The Committee is currently comprised of the following members:

##### *Independent members:*

- Mr Steve Kent (Current Chairperson) and .
- Mr Phil Burgett.

##### *Councillor members:*

- Councillor Scott Ferguson (voting).
- Councillor David Somerville (alternate).

Mr Steve Kent is an experienced internal audit, risk management and consulting professional with considerable local and state government internal audit experience. He works as a Risk Advisory Principal for BDO. Mr Kent retired from the Committee on 31 October 2018 and did not seek re-appointment.

Mr Phillip Burgett is a highly experienced professional accountant and external auditor with considerable experience in local government. He retired in June 2011 after a lengthy career as a Partner with the Bathurst based professional accounting firm Morse Group.

During the period, the Audit Committee was attended by and received support from:

- Council's General Manager, Ms Rebecca Ryan;
- Mr Anton Franze, Director Corporate Services;
- Tiffany Irlam, Chief Financial Officer and,
- Mr Ross Wilkinson & Ms. Jennie Robson, Risk Officers

#### **Meetings of the Committee**

The Table below sets out the meetings of the Committee held during the reporting period and the attendance of Committee Members at these meetings.

<b>Meeting Date</b>	<b>Steve Kent</b>	<b>Phillip Burgett</b>	<b>Cr Scott Ferguson</b>	<b>Cr David Somerville</b>
27 March 2017	√	√	x	√
30 October 2017	√	√	√	x
27 April 2018	√	√		√
12 July 2018	√	√	√	x
31 October 2018	√	√		√

Councillor David Somerville was the alternate member until September 2017. The Mayor, Councillor Scott Ferguson, was the alternate member from September 2017 until November



2018 attended the 30 October 2017 and 12 July 2018 meetings as the Alternate Member. Councillor John Newstead was the alternate member from November 2018.

### **Role of the Committee**

As highlighted in the previous report, the role of the Audit Committee can be summarised as being to oversight risk, compliance, external accountability and internal control in Council. It does this by:

- examining and commenting on Council's risk management framework and practices;
- reviewing internal control mechanisms;
- reviewing financial reporting and controls in Council including meeting with Council's external auditors;
- monitoring legislative compliance including compliance with policies and guidelines issued by the Office of Local Government; and
- supporting an active program of internal audit by authorising an annual and strategic internal audit program, as well as overseeing progress with the implementation of the recommendations of completed internal audit reports

### **Achievements During the Reporting Period**

The latest period of operation of the Audit Committee has been characterised by a number of key activities. These are separately commented on below:

#### *Internal Audit*

During the period covered by this report, no internal audits have been undertaken. This is explained by Blayney Shire Council Management placing greater priority on the development of a comprehensive Risk Management Framework (RMF). This project was subject to progress reviews and status reports to each Committee meeting.

It was also agreed that once completed, the RMF was to be used to inform the development of a new three (3) year Strategic Internal Audit Plan.

The Committee progressed the development of the Strategic Internal Audit Plan during 2018 and has confirmed that Council's budget only allows for no more than two (2) major reviews each year, the resourcing for which needs to be matched to skills required for the particular review area. The Committee has placed a high priority in identifying high risk areas of the operations in the Corporate Risk Register to be reviewed in 2018-'19 and is pleased to report that a *Review of Procurement and Project Management Practices: Errowanbang Road Project* is currently being undertaken by an independent consultant appointed after an expression of interest process. Building on the progress a three (3) year Strategic Internal Audit Plan should be in place by 30 June 2019.

*Audit Risk and Improvement Committee Charter*

Previously the Committee was known as the Audit Committee. In the review of the Charter in 2018 this title was amended to Audit, Risk and Improvement Committee. The Charter was reviewed and amended at the meeting held on 12 July 2018 with agreed amendments to be made prior to submission to Council for adoption which has occurred.

*Internal Audit Charter*

The Committee has previously reported that in view of the fact that an active strategic internal audit plan is not in place, Council was not implementing the terms of the Charter. This report has noted the commencement of internal audit activity but until a formal program is established Council's non-compliance with the Internal Audit Charter should be kept under review, including its relevance in regard to Council's overall governance framework.

*Risk Management*

The Committee has continued to promote the need for a Risk Management Framework (RMF), including the completion of a risk register to assist Council's decision making, risk mitigation activities and for identifying areas for possible review / internal audit.

Council with involvement of its Risk Officer has made good progress in imbedding risk management within Council and this has included:

- Participating in the Statewide Continuous Improvement Pathway that includes an Enterprise Risk Management Plan.
- Developing an RMF, including a risk register.
- Continuing to work with Directors, Managers and Staff to identify, assess and record risks, together with the promulgation of good risk management practices.

During 2018 Council's long-standing Risk Officer left the Council and the appointed replacement also left the Council late in the year which has restricted some of the momentum that had been developed in this governance area. As a consequence this particular area will continue to be closely monitored by the Committee and advice provided to the new Risk Officer as appropriate.

*External Audit and Annual Financial Statements*

During the period under review, the Auditor General of New South Wales (AO) was appointed external auditor of Blayney Shire Council for the 2016-'17 financial year, retaining the services of Intentus Chartered Accountants as its contracted agent to conduct the external audit. This arrangement had a transition period to the 30 June 2018 and has been confirmed in a multi-year contract with Intentus for financial years commencing on 1 July 2018.

The Committee considered the Client Service Plan prepared by the AO for both years covered by this report has reviewed the external auditor's management letters for both years and Council's management responses. The Committee noted that there were no significant findings in the letters and decided it was not necessary to formally meet with Council's external auditor although the Committee appreciated the availability of the AO to participate in Committee meetings.

*Status of Internal Audit Report Recommendations*

The status of past internal audit report recommendations have been considered at each meeting. The only remaining long outstanding matter relates to the development of a voluntary planning agreement policy.

Whilst this an important function of the Committee to ensure follow-up and completion of agreed response to audit findings, in view of the earlier comments relating to the Internal Audit Program, limited reporting on the status of internal audit was required to be presented to the Committee in this period.

**Expectations for 2019**

Limited and changing resources within Blayney Shire Council has made progressing a number of key initiatives as outlined in this report slower than the Committee would have liked however the General Manager and Director of Corporate Services are committed to governance improvement around risk management and internal audit as is witnessed by the progress over this period.

The objectives for the Committee in 2019 will be:

- Completion and adoption of the Corporate Risk Register
- Review, update and testing of the the BCP (Business Continuity Plan)
- Finalise the current internal audit review: *Review of Procurement and Project Management Practices: Errowanbang Road Project* in accordance with the agreed timeline.
- Oversee the development of a three (3) year Strategic Audit Plan for adoption by 30 June 2019 for implementation in 2019 –'20
- Providing ongoing support and guidance to Management in respect of fine tuning risk and governance frameworks within Blayney Shire Council.

