



14 April 2020

Dear Councillor,

Your attendance is requested at an Ordinary Council Meeting of the Blayney Shire Council will be held via the video conferencing platform Zoom on 20 April 2020 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 16.03.20
- (8) Matters arising from Minutes
- (9) Notices of Motion
- (10) Reports of Staff
 - (a) Executive Services
 - (b) Corporate Services
 - (c) Infrastructure Services
 - (d) Planning and Environmental Services
- (11) Delegates Reports
- (12) Questions from Councillors
- (13) Closed Meeting

Yours faithfully

Grant Baker
Acting General Manager

Meeting Calendar 2020

April

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
2.30pm	17 April 2020	Upper Macquarie County Council Meeting	Kelso
6.00pm	20 April 2020	Council Meeting	Online

May

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
10.30am	13 May 2020	Central Tablelands Water Meeting	Grenfell
6.00pm	18 May 2020	Council Meeting	Online

June

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
10.00am	12 June 2020	Traffic Committee Meeting	Online
10.30am	17 June 2020	Central Tablelands Water Meeting	Canowindra
2.30pm	19 June 2020	Upper Macquarie County Council Meeting	Kelso
6.00pm	22 June 2020	Council Meeting	Online

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HELD ON MONDAY 20 APRIL 2020

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LIVE STREAMING OF COUNCIL MEETINGS

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

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

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

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

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

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

01) MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 16 MARCH 2020

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 16 March 2020, being minute numbers 2003/001 to 2003/017 be confirmed.

MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY CENTRE, ON 16 MARCH 2020, COMMENCING AT 6.00PM

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

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

ACKNOWLEDGEMENT OF COUNTRY

RECORDING OF MEETING STATEMENT

DISCLOSURES OF INTEREST

Nil

CONFIRMATION OF MINUTES

MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 17 FEBRUARY 2020

2003/001 RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 17 February 2020, being minute numbers 2002/001 to 2002/026 be confirmed.

(Ewin/Newstead)
CARRIED

MATTERS ARISING FROM THE MINUTES

Cr Reynolds asked the General Manager for an update on the Drought Communities Program application. The General Manager advised that advice had not yet been received.

EXECUTIVE SERVICES REPORTS

TOURISM EVENT DEVELOPMENT FUND APPLICATIONS

2003/002

RESOLVED:

1. That Council approves the following event under the 2019/20 Tourism Event Development Program;
 - \$500 for the Millthorpe Village Committee 'Millfest' event
2. That subject to receipt of no objections before 5:00pm on Thursday 19 March, Council delegate to the General Manager to approve \$1,000 for Antica Australis 'Ancient Southern Lands' event under the Tourism Event Development Program.

(Somervaille/Ewin)

CARRIED

MINUTES OF THE BLAYNEY SHIRE TOURISM, TOWNS AND VILLAGES COMMITTEE MEETING HELD 25 FEBRUARY 2020

2003/003

RESOLVED:

That the minutes of the Blayney Shire Tourism, Towns and Villages Committee meeting, held on Tuesday 25 February 2020, be received and noted.

(Denton/Reynolds)

CARRIED

CORPORATE SERVICES REPORTS

REPORT OF COUNCIL INVESTMENTS AS AT 29 FEBRUARY 2020

2003/004

RESOLVED:

1. That the report indicating Council's investment position as at 29 February 2020 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

(Kingham/Somervaille)

CARRIED

YOUTH WEEK 2020

2003/005

RESOLVED:

That the report on Youth Week 2020 be received and the allocations from the 2020 Youth Week Small Grants Program be endorsed as follows:

Millthorpe Youth Group	\$ 800
Le Danse School	\$ 700
CentrePoint	\$2,800

(Reynolds/Somervaille)

CARRIED

BLAYNEY RESIDENTIAL DEVELOPMENT PROJECT - LAND SALES

2003/006 RESOLVED:

1. That Council endorse the action of the General Manager to accept the offer for sales of Lot 14 at Streatfeild Close (Lot 1 DP 250822) at the listed price of \$155,000.
2. That Council approve execution of relevant contracts and associated documentation by the Mayor and General Manager under Council seal, if required.

(Somervaille/Newstead)

CARRIED

AMENDMENT TO FRAUD CONTROL POLICY

2003/007 RESOLVED:

That the Fraud and Corruption Control Policy and Plan be placed on public exhibition for a period of at least 28 days.

(Somervaille/Reynolds)

CARRIED

MINUTES OF THE FINANCIAL ASSISTANCE COMMITTEE MEETING HELD 3 MARCH 2020

MOTION:

1. That the minutes of the meeting held 3 March 2020 be received.
2. That Council review the large amounts in the s.356 Schedule of Financial Assistance for well-established and long standing events and consider whether these should be capped at a subsidy of \$2,000.
3. That any subsidy greater than the capped amount be subject to a claims process with substantiation including financial statements and the assessment process have regard to the financial viability of the event.
4. That the approvals of fee waivers and sporting related financial assistance, under delegation by the General Manager, in the amount of \$2,125 be noted.
5. That the recommendations for 2019/20 - Round 2 of the Community Financial Assistance Program by the Financial Assistance Committee, in the amount of \$20,984 be approved.
6. That an amount of \$6,926, being the amount in excess of that available in the budget for 2019/20 for Round 2, be allocated from funds unexpended from previous periods carried over.

(Somervaille/Denton)

An **AMENDMENT** was moved by Cr Reynolds:

1. That the minutes of the meeting held 3 March 2020 be received.
2. That the approvals of fee waivers and sporting related financial assistance, under delegation by the General

- Manager, in the amount of \$2,125 be noted.
3. That the recommendations for 2019/20 - Round 2 of the Community Financial Assistance Program by the Financial Assistance Committee, in the amount of \$20,984 be approved.
 4. That an amount of \$6,926, being the amount in excess of that available in the budget for 2019/20 for Round 2, be allocated from funds unexpended from previous periods carried over.

The Amendment was lost for want of a seconder.