**Recommendation:** That Council receive and note this report.

Phillip Burgett

**Independent Members - Blayney Shire Council Audit, Risk and Improvement Committee**

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

**Department:** Corporate Services

**Author:** Director Corporate Services

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

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

---

**Recommendation:**

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 Council for consideration.
3. That the Committee endorses the report subject to the agreed amendments and refers the 2017-2018 Annual Report, as amended, to Council.

**Reason for Report:**

For Council to endorse the minutes of the Blayney Shire Audit committee meeting held 21 February 2019.

**Report:****MINUTES OF THE MEETING OF BLAYNEY SHIRE COUNCIL AUDIT, RISK AND IMPROVEMENT COMMITTEE HELD IN THE COMMUNITY CENTRE THURSDAY 21 FEBRUARY 2019**

The meeting commenced at 9:00am

**Present**

Phillip Burgett	(Independent)
Donna Rygate	(Independent)
Cr. David Somerville	(Councillor)
Rebecca Ryan	(General Manager)
Tiffaney Irlam	(Chief Financial Officer)
Anton Franze	(Director Corporate Services – Secretariat)
Vicki Walker	(WHS & Risk Coordinator)
Leanne Smith	(Intentus - NSW Audit Office Contract Auditor)

**1. Election of Chairperson**

As the meeting was the first with newly appointed independent members an election of Chairperson was required. The Charter requires an independent member to be elected as Chairperson.

Cr. Somerville called for nominations. Phillip Burgett was nominated and elected as Chairperson unopposed.

(Cr. David Somerville / Donna Rygate)

Discussion was held on additional remuneration for the Chairperson to compensate for additional responsibilities of the role.

**Recommendation:** That the matter of additional remuneration for the Committee Chairman be referred to Council for determination.

(Cr. David Somerville / Donna Rygate)

## **2. Apologies**

Karen Taylor (NSW Audit Office), Cr. John Newstead (Alternate).

## **3. Declarations of Interest**

Nil.

## **4. Adoption of Previous Minutes**

Minutes of the meeting held 31 October 2018 were adopted.

(Phillip Burgett / Cr. David Somerville)

## **5. Matters Arising**

- BCP Test – Statewide exercise to be undertaken on BCP. Debrief with actions to be taken to be reported to the Committee upon finalisation.

## **6. Audit, Risk and Improvement Committee Annual Report 2017- 2018**

Items of importance identified going forward by the Chair included:

- Work around the BCP (Audit Office focus as well so will external pressure).
- Enterprise Risk Register
- 3 year Strategic Audit Plan

Additional risks that should also be kept in mind going forward include non-workplace risks and compliance with Charter responsibilities

Corrections to the report were identified and to be updated by Director Corporate Services. Report to be circularised upon finalisation. Amendments include:

- Correction to Cr. Somerville attendance on 27/03/2017
- Amended: Review update and test the BCP (Business Continuity Plan)
- Corporate risk register rather than enterprise risk.

**Recommendation:** That the Committee endorses the report subject to the agreed amendments and refers the 2017-2018 Annual Report, as amended, to Council.

(Donna Rygate / Cr. David Somerville)

## **7. Risk Management**

WHS & Risk Coordinator tabled the recent activity report.

The Statecover WHS Audit Report 2018 and WHS Action Plan 2018 were tabled. Recommendations from the Audit and Action Plan will come back to the Committee in the form of a status report on action plan recommendations including implementation dates and responsible officers.

The WHS Hazard/Risk Register was tabled. Actions pending implementation noted in the document will come back to the Committee in the form of a status report on action plan recommendations including implementation dates and responsible officers.

A Statewide Risk Maturity Audit was in progress which will be reported to the Committee upon finalisation.

A question was raised re risks associated with users not wearing helmets at the Skatepark. The Committee was advised that Council has warning signage, erected following consultation with Council's Insurer, advising of the risk associated with using the facility.

#### Corporate Risk Register

A draft document was tabled and the Committee agreed to review the document and provide feedback to the Secretariat out of session.

**Recommendations:** That the report tabled by the WHS & Risk Coordinator report and associated documents being Statecover Audit; Statecover Action Plan and WHS Hazard & Risk Register be received and noted.

That the Committee receive Corporate Risk Register and provide feedback to the Secretariat out of session.

That future Committee meetings be provided with a status report on the implementation of agreed actions in the Statecover Action Plan and WHS Hazard & Risk Register

(Cr. David Somerville / Donna Rygate)

## **8. Financial Management Update**

### Chief Financial Officer Report

Chief Financial Officer tabled a Financial Management report:

- A question was raised on the Office of Local Government Debt Management Guidelines and a meeting held in Blayney with Council's debt recovery agent. Management advised that Council practices are consistent with the guideline's philosophy.
- Discussion on the cashless trials and risks associated with proposed Centrepoint out of hours gym activity provided an update for the Committee.
- Report on review of credit card arrangements, policy and activity report discussed.

**Recommendation:** That the Chief Financial Officer Report be received and noted.

(Donna Rygate / Cr. David Somerville)

Management Letter on Final Phase of 2017/18 Audit:

The Audit Office letter tabled by Intentus and issues identified from the external audit discussed.

**Recommendation:** That the Management Letter on Final Phase of 2017/18 Audit be received and noted.

(Donna Rygate / Cr. David Somerville)

Draft Annual Engagement Plan 2018/2019:

The Draft Annual Engagement Plan 2018/2019 for the external audit was tabled.

**Recommendation:** That the draft Annual Engagement Plan 2018/2019 be received and noted.

(Donna Rygate / Cr. David Somerville)

**9. Internal Audit: Draft Report on Review of Procurement & Project Management: Errowanbang Road**

Draft report on the Review of Procurement & Project Management: Errowanbang Road was tabled. The Committee was advised that the document was not yet finalised however feedback included possible consolidation of recommendations where possible and an action plan developed.

**Recommendations:** That the draft report on Review of Procurement & Project Management: Errowanbang Road be received; and

That the final report be circulated out of session with recommendations and agreed action plans added to the Status of Prior Report Recommendations schedule.

(Cr. David Somerville / Donna Rygate)

**10. Audit Risk and Improvement Committee Prescribed Functions Activity Report**

The Prescribed Functions Activity Report was tabled detailing activities undertaken within the prescribed responsibility of the Audit, Risk and Improvement Committee.

**Recommendations:** That the Prescribed Functions Activity Report be received and noted.

That the Prescribed Functions Activity Report be included as a standing agenda item for all future Committee meetings

(Cr. David Somerville / Donna Rygate)

**11. Status of prior report recommendations**

The Status of Prior Report Recommendations update was tabled.

It was noted that the content of the report required more information and detail on the update of work status. A number of recommendations had no action,

although not due for a few months. The Committee suggested that it would be still worth noting if action taken is on track, particularly if there is a significant lead time.