The original motion became the substantive motion and was put.

2003/008 RESOLVED:

1. That the minutes of the meeting held 3 March 2020 be received.
2. That Council review the large amounts in the s.356 Schedule of Financial Assistance for well-established and long standing events and consider whether these should be capped at a subsidy of \$2,000.
3. That any subsidy greater than the capped amount be subject to a claims process with substantiation including financial statements and the assessment process have regard to the financial viability of the event.
4. That the approvals of fee waivers and sporting related financial assistance, under delegation by the General Manager, in the amount of \$2,125 be noted.
5. That the recommendations for 2019/20 - Round 2 of the Community Financial Assistance Program by the Financial Assistance Committee, in the amount of \$20,984 be approved.
6. That an amount of \$6,926, being the amount in excess of that available in the budget for 2019/20 for Round 2, be allocated from funds unexpended from previous periods carried over.

(Somervaille/Denton)

CARRIED

Cr Reynolds recorded his name against this resolution

MINUTES OF THE BLAYNEY SHIRE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 4 MARCH 2020

2003/009 RESOLVED:

1. That the minutes of the Blayney Shire Audit, Risk and Improvement Committee meeting held 4 March 2020 be received.
2. That the draft Fraud and Corruption Control Policy and Plan be referred to Council for consideration.

(Somervaille/Newstead)

CARRIED

INFRASTRUCTURE SERVICES REPORTS

DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT

2003/010

RESOLVED:

That the Director Infrastructure Services Monthly Report for March 2020 be received and noted.

(Reynolds/Kingham)

CARRIED

MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE MEETING HELD ELECTRONICALLY - FEBRUARY 2020

2003/011

RESOLVED:

1. That the minutes of the Extraordinary Blayney Traffic Committee Meeting, held electronically in February 2020, be received and noted.
2. That Council endorse the Traffic Management Plan for the Orange Cycle Club series of events for 2020. The events are to be classified as Class 2 events, and approved subject to the conditions detailed in the Director Infrastructure Services' Report.

(Reynolds/Denton)

CARRIED

MINUTES OF THE BLAYNEY SHIRE SPORTS COUNCIL MEETING HELD THURSDAY 20 FEBRUARY 2020

2003/012

RESOLVED:

1. That the minutes of the Blayney Shire Sports Council Meeting, held on Thursday 20 February 2020, be received and noted.
2. That Blayney Shire Council accept the nomination of Geoff Redmond as the new representative for Blayney Bears Junior Rugby League and Blayney Shire Horse Sports on the Blayney Shire Sports Council.

(Newstead/Kingham)

CARRIED

PLANNING AND ENVIRONMENTAL SERVICES REPORTS

MINUTES OF THE BLAYNEY SHIRE ACCESS ADVISORY COMMITTEE HELD 27 FEBRUARY 2020

2003/013

RESOLVED:

That Council;

1. Investigate funding opportunities to upgrade path of travel doors to and within CentrePoint
2. Consider any immediate improvements that can be undertaken to the entrance of the Blayney Library
3. Ensure upgrading of the front entrance is included as part of the planned library toilet upgrade project.
4. Write to the building owner of the National Australia Bank

highlighting the current accessibility issue and outline assistance Council can provide to create compliant accessible access

5. Note the Blayney Shire Access Committee endorsement of the 6 monthly review to 31 December 2019 of the Blayney Shire Disability Inclusion Action Plan
6. Write to the Hon Paul Toole MP for the Bathurst seeking that the Travel Card for seniors is considered for community transport use in regional NSW where public transport options are limited

(Denton/Reynolds)

CARRIED

**MINUTES OF THE BLAYNEY CEMETERY FORUM MEETING
HELD 27 FEBRUARY 2020**

2003/014

RESOLVED:

That;

1. Council, after engaging the village committees and cemetery forum members to ascertain quantities, print the Blayney Shire Cemetery brochure for distribution
2. Council, as an alternative to repairing individual grave sites, investigate use of the 2019/20 budget allocation to clean up significantly dilapidated and derelict graves sites in the Blayney Cemetery by placing new identification plaques and removing damaged and derelict pieces of grave sites
3. A separate report be prepared for Council to endorse the Draft Cemetery Management Plan for public exhibition
4. Council consider urgently top dressing and native seeding of the lawn section of the Blayney Cemetery
5. Council consider not using chemicals around the headstones in lawn sections of cemeteries
6. Council prepare an information sheet for families when considering final resting options.

(Kingham/Newstead)

CARRIED

CLOSED MEETING

2003/015 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 matter:

LAND PURCHASE OPPORTUNITY

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.

(Reynolds/Denton)

CARRIED

CONFIDENTIAL MEETING REPORTS

2003/016 LAND PURCHASE OPPORTUNITY

RESOLVED:

That Council approve the General Manager to investigate the purchase of 114 Adelaide Street, Blayney.

(Reynolds/Denton)

CARRIED

2003/017 RESOLVED:

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

Newstead/Reynolds)

CARRIED

AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOME OF RESOLUTION NUMBER 2003/016.

There being no further business, the meeting concluded at 8.05pm.

The Minute Numbers 2003/001 to 2003/017 were confirmed on 20 April 2020 and are a full and accurate record of proceedings of the Ordinary Meeting held on 16 March 2020.

Cr S Ferguson
MAYOR

Mrs R Ryan
GENERAL MANAGER

02) COVID-19 RATES FINANCIAL HARDSHIP POLICY**Department:** Executive Services**Author:** Councillor Denton**CSP Link:** 2. Local Governance and Finance**File No:** RV.PO.1

Recommendation:

1. That Council recognises and congratulates the outstanding efforts by hospital and front-line services staff in combatting COVID-19 and thanks the local community for observing social distancing measures.
2. That a report be presented to the May 18 Ordinary Meeting of Council that;
 - a) Provides a draft specific stand-alone COVID-19 Rates Financial Hardship Policy, or draft specific clauses to amend the 'Pensioner and Hardship Assistance Policy.'
 - b) Explains how a COVID-19 Rates Financial Hardship Policy or the existing 'Pensioner and Hardship Assistance Policy' is administered, i.e. which officer, working group or committee of Council makes determinations under the policy,
 - c) Details on how many ratepayers (by category) have contacted Council prior to the requesting assistance,
 - d) Details data on the nature of financial assistance ratepayers have requested,
 - e) Details the type and extent of financial assistance ratepayers have already been offered under the current policy,
 - f) Provides projections that this pandemic may have on Council's finances generally and with respect to hardship requests,
 - g) Explains what sources of Commonwealth or NSW Government financial assistance have been explored by Council to assist with maintaining our level of services to the community.

COVID-19 was declared a global pandemic by the World Health Organisation on 11 March 2020. The pandemic is having economic implications for businesses and communities across Australia, NSW and the Blayney Shire.

To complement Australian and NSW Government assistance measures, Blayney Shire Council has an opportunity to provide temporary relief to those under financial stress as a result of the pandemic. Council's "Pensioner and Hardship Assistance Policy" may conflict with specific elements unique to this pandemic and therefore be inappropriate. For example, the policy's requirement that Council may *"...request that the ratepayer attend an interview to assist Council in the understanding of the issues causing hardship"* potentially conflicts with the NSW Health Order social distancing requirements or deter people from making an application for assistance.

03) BLAYNEY CHRONICLE PUBLICATION

Department: Executive Services

Author: Councillor Reynolds

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

File No: CR.ML.2

Recommendation:

That Council explore alternative forms of communicating with the Blayney Shire community, which may involve some form of print publication on a semi regular basis of Council matters, should it be determined by Australian Community Media to cease the printed publication of the Blayney Chronicle.

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

That Council notes the Resolution Report to February 2020.

Reason for Report:

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

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

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

Report:

This Council Outstanding Resolution Report includes Council Resolutions up to and including the previous Council Meeting.

Council currently has 25 resolutions 'in progress'.

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

Date of Meeting	Res. No	Resolution	Owner	Comments
18-Apr-17	1704/015	Planning Proposal to amend Blayney Local Environmental Plan 2012 - Flood Planning Map RESOLVED That Council forward a Planning Proposal to the Minister for Planning and Environment seeking to amend the flood planning map within the Blayney Local Environmental Plan 2012.	DPES	In progress: DPE approved Gateway time extension to 19 March 2021. Communication strategy to be developed prior to exhibition commencing.
18-Feb-19	1902/021	King George Oval Pump Renewal	MWW	Council working on approval

Date of Meeting	Res. No	Resolution	Owner	Comments
		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.		process and development of a recycled water plant. Bore will no longer be progressed and Recycled Water will be used in the future for irrigation of the Oval. Council is developing a Recycled Water Management Plan and design in alignment with NSW DPIE Guidelines. Water sampling being undertaken to understand treatment equipment sizing.
20-May-19	1905/003	Blayney Train Station Community Art Space RESOLVED That Council seek a Community Use Licence for the currently disused booking office, waiting rooms, storage sheds and former refreshment buildings at the Blayney Train Station, with the view that a sub licence agreement will facilitate an Art Gallery and Community Space.	GM	Project report to be provided to May Council meeting.
17-Jun-19	1906/E005	Tender 11/2019 - CentrePoint Sport & Leisure Centre Aquatic & Building Upgrades RESOLVED 7. Undertake an operational review of all CentrePoint Sport and Leisure Centre services and operations prior to reopening in 2020 with the objective of identifying efficiencies, increasing membership, users and revenue.	DPES	In progress.
19-Aug-19	1908/004	Electric Vehicle Charger Stations RESOLVED	MWW	In progress. Working through Central JO

Date of Meeting	Res. No	Resolution	Owner	Comments
		2. When the preferred charging station solution is determined a report be provided to Council with location and recommended fees based on a full cost recovery User Pays Policy.		toolkit with Council projects being used as test case for selection.
19-Aug-19	1908/019	Minutes of the Blayney Shire Access Advisory Committee Meeting held on 17 July 2019 RESOLVED 4. That Council proceed to cost the upgrade of the identified non-compliant car parking in the 2018 audit of accessible car parking across Blayney Shire for future grant funding opportunities and/or Operational Plan inclusion. 6. That Council investigate and consider as a priority renewing the layback in front of the Anglican Church Blayney (corner of Adelaide Street and Church Street) in the 2019/20 financial year.	DPES	In progress.
16-Sep-19	1906/013	Proposed Renaming - Arley Lane to Meadows Lane, Lyndhurst RESOLVED That Council adopt the name Meadows Lane, to replace the name Arley Lane at Lyndhurst.	MI	Gazettal notice being prepared for publication in the NSW Government Gazette to facilitate update of NSW Government spatial information.
16-Sep-19	1906/014	Small Bridge Program Scope Confirmation RESOLVED 2. That a further report come to Council confirming the scope of Leabeater Street bridge pending land tenure and road reserve investigations and subsequent design and cost implications are known.	MO	Surveys completed, awaiting 1st Draft.
16-Sep-19	1906/016	Planning Proposal to Amend Blayney Local Environment Plan 2012 - RU1 Primary Production to E2 Environmental Conservation - Cadia Biodiversity Offset	MP	In progress. DPIE approved Gateway time extension to March 2021.