**Recommendation:** That the Status of Prior Report Recommendations update be received and noted.

(Donna Rygate / Cr. David Somerville)

## **12. Any major developments / issues since last meeting**

There was discussion on the status of the Strategic Audit Plan. The document is yet to be finalised but the Committee emphasised that the Strategic Audit Plan should use the Corporate Risk Register to set the direction for the work of internal audit and requested that it be circulated out of session upon finalisation.

There being no further business the meeting closed at 11:08am

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

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

The objective of the Committee is to provide independent assurance and assistance to Council with respect to the following key areas as per s.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.

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

### **Budget Implications:**

Costs associated with holding of Committee meetings, sitting fees for independent members and associated service reviews / audits are provided for in Council's 2018/19 Operational Plan for this purpose.

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

Nil

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

Nil



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

**Department:** Corporate Services

**Author:** Director Corporate Services

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

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

---

**Recommendation:**

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.

**Reason for Report:**

For Council to approve the minutes of the Financial Assistance committee meeting held 6 March 2018.

**Report:**

The Financial Assistance Committee at its meeting held 6 March 2018 considered the first round of the Community Financial Assistance Program applications for 2017/18.

An amount of \$26,908 in financial assistance was available for distribution in Round 2. There were 23 applications with a total value of \$248,679 in works or programs seeking \$126,504 in financial assistance.

The Financial Assistance Committee recommended \$46,154 be allocated to projects. Recommendations are pursuant to the criteria stipulated in the Community Financial Assistance Program guidelines.

**MINUTES OF THE MEETING OF BLAYNEY SHIRE COUNCIL FINANCIAL ASSISTANCE COMMITTEE HELD 5 MARCH 2019 AT BLAYNEY SHIRE COMMUNITY CENTRE**

The meeting commenced at 5:00pm.

### **Present**

Cr I D Somerville (Chair), M Hedge, R Price, M O'Brien (Cadia), D Kennedy, G Summerson and A Franze (Director Corporate Services).

### **Apologies**

Cr I S Denton and K Adams.

### **1. Declarations of Interest**

- Rebecca Price – Food Week funding application<sup>#</sup>
- Miles Hedge – Blayney A&P Association funding application<sup>#</sup>
- Cr. David Somerville – Blayney Town Association funding application<sup>#</sup>  
– Food Week funding application<sup>#</sup>
- Anton Franze – Blayney Little Athletics application (GM approval) <sup>#</sup>

<sup>#</sup> Non-pecuniary interest – Less than significant

### **2. Minutes from Previous Meeting – 7 August 2018**

**Recommendation:** The minutes of the previous meeting held on 7 August 2018 were confirmed to be a true and accurate record of that meeting.

(Miles Hedge/David Kennedy)

### **3. Business Arising**

Nil.

### **4. 2019/20 S.356 Donations Schedule**

Schedule of Financial Assistance, excluding amounts for 2019/20, was tabled for review. Proposed additions to the 2018/19 schedule were disclosed.

Additional events suggested for inclusion:

- CWA – Central Western Group Public Speaking competition – donation
- Orange 360: Food Week dinner – hire of Community Centre

**Recommendation:** That the Committee have no further comment on the proposed s.356 Schedule of Financial Assistance noting the addition of the Public Speaking Competition and Food Week event.

(Miles Hedge/Graeme Summerson)

### **5. Policy clarification for requests for insurance contributions**

Discussion was held around requests for insurance contribution and the need for clarification of eligibility criteria within Community Financial Assistance policy and guidelines. It was agreed that there should be a sustainable community benefit assessment and program monies should be focused upon project funding.

**Recommendation:** That the recurrent annual donations component of the Financial Assistance policy and guidelines be reviewed so that, to the extent that it extends to a contribution to public liability insurance premiums, the contribution is:

- in full for town, village or progress associations or similar groups that represent interests of a town, village or locality;
- 50 cents in the \$ for total premiums up to \$1,500 (i.e. maximum financial assistance \$750) for groups that provide a broadly used community facility that can demonstrate long term sustainability.  
(Graeme Summerson/Rebecca Price)

**6. Requests approved by General Manager under delegation**

**Recommendation:** That the approvals of fee waivers and sporting related Financial Assistance by the General Manager in the amount of \$2,105 be noted.

(Miles Hedge / David Kennedy)

**7. Consideration of Round 2: 2018/19 Financial Assistance Program Applications**

**Recommendation:** That an amount of \$46,154 for 2018/19 Round 2 Financial Assistance Program be approved per the attached schedule.

(Rebecca Price / Melissa O'Brien)

Miles Hedge left the meeting at 7pm.

**8. Next Meeting**

6 August 2019

There being no further business the meeting closed at 7:19pm.

No.	Applicant	Project	Grant sought	Grant recom'ded	Comments and feedback
1	Deleted				Application withdrawn.
2	Millthorpe Bowling Club	Waiver of fees - Rates & Charges	\$6,067	-	Acknowledge that trading conditions are difficult for clubs like this. However, policy does not extend to subsidising the operational expenses of commercial entities. Applicant encouraged to submit an application for a financial contribution towards projects that enhance facility.
3	Millthorpe Country Women's Association	Stage 1 - Refurb toilets and comply with wheelchair access, new windows. Stage 2 - Entry door reversal with emergency exit and ceiling lights	\$10,000	\$5,000	Very detailed application in 2 stages, as suggested. Financial assistance offered to complete stage 1 of project, which has wide community usage benefits of improved functionality and accessibility. Assistance level assumes that CWA contribution fully applied to stage 1.
4	Carcoar PA&H Society	Fencing eastern fence line with a tree lot	\$1,334	-	Project is one of the Drought Communities (DC) projects. DC funding was awarded on basis of co-contribution of \$2,667 by applicant. This application seeks council contribution for half of that. Council position on DC funding for community groups is that Council is unable to fund any project shortfall.

5	Millthorpe Village Committee	Installation of seating at Rotunda Redmond Oval	\$3,366	\$3,366	Application includes co-funding and outcome provides community benefit. Funding subject to engagement with Council prior to commencement of works.
6	CWA - Central Western Group	School Public Speaking Competition	\$200	\$200	Regular annual donation. Matched by Cabonne and Orange Councils. Recommend applicant be added to s.356 donations list.
7	Blayney Town Association	Skate Park Working Party - Year round workshops	\$3,750	\$1,750	Funding subject to an event being held in Youth Week and being co-funded for \$2,000 through the Youth Week program.
8	Newbridge Progress Association	Brian Bennett Pavilion	\$3,493	\$3,493	Well presented application. A large project in 4 stages. Funding recommended for stage 1 (electrical works and site preparation for north facing section). Co funding is provided. Approval subject to plans provided to Council and LEP exemption granted.
9	Blayney Shire Arts and Crafts Council	Defibrillator for Visitor Information Centre	\$2,250	-	Funding for a defibrillator in the CBD is supported, but limitation of access in VIC (i.e. hours of operation) is an issue. A more accessible location in business district is recommended. Suggest location in a hotel with funds sought through State program in partnership with sporting group.
10	Neville Public Hall Crown Land Management	Neville Public Hall Fencing	\$3,715	\$3,715	Needed improvement to community facility - replace dilapidated rear & perimeter fence and new access gates. Co funded through Crown Reserves Improvement Fund and voluntary labour.
11	Neville Equine Performance	Defibrillator for Neville Showground	\$1,776	\$1,776	Funding supported but subject to a suitable location, that provides a widespread availability and accessibility to Neville community.
12	Neville Equine Performance	Multipurpose Arena with soft fall	\$25,000	-	This is a major project. Application not clear on difference in facility from proposed new Blayney equestrian facility. Suggest a full business case including type of events proposed and demand. Project is not staged and in any event, current application exceeds policy maximum.
13	Neville Public Hall Crown Land Management	Tea Room Roofing	\$880	\$880	A worthwhile improvement to an important community facility.
14	Blayney A&P Association	Blayney Showground Pavilion	\$2,429	\$2,429	Application well presented and supported by quotes. Project co-funded. Complements recent upgrades to dining and judges room in Showground pavilion.