Date of Meeting	Res. No	Resolution	Owner	Comments
		Areas RESOLVED 1. That Council proceed to endorse the amendment to the Blayney Local Environmental Plan 2012, 2. That Council, in exercising its delegation under Section 3.36 of the Environmental Planning and Assessment Act 1979, as endorsed by NSW Planning, Industry & Environment in the Gateway Determination, forward the relevant documents to Parliamentary Counsel for opinion, to amend the Blayney Local Environmental Plan 2012 by rezoning Lot 201 DP 1037198 and Lot 1422 DP 1168271 from RU1 Primary Production to E2 Environmental Conservation, and the making of the Local Environmental Plan.		
21-Oct-19	1910/014	Draft Local Strategic Planning Statement RESOLVED 1. That Council endorse the draft Local Strategic Planning Statement attached to this report for public exhibition. 2. That the draft Local Strategic Planning Statement be exhibited for 28 days. 3. A report be prepared for Council's consideration, following exhibition of the draft Local Strategic Planning Statement addressing any submissions received.	MP	In progress. Public exhibition period undertaken. Draft LSPS not to be finalised until draft Housing Strategy completed.
16-Dec-19	1912/021	Minutes of the Blayney Shire Access Advisory Committee held 21 November 2019 RESOLVED 2. That Council investigate and consider for prioritised inclusion in the Active Movement Strategy renewing 3 laybacks within Adelaide Street (Church Street and both sides of Burns Street).	DPES	In progress.
17-Feb-20	2003/013	Sale of Land for Unpaid Rates RESOLVED 2. That Council, pursuant to	DCS	Arrangements for auction in place and

Date of Meeting	Res. No	Resolution	Owner	Comments								
		s.713 of the Local Government Act, 1993: a. Sell the listed properties at a public auction to be held at the Blayney Shire Council Chambers on Friday 22 May 2020 commencing at 10:00 am; b. Authorise Council staff to proceed with the necessary arrangements pertaining to the sale of the properties as set out by the Local Government Act 1993; and c. Authorise the General Manager to set the reserve price on the day of auction. 3. That Council not withdraw any property from the sale unless all unpaid rates and charges are paid in full. 4. That Council undertake land title searches to verify land descriptions and owners for the preparation of sale documents. 5. That Council advertise all land in accordance with the Local Government Act, 1993. 6. That Council call for quotations for an auctioneer to conduct the auction. 7. That Council endorse execution of relevant contracts and associated documentation by the Mayor and General Manager under Council seal, if required.		auction date now proposed for 17 June 2020. Due to COVID19 restrictions auction now postponed to a date to be fixed. New resolution of Council will be required.								
17-Feb-20	2002/015	Review of Council Policies RESOLVED That the following policies be endorsed and placed on public exhibition for a period of not less than 28 days: <table><tr><th>No.</th><th>Policy Name</th></tr><tr><td>2I</td><td>Enterprise Risk Management Policy and Plan</td></tr><tr><td>3G</td><td>Procurement of Goods and Services Policy</td></tr><tr><td>25F</td><td>Road, Street and Bridge Names Policy</td></tr></table>	No.	Policy Name	2I	Enterprise Risk Management Policy and Plan	3G	Procurement of Goods and Services Policy	25F	Road, Street and Bridge Names Policy	DCS	Report to Council to adopt policies to be tabled at April 2020 Council meeting.
No.	Policy Name											
2I	Enterprise Risk Management Policy and Plan											
3G	Procurement of Goods and Services Policy											
25F	Road, Street and Bridge Names Policy											
17-Feb-20	2002/017	Road Hierarchy, Renewal and Maintenance Policy	MI	Report to Council to adopt								

Date of Meeting	Res. No	Resolution	Owner	Comments
		RESOLVED That Council place the Road Hierarchy, Renewal and Maintenance Policy on public exhibition for a minimum period of 28 days.		policy to be tabled at April 2020 Council Meeting.
17-Feb-20	2002/021	Subregional Rural and Industrial Lands Strategy 2019 to 2036 – Draft RESOLVED That Council: 1. Endorse the Draft Subregional Rural and Industrial Lands Strategy 2019 to 2036 for public exhibition. 2. Exhibit the Draft Subregional Rural and Industrial Lands Strategy 2019 to 2036 in accordance with the Draft Community Participation Plan.	MP	On exhibition.
17-Feb-20	2002/023	EOI 3/2016 - Sale of Industrial Land By Council RESOLVED 1. That Council accept the offer for sale of Lot 6 DP871015 for the amount of \$220,000 including GST; and 2. That Council endorse execution of relevant contracts and associated documentation by the Mayor and General Manager under Council seal, if required.	DCS	Correspondence sent to Purchaser advising Council resolution. Solicitor engaged and contract preparation in progress.
17-Feb-20	2002/024	Amendment To Lease Agreement - Blayney Solar Farm RESOLVED 1. That Council agree to extend the lease commencement to 30 September 2020; 2. That Council endorse execution of the lease, as amended, 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, if required.	DCS	Correspondence sent to Verde Developments requesting amendments to documents reflecting revised arrangements resolved by Council at March 2020 meeting for return to Council for execution.
16-Mar-20	2003/002	Tourism Event Development Fund Applications RESOLVED	MTC	The Antica Australis' event has been

Date of Meeting	Res. No	Resolution	Owner	Comments
		<p>1. That Council approves the following event under the 2019/20 Tourism Event Development Program;</p> <ul style="list-style-type: none"> \$500 for the Millthorpe Village Committee 'Millfest' event <p>2. That subject to receipt of no objections before 5:00pm on Thursday 19 March, Council delegate to the General Manager to approve \$1,000 for Antica Australis 'Ancient Southern Lands' event under the Tourism Event Development Program.</p>		postponed to 10 October 2020.
16-Mar-20	2003/005	<p>Youth Week 2020 RESOLVED That the report on Youth Week 2020 be received and the allocations from the 2020 Youth Week Small Grants Program be endorsed as follows: Millthorpe Youth Group \$800 Le Danse School \$700 CentrePoint \$2,800</p>	DCS	All events postponed to a date to be set following advice from funding body permitting program extension.
16-Mar-20	2003/006	<p>Blayney Residential Development Project - Land Sales RESOLVED 1. That Council endorse the action of the General Manager to accept the offer for sales of Lot 14 at Streatfeild Close (Lot 1 DP 250822) at the listed price of \$155,000. 2. That Council approve execution of relevant contracts and associated documentation by the Mayor and General Manager under Council seal, if required.</p>	DCS	Awaiting execution of contract by purchaser.
16-Mar-20	2003/007	<p>Amendment to Fraud Control Policy RESOLVED That the Fraud and Corruption Control Policy and Plan be placed on public exhibition for a period of at least 28 days.</p>	DCS	Document placed on Public Exhibition on website and on Council Front Desk. Report for adoption to be tabled at April 2020 Council