15	Blayney Uniting Church	Underpinning of the Church and repair works	\$10,000	\$10,000	Another major project. Application shows a well planned, documented, researched and co funded project with relevant approvals provided and supported by detailed budget, timetable and drawings and quotes. Facility is available and used by community. Approval subject to co-funding from State Heritage and DA approval.
16	Seventh-Day Adventist Church Mandurama	Remove and replace concrete paving	\$3,795	-	More detail sought on usage and broader community benefit of facility, and supply of a further quotation. Building is Heritage item. Heritage Advisor engagement and LEP exemption also required. Refer to next round on satisfaction of these conditions.
17	Blayney Town Association	Purchase of PA System	\$3,000	\$3,000	This is a much needed reliable PA system for community events, particularly Carrington Park and Heritage Park. Co contribution by community groups is provided.
18	Millthorpe & District Historical Society	Consultant and DA Fees	\$2,868	-	Project is one of the Drought Communities (DC) projects) like item 7. DC funding awarded on basis that Council would be unable to fund any project shortfall. In any event, doesn't fall under guidelines as a stand alone application
19	Food of Orange Week Inc.	Blayney Autumn Grazing	\$800	\$536	Approval of Community Centre hire fees.
20	Neville Show Society	Waiver of fees - Insurance	\$644	\$644	One off approval of insurance contribution.
21	Sailability NSW Central West Branch	Waiver of fees - Insurance	\$1,232	\$1,232	Approval of one off funding however, applicant to be informed that policy is to be reviewed.
22	St Paul Presbyterian Church	Rectifying Tuckpointing and Repair Decaying Stonework*	\$22,385	-	Application and stage 1 amount exceeds maximum amount under policy. No co-contribution or demonstration of community use in application.
23	St Paul Presbyterian Church	Repaint the external areas of the Manse*	\$9,387	-	As previously assessed, location is income producing investment property.
24	Barry Progress Association	Barry Hall Refurbishment	\$8,133	\$8,133	High standard application with co-contribution and demonstration of community benefit.

\*Requested by applicant for resubmission

**\$126,504**      **\$46,154**

**Risk/Policy/Legislation Considerations:**

The recommendations for funding are as recommended by the Financial Assistance Committee and are assessed against the Community Financial Assistance Program guidelines.

**Budget Implications:**

Council has an amount of \$100,000 allocated in its 2018/19 Operations Plan for this purpose including amount of \$53,000 approved in advance for assistance to groups, schools and organisations for events; rates and charges and public liability insurance.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**10) DIRECTOR INFRASTRUCTURE SERVICES 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 March 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

Roads and Maritime Services have recently completed the Speed Zone Review (SZR) for local streets on the western side of Grubbenbun Creek off the Mid Western Highway. The recommendation was for the installation of 50 km/h regulatory signage on Thomas Street, Henry Street, Bathurst Street, Donaldson Street, Burke Street, Prescott Street, Ramsay Street, Selby Street, Hay Street, Leabeater Street and Harrow Street.

Council has been issued with a works order to undertake installation of the necessary signage.

**Major Works**Mandurama Road

Works on Mandurama Road commencing at the Neville end have commenced, with bulk earthworks underway.

Forest Reefs Road

Council crews have commenced works on Forest Reefs Road in the vicinity of the Forest Reefs Tavern.

Southern Cadia Access Route

Works on Cadia Road have been completed, and now sees the completion of this large project for Blayney Shire Council.

Land acquisitions continue to be progressed, with all survey works completed and legal processes in various stages of progress. A road closure notice is to be issued in the week commencing 11 March to close a recently acquired old crown road in the vicinity of the Panuara and Errownabang Roads intersection.

### Carcoar Road Bridge

With a final scope of works determined for a single lane bridge, with 1:20yr Annual Recurrence Interval (5% AEP) flood capacity, tender documents have now been finalised for the bridge replacement, with a Request for Tender to be issued in the week commencing 11 March. Once tenders are assessed, it is anticipated a report will be provided for Council consideration at the May Council meeting.

### Browns Creek Road

The installation of guardrail and road signage has commenced, with linemarking expected to be completed in the week commencing 11 March.

### Road Maintenance Works

Crews have completed maintenance grading and gravel resheeting in the Gallymont area, and the Neville/Mandurama area. With resheeting works also undertaken on Rockdell Road, near Lyndhurst.

Council's reseals were completed in February on Walkom Road, Neville Road, Tallwood Road, and Brooklee Lane.

### Vegetation Maintenance

The vegetation maintenance crew has been focussing on roadside slashing on major rural roads within the shire.

### Footpaths

Following community feedback the link along Harrow Street is being redesigned to avoid the Lyndhurst Rural Fire Station and Community Bore. Once the design is completed, works will be rescheduled.

The concrete gang has completed the footpath along George Street Millthorpe between the childcare centre and Victoria Street, and are currently working on the Belubula River Walk in Blayney.

### Land Development

Council is awaiting the final report from its consultant in regard to stormwater management. It is anticipated this will be received by 8 March and a Request for Quotation then issued for the Civil Design Works package.

## **Major Contracts**

### Browns Creek Road Bridges

The bridge was officially opened on 6 March, by the Mayor, with the Member for Calare the Hon Andrew Gee MP, and Member for Bathurst the Hon Paul Toole MP in attendance. Also in attendance were the owner of Australian Native Landscapes, Mr Patrick and Mrs Sharon Soares, and past Council employee, with many years of bridge experience Mr Alan Kind.

### Blayney Skate Park

The skatepark was officially opened on 17 February, by the Mayor, with the Member for Bathurst the Hon Paul Toole MP in attendance. Undertaken alongside the February Farmers Markets, the event attracted many members



of the community, including large numbers of school students and other skate/bike enthusiasts.