Date of Meeting	Res. No	Resolution	Owner	Comments
				meeting.
16-Mar-20	2003/008	Minutes of the Financial Assistance Committee meeting held 3 March 2020 RESOLVED 2. That Council review the large amounts in the s.356 Schedule of Financial Assistance for well-established and long standing events and consider whether these should be capped at a subsidy of \$2,000. 3. That any subsidy greater than the capped amount be subject to a claims process with substantiation including financial statements and the assessment process have regard to the financial viability of the event. 4. That the approvals of fee waivers and sporting related financial assistance, under delegation by the General Manager, in the amount of \$2,125 be noted. 5. That the recommendations for 2019/20 - Round 2 of the Community Financial Assistance Program by the Financial Assistance Committee, in the amount of \$20,984 be approved. 6. That an amount of \$6,926, being the amount in excess of that available in the budget for 2019/20 for Round 2, be allocated from funds unexpended from previous periods carried over.	DCS	Capped subsidy for consideration with Operational Plan and s.356 Schedule of Financial Assistance approval. No further action required on approvals under GM delegation. Correspondence sent to recipients to inform outcome of Council meeting. Adjustment of budget to be effected in Quarterly budget review.
16-Mar-20	2003/013	Minutes of the Blayney Shire Access Advisory Committee held 27 February 2020 RESOLVED That Council; 1. Investigate funding opportunities to upgrade path of travel doors to and within CentrePoint 2. Consider any immediate improvements that can be undertaken to the entrance of the Blayney Library 3. Ensure upgrading of the front	DPES	In progress.

Date of Meeting	Res. No	Resolution	Owner	Comments
		<p>entrance is included as part of the planned library toilet upgrade project.</p> <p>4. Write to the building owner of the National Australia Bank highlighting the current accessibility issue and outline assistance Council can provide to create compliant accessible access</p> <p>5. Note the Blayney Shire Access Committee endorsement of the 6 monthly review to 31 December 2019 of the Blayney Shire Disability Inclusion Action Plan</p> <p>6. Write to the Hon Paul Toole MP for the Bathurst seeking that the Travel Card for seniors is considered for community transport use in regional NSW where public transport options are limited</p>		
16-Mar-20	2003/014	<p>Minutes of the Blayney Cemetery Forum meeting held 27 February 2020</p> <p>RESOLVED</p> <p>That;</p> <p>1. Council, after engaging the village committees and cemetery forum members to ascertain quantities, print the Blayney Shire Cemetery brochure for distribution</p> <p>2. Council, as an alternative to repairing individual grave sites, investigate use of the 2019/20 budget allocation to clean up significantly dilapidated and derelict graves sites in the Blayney Cemetery by placing new identification plaques and removing damaged and derelict pieces of grave sites</p> <p>3. A separate report be prepared for Council to endorse the Draft Cemetery Management Plan for public exhibition</p> <p>4. Council consider urgently top dressing and native seeding of the lawn section of the Blayney Cemetery</p>	DPES	In progress.

Date of Meeting	Res. No	Resolution	Owner	Comments
		5. Council consider not using chemicals around the headstones in lawn sections of cemeteries 6. Council prepare an information sheet for families when considering final resting options.		

Risk/Policy/Legislation Considerations:

Nil

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

05) RISK, WORK HEALTH AND SAFETY QUARTERLY REPORT

Department: Executive Services

Author: WHS and Risk Coordinator

CSP Link: 2. Local Governance and Finance

File No: GO.ME.1

Recommendation:

That Council receive and note the Risk, Work Health and Safety Report for the quarter January 2020 to March 2020.

Reason for Report:

To update Council on Risk, Work Health and Safety activities and performance for the period of January 2020 to March 2020

Report:

Covid-19 has disrupted many programs which have now either been postponed or cancelled. WHS & Risk Coordinator is reviewing sites such as NSW Health for updates and information on the pandemic for implementation into the work place.

Hand sanitizer and disinfectant continues to be available to staff as required. Currently waiting for re supply of hand sanitizer to arrive approximately mid-May.

Office personal have been re-assigned desk locations to keep in line with the distance requirements or are working from home.

Question and Answer Information talks have been conducted with outdoor crews on Covid-19 concerns, social distancing and best ways to reduce contact transmission whilst working.

Staff flu vaccinations will still go ahead on the 6 May 2020. Social distancing and infection control requirements will be put in place.

StateCover

The Wellbeing 2020 Program has been postponed until restrictions of the Covid-19 have been relaxed or lifted and StateCover are able to resume the programs.