#### Central West Equestrian & Livestock Centre

Tender submissions have been assessed with a recommendation of a suitable contractor provided by way of separate report.

#### **Assets**

Asset staff have been working with staff from other Centroc Councils to develop a Centroc Transportation Revaluation Methodology document to ensure Council meets NSW Audit Office requirements for the revaluation of Transportation assets as at 30 June 2020. The document will be finalised shortly and provide the basis for the work program to ensure the timely completion of the revaluation.

Asset staff have been working with Austroads as a pilot council for the implementation of the National Roads Data Harmonisation Project. The benefit of this to Council is to ensure that the road data collected for the Transportation revaluation is reflective of industry best practice. It will also assist in grant applications and benchmarking activities.

Refinement of base data for transportation revaluation continues, with the update and validation of the Bridge Register completed.

#### **Parks and Recreation**

The construction of the Mandurama Recreation Ground Shelter is progressing and is due for completion in time for the Newcrest Challenge bike ride.

The Lyndhurst Recreation Ground toilet block project to include the removal of the existing brick structure and construction of a new facility has been awarded and works are expected to be complete by end of May. The new toilets will include compliant accessible and ambulant toilets and parking.

The Neville Memorial Park toilet block Request For Quotation has been issued to prospective builders for their consideration. These works include replacement of the existing toilet with a compliant accessible toilet, pathways and carpark. The construction of this is due to commence following the Anzac Day ceremony at Neville.

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

Council Officers have undertaken the assessment of the truck (P32) and new dog tender, with Mack selected as the successful tenderer.

The loader (P58) tender is currently being assessed.

It is noted that the temporary plant that was purchased/retained for the Southern Cadia Access Route is still held by Council. Given the workload to the end of the financial year necessitating two construction crews, it is proposed to hold onto this plant until the completion of works this financial year.

**Wastewater**

The new truck has been received and fitted out to enable Sewerage Treatment Plant (STP) staff to meet their workload needs in undertaking asset inspection and minor renewal works.

Council awaits the outcome of the Environment Protection Authority (EPA) audit of the STP and at this point have not received any information in relation to the audit.

**Risk/Policy/Legislation Considerations:**

Information report only

**Budget Implications:**

Information report only

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

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

**Department:** Infrastructure Services

**Author:** Manager Operations

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

**File No:** PS.TE.4

---

**Recommendation:**

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.

**Reason for Report:**

To adopt a list of preferred suppliers for the supply of various goods and services for Council.

**Report:**

Tenders have been called for the supply of goods and services for Blayney Shire Council and Cabonne Council for the period between 1 April 2019 and 30 June 2021.

The tender was undertaken in accordance with Sections 166 and 168 of the *Local Government (General) Regulation 2008* to develop a list of recognised contractors for works within the Blayney and Cabonne Local Government Areas. This list will be utilised by Council Officers to invite quotations and/or tenders for works within Council's program.

Council sought submissions from suitably qualified contractors for the following services:

- Guardrail supply
- Installation of guardrail and wire rope (Blayney Shire Council only)
- Supply of water treatment chemicals
- Supply of road lime and cementitious products
- Supply of road stabilisation services
- Supply of gravel crushing services
- Supply of asphalt services
- Supply precast concrete stormwater drainage products
- Supply of metal fabrication services
- Supply of concrete works
- Supply of fencing services
- Installation of box culverts, pipes, & headwalls
- Installation of water and/or sewer mains

- Supply of tree removal/mulching services (Blayney Shire Council only)
- Supply of demolition services
- Supply of electrical services
- Supply of plumbing services
- Supply of locksmith services
- Supply of painting services
- Supply of mechanical services
- Supply of engineering, surveying, and/or geotechnical services
- Supply of tyres, tyre fitting, and tyre repair services

Council received 77 submissions for this open tender with various rates provided. Contractors have provided various indicative rates for works within Blayney Shire, enabling better estimating, and a streamlined procurement process.

As part of the submission, Council requested detailed information regarding the contractors insurances and Work Health and Safety (WH&S) policies and procedures. The contractors are then ranked on their compliance with the questionnaire to enable Council Officers to see at a glance the WH&S systems that the contractor has in place. This information will assist in streamlining the procurement process, and provides assurances to Council that it is able to meet its WH&S obligations.

The successful tenderers will have their details entered into a spreadsheet that Council Officers will utilise to determine suitable contractors to undertake works.

**Risk/Policy/Legislation Considerations:**

This assists in Council's compliance with its procurement obligations from the *Local Government Act* and Council's internal procurement procedures.

**Budget Implications:**

All works are undertaken within approved budget allocations. There is no obligation for purchase through this contract.

**Enclosures (following report)**

1 Contract 2-2019 Goods and Services Submissions 2 Pages

**Attachments (separate document)**

Nil

Act Geotechnical Engineers Pty Ltd	INGAL Civil Products (Industrial Galvaniser Corp Pty Ltd)
Aitken Rowe Testing	Insync Plumbing Blayney Pty Ltd
Aquapac Pty Ltd	iPLAN Projects
AT & KD Kearney	JJ & TM Huggett T/ J-Weld Metal Fabrication
Aussie Digger Pty Ltd	Kennedy Surveying Pty Ltd
B.R. Durham & Sons Pty Ltd	Littles Power
Barnson Pty Ltd	Maas Group Holdings Pty Ltd
Basmitja Pty Ltd T/as The Tree Surgeon	Macquarie Civil Services Pty Ltd
Blayney Electrical Services Pty Ltd	Macquarie Geotechnical Pty Ltd
Brad McBurnie – Huntley Rural Welding & Fencing Pty Ltd	McIntosh Fencing Pty Ltd
Bridgestone Australia Ltd	MGW Engineering Pty Ltd T/As Forefront Services
Bridgestone Tyre Centre Orange	Milbrae Quarries
Bruno Altin & Co Pty Ltd	Mitchel Hanlon Consulting Pty Ltd
Cadence Consulting Surveyors Pty Ltd	MW Fab Services Trade AS TSS Engineering
Calvani Crushing Pty Ltd	Nowra Chemical Manufacturers Pty Ltd
Cardno (NSW/ACT) Pty Ltd	O.S. Trees Pty Ltd
Casey Surveying and Design Pty Ltd	Omega Chemicals
Central West Civil Pty. Ltd.	Orange Electrical Works Pty Ltd
CGB Civil and Rail Pty Ltd	P.A & C.L McKenzie Builders
Civil Independence Industries Pty Ltd	Poonindie Pty Ltd T/A Laser Electrical and Ted Wilson and Sons (TWS)
CJ & BJ Automotive & Air Con (Caleb Joel Pittis)	RBK Pty Ltd
Computer Systems Australia	RCG Locksmiths/ Bathurst Auto Doors

Connor Earthmoving	Redox Pty Ltd
Conplant Pty Ltd	Rent A Fence Pty Ltd
Constructive Solutions Pty Ltd	RMA Contracting Pty Ltd
Dave Cowan Constructions	Rolfe's Molong Pty Ltd (T/As Rolfe's Pumps)
Downer Edi Works Pty Ltd	Southwell Group Pty Ltd
Euro Civil Pty Ltd	Stabilco Pty Ltd
Geolyse Pty Ltd	StabilFix
GHD Pty Ltd	Telescope Tyres and Batteries
Glenn Healey Constructions	TFH Hire Services Pty Ltd
GNS Rural Services Pty Ltd	The Trustee for The TWA Trust T/A Tyres 4U
Grace Rural Pty Ltd T/As Grace Coring	Thompson Power Pty Ltd
Gregory Hatton Hedley	TR Packham
Guardrail Installations Australia Pty Ltd	Tree Craft NSW Pty Ltd
Haderslev Pty Ltd T/As Planning Potential	Triaxial Consulting Pty Ltd
Hanson Construction Materials	Voerman & Ratsep
Hiway Stabilizers Australia Pty Ltd	Western Safety Barriers Pty Ltd
Hynash Constructions Pty Ltd	

**12) CONTRACT 3-2019 PROVISION OF PLANT HIRE****Department:** Infrastructure Services**Author:** Manager Operations**CSP Link:** 1. Public Infrastructure and Services**File No:** PS.TE.6

---

**Recommendation:**

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.

**Reason for Report:**

To adopt a list of preferred suppliers for the provision of Plant Hire services for Council.

**Report:**

Tenders have been called for the provision of Plant Hire services for Blayney Shire Council and Cabonne Council for the period between 1 April 2019 and 30 June 2021.

The tender was undertaken in accordance with Sections 166 and 168 of the *Local Government (General) Regulation 2008* to develop a list of recognised contractors for works within the Blayney and Cabonne Local Government Areas. This list will be utilised by Council Officers to invite quotations and/or tenders for works within Council's program.

Council received 44 submissions for this open tender with various rates provided. Contractors have provided various items of plant for hire for this period. This will assist Council in augmenting its work force to deliver works efficiently and effectively over the contract period.

As part of the submission, Council requested detailed information regarding the contractors insurances and Work Health and Safety (WH&S) policies and procedures. The contractors are then ranked on their compliance with the questionnaire to enable Council Officers to see at a glance the WH&S systems that the contractor has in place. This information will assist in streamlining the procurement process, and provides assurances to Council that it is able to meet its WH&S obligations.

Additionally, Chain of Responsibility obligations are clearly identified within the contract, ensuring that Council, and our contractors, are conforming to the current legislative environment around heavy vehicles.

The successful tenderers will have their details entered into a spreadsheet that Council Officers will utilise to determine suitable contractors to undertake works.

**Risk/Policy/Legislation Considerations:**

This assists in Council's compliance with its procurement obligations from the *Local Government Act* and Council's internal procurement procedures.

It also covers the risks to Council surrounding Chain of Responsibility requirements for heavy vehicles.

**Budget Implications:**

All works are undertaken within approved budget allocations. There is no obligation for purchase through this contract.

**Enclosures (following report)**

1 Contract 3-2019 Plant Hire Submission

1 Page

**Attachments (separate document)**

Nil



Agile Arbor Pty Ltd	JN Excavations Pty Ltd
Altro Holdings Pty Ltd t/a Orange Hire	JR & EG Richards Pty Ltd – JR Richards & Sons
A-Plant Equipment	Keegan Civil Pty Ltd
Aqua Assets Pty Ltd	Kennards Hire Pty Ltd
Aussie Digger	Kerway Asphaltting Pty Ltd
Bitu-mill (Road Maintenance) Pty Ltd	KS Excavations
Brooks Hire Service Pty Ltd	Maas Group Holdings Pty Ltd
Central West Civil Pty. Ltd.	O.S. TREES PTY LTD
CGB Civil & Rail Pty Ltd	Porter Excavations Pty Ltd
Coates Hire Operations Pty Ltd (Corporate)	Premiair Hire
Complete Crushing Services Pty Ltd	Rollers Australia Pty Ltd
Connolly Sand P/L	Royal Wolf Trading Australia Pty Ltd
Connor Earthmoving	Rubie Bros. Pty Ltd
CPB EXCAVATIONS	SJC Trans Pty Ltd
D Wilton Excavations – Wilton Excavations	Specialised Pavement Services Pty Ltd
Earth Plant Hire PTY Limited	Spicer Constructions Pty Ltd
Ezyquip Hire Pty Ltd	Stabilco Pty Ltd
Hadlow Earthmoving	Stabilcorp Pty Ltd
Hibbo Hire Pty Ltd	TCN Contracting Pty Ltd
Hynash Constructions Pty Ltd	TG HIRE
JE & SL Bennett Pty Ltd	The Trustee for The Lockinda Trust – Lockinda Transport
JH & MJ Trindade Pty ltd	Universal Mobile Tower Hire

**13) FUNDING AGREEMENT CENTRAL WEST EQUESTRIAN AND LIVESTOCK CENTRE**

**Department:** Infrastructure Services

**Author:** General Manager

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

**File No:** GS.LI.1

---

**Recommendation:**

That Council approves the execution of the NSW Department of Industry Funding Agreement for \$300,000 for the Central West Equestrian and Livestock Centre.

**Reason for Report:**

For Council to approve the signing and execution of the Infrastructure Grants Funding Agreement for \$300,000 from NSW Department of Industry for the Central West Equestrian and Livestock Centre.

**Report:**

At the December meeting, Council endorsed the execution of the Funding Deed for the NSW Government's Restart NSW Regional Growth Environment and Tourism Funding Agreement of \$1.5m for the Central West Equestrian and Livestock Centre Project, and approved the additional \$400k received via the Commonwealth Drought Communities Program (**Resolution No. 1812/015**).

Council were informed of a pending submission for \$300k under the NSW Liquor and Gaming Club Grants Sport and Recreation Infrastructure Program. On 30 January 2019, the Hon Paul Toole MP announced that this funding application for Blayney Shire Council was successful.

The additional funding has ensured the delivery of this project to the original specifications, providing a total budget of \$2.2m.

The tender for the Construction of the Shed structure closed on Tuesday 19 February and is subject to a separate report.

The revised budget of \$2.2m will deliver:

- Cladding of western and partial southern wall
- Path around viewing areas of shed
- All civil works, water harvesting and stock water tank/pump
- Automatic dust suppression system
- Competition level lighting
- Retaining wall with compliant fencing

- Internal perimeter safety fence
- Disabled parking bay near toilets
- Reinstatement of fencing and gates
- Fire safety solution that includes installation of a fire hydrant at the Showground pavilion

Preliminary works will commence on Monday 25 March, including removal of trees, fences, loading ramps and disconnecting power and water to the site.

Earthworks will proceed in the week commencing Monday 1 April, and there will be no public access allowed to the site until November 2019.