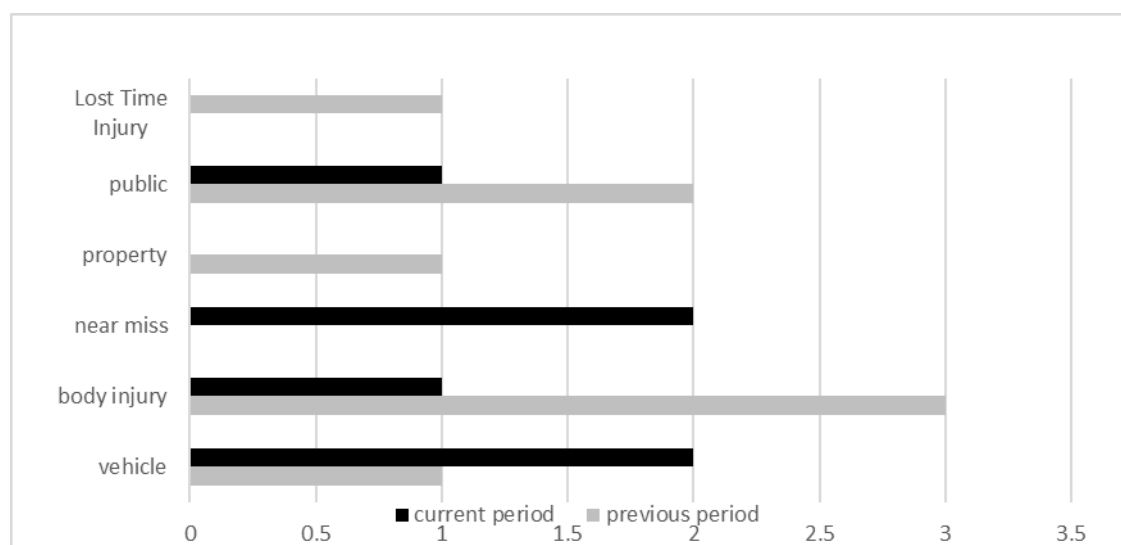
Statewide

Councils Annual Insurance Policy is due for renewal. Documents and requirements are being reviewed and updated.

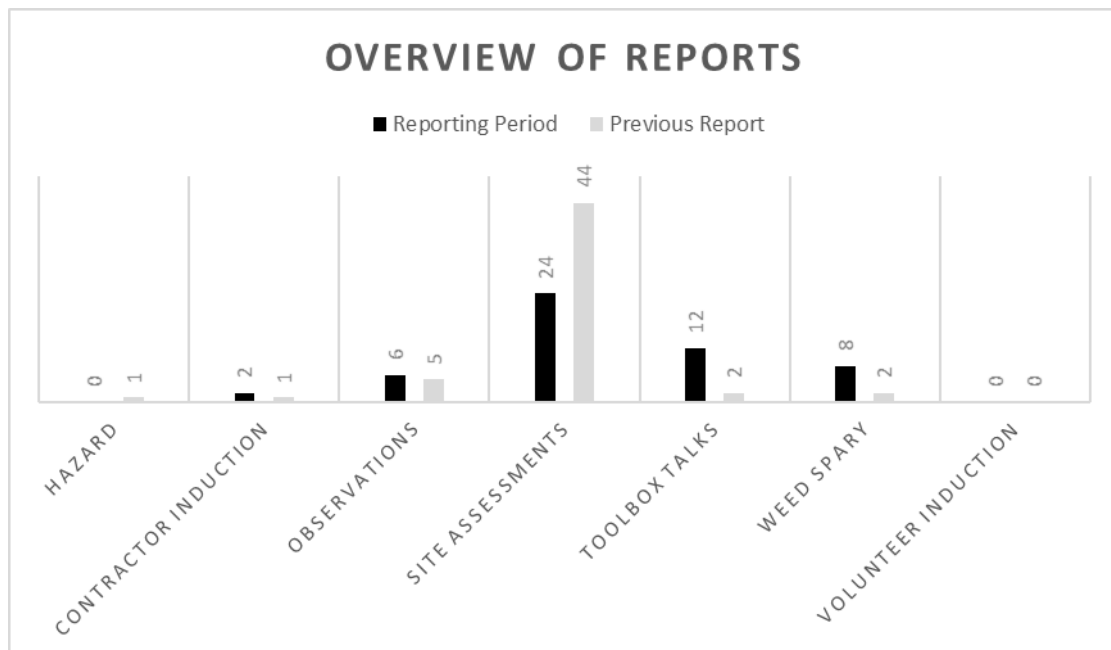
Performance Summary

WHS Performance Indicators	Current report period	Previous Reporting Period
New hazard reports received	0	0
New WHS Quality Improvements	0	0
WHS Quality Improvements closed	4	12
Training /refresher sessions BSC staff	0	0
Workplace inspections	4	1
Project Site Contractor Inspections	3	8
StateCover audits conducted	0	0
StateWide initiatives conducted	0	3

Reported Incidents January to April 2020



Incident Details January to April 2020



Risk/Policy/Legislation Considerations:

Nil

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

06) REPORT OF COUNCIL INVESTMENTS AS AT 31 MARCH 2020**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 31 March 2020 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

Reason for Report:

For Council to endorse the Report of Council Investments as at 31 March 2020.