**Risk/Policy/Legislation Considerations:**

Council has met the requirements of the; Capital Expenditure Guidelines (2010) issued by the Office of Local Government, and for the procurement and tendering process, the Tendering Guidelines (2009), Local Government Regulations (2005) and Local Government Act (1993).

New South Wales GC21 - General Conditions of Contract standard form of contract, as provided by NSW Procurepoint, is the selected contract for this project as it allows for a collaborative contract structure for the Principal (Council) and the Contractor.

All officers and Councillors are bound by the Code of Conduct, Business Ethics, WHS and Risk Management Framework.

The additional financial risk associated with a contract project of this scale will require additional notation on Council's Contracts Works Insurance with Statewide Mutual. This will provide cover for both works in progress, property damage, public liability and Contractor default.

Council's Risk Management Policy and procedures will provide the framework for identification, assessment and implementation of mitigation strategies.

**Budget Implications:**

The \$300k from Infrastructure Grants NSW will fund the internal perimeter fence and fire compliant infrastructure. The budgeted costs of these items is estimated below the funding total of \$300k.

Together with \$400k from the Drought Communities Funding, this will increase the original budget by \$700k.

Whole of life costs for the project will also increase the current forecast in the Long Term Financial Plan from \$49k to \$71k.

The project expenditure to date is \$61k for consultancy, design and tendering along with preliminary works to prepare the site for commencement following the Blayney Show on 23 March 2019.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**14) MINUTES OF THE BLAYNEY SHIRE SPORTS COUNCIL MEETING HELD ON THURSDAY 21 FEBRUARY 2019**

**Department:** Infrastructure Services

**Author:** Director Infrastructure Services

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

**File No:** PR.ME.1

---

**Recommendation:**

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.

**MINUTES OF THE BLAYNEY SHIRE SPORTS COUNCIL MEETING HELD ON THURSDAY 21 FEBRUARY 2019 AT THE BLAYNEY SHIRE COMMUNITY CENTRE****PRESENT:**

Grant Baker, (Blayney Shire Council); Lorraine Dunkley (Lyndhurst Village Committee), Cr David Kingham (Blayney Shire Council), Cr Scott Ferguson (Blayney Shire Council), Cr John Newstead (Blayney Shire Council) , Amanda Tomlinson (Blayney Junior Soccer); Adam Hornby (Blayney Senior League), Rosemary Reid (A&P Association); Rebecca Scott (Blayney Senior Football Club); Trevor Jones (Blayney Harness Racing Club); Ian Tooke (Development Coordinator).

**APOLOGIES:**

Christine Smith (Heritage Country Schools PSSA), Julie Prosper (Blayney Cricket/Blayney Netball), Cheryl Rutherford (Blayney Tennis).

**RECOMMENDED:** That the apologies be accepted.

**CONFIRMATION OF PREVIOUS MINUTES – 15 NOVEMBER 2018**

**RECOMMENDED:** That the minutes of the previous meeting held 15 November 2018, be accepted.

(Cr David Kingham/Lorraine Dunkley)

**MATTERS ARISING FROM THE MINUTES**

King George Oval Long Jump Pit – Concrete works completed.

Dakers Oval – Flood Impact Assessment – Analysis undertaken, awaiting final report.

**DISCLOSURES OF INTEREST**

Nil.

**EVENTS CALENDAR UPDATE**

Carcoar Show Ball	23 February 2019
Millthorpe Junior Cricket Club Big Bash Fundraisers	3 March 2019
Bathurst Cycling Classic (B2B)	17 March 2019
Blayney Show	23 March 2019
Blayney Bears Under 18 Carnival	23 March 2019
Blayney Bears Junior – Group 10 Poss & Prob Tryouts	31 March 2019
Blayney Junior Tennis Tournament	7 April 2019

**GRANT FUNDING UPDATE**

Crown Reserves Improvement Fund

**ACTION:** Council to seek Blayney Public School letter of support for funding application for fencing around Dakers Oval.

**PROJECT UPDATES**

Noted.

**MEMBERSHIP**

**RECOMMENDED:** That Blayney Shire Council accept the nomination of Amanda Tomlinson as the new representative for Blayney Junior Soccer Club on the Blayney Shire Sports Council.

(Lorraine Dunkley/Rosemary Reid)

**GENERAL BUSINESS**

Cr Ferguson

King George Oval Bore replacement discussion.

Development Coordinator – Ian Tooke

Defibrillator grants open until 6 May for sporting groups to apply.

Others may wish to seek funding through Financial Assistance Program.

Carcoar Sailability and Sailing Club

**ACTION:** Council to invite Carcoar Sailability and Sailing Club to become members of the Blayney Shire Sports Council.

Lyndhurst Village Committee – Lorraine Dunkley

Bowls committee members concerned about inability to access bowling greens, since closure.

**ACTION:** Council to contact Blayney Bowling Club Administrator to see if greens access is available.

Blayney Senior League – Adam Hornby

A question raised about early morning swimming coaching at CentrePoint.

Blayney Senior Football Club (Soccer) - Rebecca Scott

Concern about horse events on soccer fields during Blayney Show.

**NEXT MEETING**

Thursday 16 May 2019 at 6:00pm.

Meeting Closed 6.55pm.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**15) MINUTES OF THE BLAYNEY SHIRE ACCESS ADVISORY COMMITTEE HELD TUESDAY 5 MARCH 2019**

**Department:** Planning and Environmental Services

**Author:** Director Planning and Environmental Services

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

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

---

**Recommendation:**

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.

**MINUTES OF THE BLAYNEY SHIRE ACCESS ADVISORY COMMITTEE MEETING HELD ON TUESDAY 6 MARCH 2019 AT THE BLAYNEY SHIRE COMMUNITY CENTRE**

Meeting commenced at 6.01pm.

**PRESENT**

Councillor Bruce Reynolds (chair), Jenny McMahon, Shane Oates, Tom Williams and Mark Dicker (Director Planning and Environmental Services (DPES)).

**GUESTS**

Allison Farr, Faith Stanborough (Ability Links) and Melissa Johnston (everywhere venues).

**APOLOGIES**

Councillor Scott Denton (chair) and Greg Hooper  
(Jenny McMahon/Tom Williams)

**CONFIRMATION OF PREVIOUS MINUTES**

The minutes of the previous meeting held on 25 October 2018 were confirmed to be a true and accurate record of that meeting.

(Tom Williams/Jenny McMahon)



**DISCLOSURES OF INTEREST**

Nil

**BUSINESS ARISING FROM PREVIOUS MEETING****CentrePoint Sport and Leisure Centre**

The committee were advised that Council is seeking to be advertising the tender in the next 4 weeks, closing early May.

Discussion was had on the pool pod unit to be installed for the 25m pool.

Committee to be consulted regarding the consideration on purchase and quantity of aquatic chairs.

**ACTION;** Members of the committee that have specific questions on the pool pod unit are to email DPES so they can be forwarded onto the supplier.

The committee were advised construction of 2 new accessible car parks off Ogilvy St were completed last week. These were funded through the NSW Government Stronger Country Communities round 2 program.

The question was asked if there was potential for the new doors at CentrePoint to be automated?

**ACTION;** DPES to contact door manufacturer.

**Audit of accessible car parking across Blayney Shire**

Discussion was had on the audit undertaken of accessible car parking across the Blayney Shire. The question was asked how any non-compliance rectifications would be funded into the future?

**RECOMMENDED;** 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.

(Jenny McMahon/Tom Williams)

**Access consulting**

The committee were advised BCA Logic have been engaged to provide this consulting. There were 3 local businesses, 2 in Millthorpe and 1 in Blayney identified at this stage to have an initial visit prior to the end of April 2019.

If a performance solution is identified at the initial visit, it is then that individual businesses decision if they proceed to engage BCA Logic to prepare the performance solution.

**Millthorpe (Boomerang St, Victoria Road, George St)**

The committee were advised this matter is recorded on the traffic committee register, survey works had commenced and currently no funding source has been identified for these works.

The committee had a lengthy discussion regarding Millthorpe and in particular the intersection of (Boomerang St, Victoria Road, George St).

### **Transport Services for social support**

The committee advised a letter has been sent to the Hon Paul Toole MP, member for Bathurst.

Discussion was had after Paul Toole's office sought clarification on exactly what assistance the committee was seeking.

The committee discussed the following issues;

- Only 1 car available in Blayney if that car is booked another car has to come from Bathurst or Lithgow,
- Cost of transportation (\$8 Blayney trips, \$15 return Millthorpe to Blayney, \$35 return to Orange or Bathurst and approx. \$120 to Sydney).
- Lack of transport options to outlying villages in the Blayney Shire

**ACTION;** DPES to confirm with Greg Hooper prior to advising Paul Toole's office on the committee's key concerns.

### **Farm Lane and Ogilvy Street intersection**

The committee were advised Council had commenced survey works and no funding source has yet been identified for these works

**RECOMMENDED;** 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.

(Jenny McMahon/Tom Williams)

### **King George Oval**

The committee were advised Council has applied for funding under 2 separate programs for upgrades to King George Oval, however have been unsuccessful on both occasions.

**ACTION;** DPES to supply the proposed plans for the King George Oval upgrade to the Access Committee for consultation.

### **BUSINESS ADVISED**

#### **Committee Membership**

The committee were advised since the last meeting, Allison Farr and Iris Dorsett had been contacted and confirmed an interest in being a community representative on the committee.

**RECOMMENDED;** 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.

(Tom Williams/Jenny McMahon)

### **Access at a Glance Project**

Faith and Melissa explained the Access at a Glance Project to the committee.

**Belubula River Bridge Carcoar**

The committee were advised Council is investigating the adequacy (gaps in the boards were not adequate for wheel chairs) of the pedestrian part of the old bridge at Carcoar

**ACTION;** DPES to seek input from Councils Heritage Architect.

**Cadia Open Day**

The committee were advised Cadia are having an open day and Live Better will be providing accessible transport options.

**FUTURE AGENDA ITEMS**

To be advised 2 weeks prior to next meeting.

**FUTURE MEETING DATES**

- To be advised – potentially 4 June or 28 May

**MEETING CLOSE**

The meeting closed at 7:35pm.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

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

**Department:** Planning and Environmental Services

**Author:** Director Planning and Environmental Services

**CSP Link:** 5. The Natural Environment

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

---

**Recommendation:**

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

**MINUTES OF THE BLAYNEY SHIRE CEMETERY FORUM MEETING HELD ON TUESDAY 26 FEBRUARY 2019 BLAYNEY SHIRE COMMUNITY CENTRE**

Meeting commenced at 5.02pm.

**PRESENT**

Councillor David Kingham (Chair), Councillor John Newstead, Helen Dent, Hayley Lavers, Mitchell Groves and Mark Dicker (Director Planning and Environmental Services (DPES)).

**Guests**

Richard Bloomfield (on behalf of Lyndhurst rep Vicki Pulling).

**APOLOGIES**

Kevin Radburn (Senior), Kevin Radburn and Vicki Pulling

**CONFIRMATION OF MINUTES**

The minutes of the previous meeting held on 25 October 2018 were confirmed to be a true and accurate record of that meeting.

(Helen Dent / John Newstead)

**DECLARATIONS OF INTEREST**

Nil

**BUSINESS ARISING**

**Cemetery Brochure**

DPES advised the final changes are to be finalised ASAP.

**Muslim Cemetery**

The committee were advised Blayney Muslim section is progressing with concrete strips recently being poured.

**Restoration of damaged and/or derelict graves**

The committee were advised Councils new WHS and Risk Coordinator is undertaking an inspection of cemeteries in the next 2 weeks. Any graves identified by Councils WHS and Risk Coordinator as a risk will be prioritised for restoration.

The committee were reminded that after the last meeting, members of the committee were going to identify the top priority in their opinion for each cemetery that requires restoration.

**Rabbits**

The committee were advised Councils Ranger recently undertook an eradication program at Blayney cemetery. The question was asked if part of the fencing works if additional foot netting will be installed on the outside of the cemetery fencing?

**ACTION;** DPES to confirm if foot netting will be installed on the outside of the Blayney cemetery fence.

**BUSINESS ADVISED****Lyndhurst**

The committee were advised an additional seat had now been installed.

**Draft Cemeteries Management Plan**

The committee were provided with a copy of the Blayney Shire Council draft Cemeteries Management Plan. Feedback is sought on this plan.

**Millthorpe Report**

The committee was provided with a written report from Hayley Lavers on behalf of the Millthorpe Village Committee. Issues raised included;

- Removal of kurrajong tree from cemetery  
DPES advised this tree had to be removed on the advice of an arborist.
- Tree plantings around the cemetery  
DPES advised this would form part of a wider tree planting program for Millthorpe with input from Councils Supervisor Parks and Recreation.
- Boundary fencing along Park Street  
The committee advised it has no objection to a fence being installed along Park Street.
- Rabbit Control  
DPES advised Councils Ranger will inspect.
- Niche Wall Plaque  
The committee advised it has no objection to a plaque being installed on the new Niche wall.
- Green Waste in the independent section  
DPES to follow up with Councils Supervisor Parks and Recreation.
- Parking  
Noted.
- Vegetation over some graves  
DPES to follow up with Councils Supervisor Parks and Recreation.

- Restoration of damaged / derelict graves  
Millthorpe priorities noted, consultation to take place with Councils  
Heritage Advisor and after WHS and Risk Coordinator inspection.

**FUTURE MEETINGS**

To be advised, likely 5pm Tuesday, 18 June 2019

**MEETING CLOSE**

The meeting closed at 5.40pm.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**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) 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.*

**18) 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.*