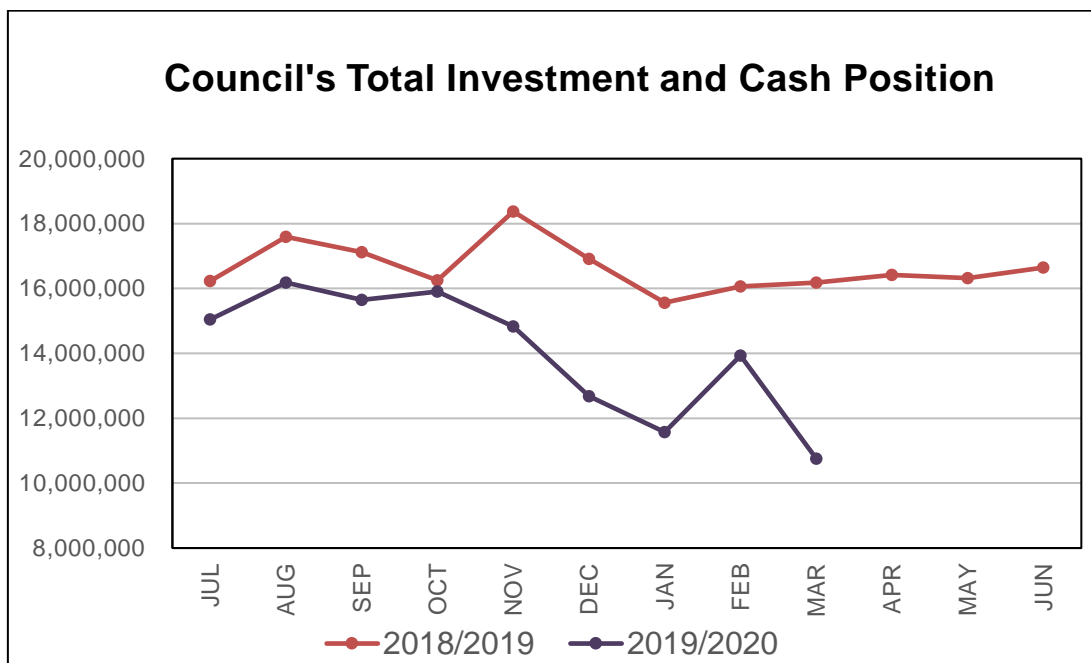
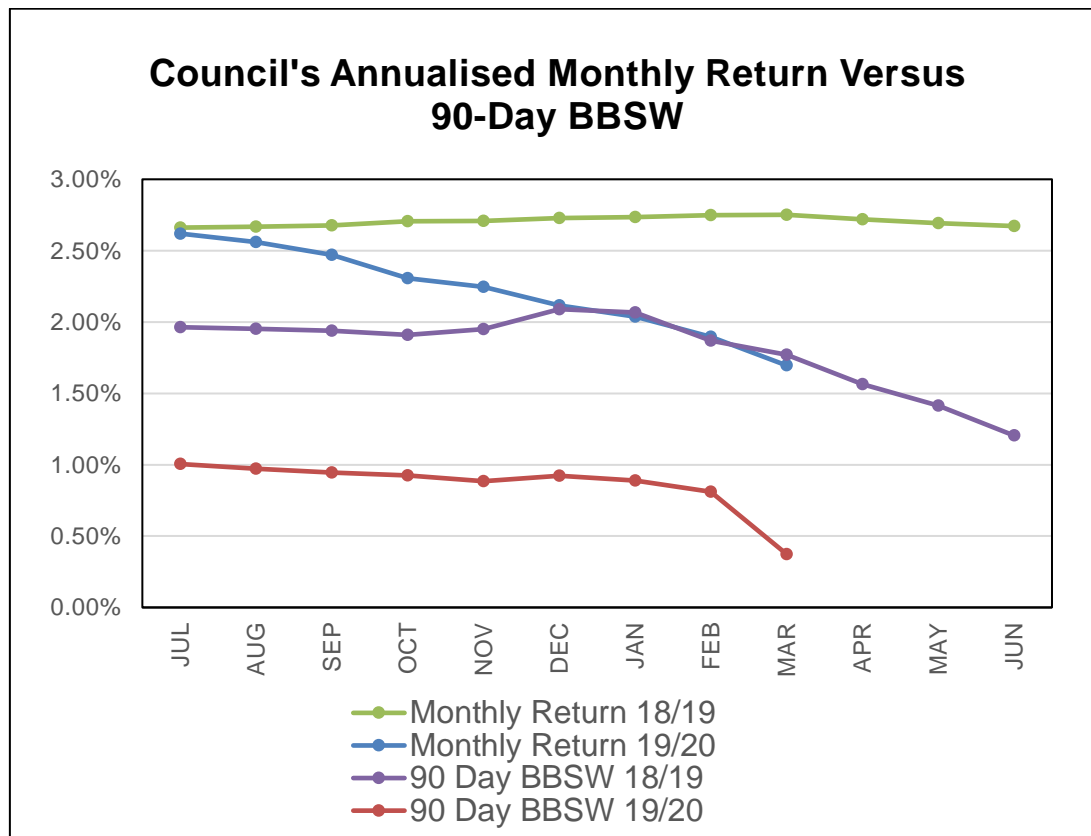
Report:

This report provides details of Council's Investment Portfolio as at 31 March 2020.

Council's total investment and cash position as at 31 March 2020 is \$10,758,766. Investments earned interest of \$14,339 for the month of March 2020. Council's monthly net return on Term Deposits annualised for March of 1.70% outperformed the 90 day Bank Bill Swap Rate of 0.37%.

The TCorpIM Cash Fund returned a negative result for the month (-0.48%) and Council incurred a loss on sale (or call) of investments in the amount of \$2,787 which is not included in the above figures. This will be accounted for as a loss on sale of investments in the Income Statement at year end rather than a reduction to investment revenue. The negative result for the TCorpIM Cash Fund prompted a withdrawal of funds in this account. While the account provides the preferred investment rating and flexibility in terms of cash flow, the risk of capital loss however is not consistent with the overall intention of the Investment Policy. As this is the only "At-Call" product on offer through TCorp, available funds were called and invested in another institution.

There are a couple of major factors which have affected the reported cash position for March. Council received in excess of \$1m in outstanding rates and charges after month end and was therefore not included in the figure reported at 31 March 2020. In addition, a major outlay of expenditure was incurred as works are finalised at CentrePoint. Council is carrying the cost until the end of project when the final claim for \$1.15m in Capital Grants will be submitted. Council has also received advice that rating agency Fitch has downgraded the ratings for Australia's four major banks. Should the major ratings agencies, S&P and Moody's, follow suit it would have a major impact on Council's ability to comply with the Investment Policy.



REGISTER OF INVESTMENTS AND CASH AS AT 31 MARCH 2020				
Institution	Rating	Maturity	Amount \$	Interest Rate
NAB	A1+/AA-	01/04/2020	500,000	2.500%
Bendigo & Adelaide Bank	A2/BBB+	07/04/2020	500,000	1.700%
ANZ	A1+/AA-	14/04/2020	500,000	2.350%
NAB	A1+/AA-	28/04/2020	500,000	1.550%
NAB	A1+/AA-	12/05/2020	500,000	1.550%
CBA	A1+/AA-	19/05/2020	500,000	0.950%
NAB	A1+/AA-	26/05/2020	500,000	1.500%
Macquarie Bank	A1/A+	02/06/2020	500,000	1.600%
NAB	A1+/AA-	16/06/2020	500,000	1.540%
CBA	A1+/AA-	23/06/2020	500,000	0.960%
Macquarie Bank	A1/A+	30/06/2020	500,000	1.550%
NAB	A1+/AA-	14/07/2020	500,000	1.550%
NAB	A1+/AA-	21/07/2020	500,000	1.350%
NAB	A1+/AA-	28/07/2020	500,000	1.600%
AMP Bank	A2/BBB+	04/08/2020	500,000	2.000%
Macquarie Bank	A1/A+	18/08/2020	500,000	1.500%
ME Bank	A2/BBB	15/09/2020	500,000	1.600%
Macquarie Bank	A1/A+	24/11/2020	500,000	1.550%
MyState Bank Ltd	A2/BBB	02/03/2021	500,000	1.650%
AMP Bank	A2/BBB+	16/03/2021	500,000	1.800%
Total Investments			10,000,000	1.618%
Commonwealth Bank - At Call Account ⁽¹⁾			-	0.750%
Commonwealth Bank Balance - General ⁽¹⁾			758,766	0.100%
TCorp IM Cash Fund ⁽²⁾			-	- 0.480%
TOTAL INVESTMENTS & CASH			10,758,766	
Benchmarks:				
	BBSW 90 Day Index ⁽¹⁾			0.373%
	RBA Cash Rate ⁽¹⁾			0.250%

1. % Interest rates as at 31/03/2020

2. Monthly return annualised. Return over the previous year is 1.33%

Summary of Investment Movements - March 2020		
Financial Institution	Investment/(Recall) \$	Commentary
MyState Bank Ltd	(513,214)	Term Deposit Matured 03/03/2020
MyState Bank Ltd	500,000	Term Deposit Reinvested 03/03/2020
AMP Bank	(510,586)	Term Deposit Matured 17/03/2020
AMP Bank	500,000	Term Deposit Reinvested 17/03/2020
Bendigo & Adelaide	(504,449)	Term Deposit Redeemed 24/03/2020
NAB	500,000	Term Deposit Invested 25/03/2020
TCorpIM Fund	(2,360,371)	TCorpIM Funds Withdrawn 25/03/2020
CBA	500,000	Term Deposit Invested 26/03/2020
CBA	500,000	Term Deposit Invested 26/03/2020

Long Term Credit Rating (or Moody's, Fitch, S&P or Equivalent)	Policy Maximum	Current Holding %	Current Holding \$
TCorp IM Funds	100%	0%	-
AAA – AA Category	100%	55%	5,500,000
A- Category	40%	20%	2,000,000
BBB+ Category ⁽³⁾	30%	15%	1,500,000
BBB Category ⁽³⁾	10%	10%	1,000,000
BBB- Category and below: Local ⁽⁴⁾ ADI's	5%	0%	-
3. BBB+ / BBB categories are not to exceed 30% collectively 4. ADI's located within the Local Government Area			10,000,000

Individual Institution Limit	Rating	Policy Maximum	Current Holding
AMP Bank	A2/BBB+	1,000,000	1,000,000
ANZ	A1+/AA-	4,000,000	500,000
Bendigo & Adelaide Bank	A2/BBB+	1,000,000	500,000
CBA	A1+/AA-	4,000,000	1,000,000
Macquarie Bank	A1/A+	2,000,000	2,000,000
ME Bank	A2/BBB	500,000	500,000
MyState Bank Ltd	A2/BBB	500,000	500,000
NAB	A1+/AA-	4,000,000	4,000,000

RESTRICTED CASH, CASH EQUIVALENTS & INVESTMENTS		
	Actual 30/06/2019 \$ 000's	Forecast 30/06/2020 \$ 000's
External Restrictions	9,713	7,609
Internal Cash Restrictions	6,777	4,934
TOTAL RESTRICTED ASSETS	16,490	12,558 ⁽⁵⁾

5. Forecast figures are unaudited as at report preparation date.

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

07) COUNCILLOR SUPERANNUATION DISCUSSION PAPER**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Local Governance and Finance**File No:** GC.CO.8

Recommendation:

That Council receive submissions from Councillors to form a response to the Office of Local Government on Council's preferred option regarding payment of superannuation for Councillors.

Reason for Report:

For Council to consider the Office of Local Government (OLG) Councillor Superannuation Discussion Paper and a formal response on Council's preferred option regarding payment of superannuation for Councillors.

Report:

Under the Commonwealth Superannuation Guarantee (Administration) Act 1993, councils across Australia are not required to make superannuation contributions in relation to the fees they pay to mayors and councillors. This is because mayors and councillors are elected to a civic office in a council and are not employees.

The release of the discussion paper has been prompted by concerns raised by mayors and councillors that the ineligibility of councillors to receive superannuation payments is inequitable and a deterrent to more women and younger people standing as candidates at council elections.

The discussion paper outlines the reasons for consideration that mayors and councillors should receive superannuation payments in addition to their fees as summarised below:

- it will ensure that mayors and councillors are adequately remunerated for the performance of their duties;
- it will address a historic anomaly that has seen mayors and councillors denied the benefit of superannuation guarantee payments enjoyed by the broader workforce; and
- it is hoped it will encourage more women to stand as candidates for election to councils.

The OLG is seeking the views of Councils, Councillors and Council staff on this issue. Councils are also encouraged to inform their local communities about the discussion paper and to encourage members of the community to make submissions. To this end the General Manager column in the 12 March 2020 Blayney Chronicle was dedicated to this discussion paper and members of the public were encouraged to make a submission to the OLG.

The discussion paper seeks the views of councils and others on the following four options:

1. maintaining the status quo – mayors and councillors can continue to voluntarily contribute a portion of their fees to a complying superannuation fund of their choice;
2. mandate the current voluntary situation – amend the Local Government Act 1993 (the Act) to make it compulsory for councils to pay a portion of the mayors' and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillors;
3. amend the Act to allow councils to voluntarily pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the mayor's and councillors' fees – this means that the payment of councillor superannuation in addition to their fee would be at each council's discretion, allowing the council to take into account the council's resources and the local community's views; or
4. amend the Act to make it compulsory for councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the mayor's and councillors' fees.

Submissions are required to be lodged before COB Friday 8 May 2020.

Risk/Policy/Legislation Considerations:

The Commonwealth Superannuation Guarantee (Administration) Act 1993 (SG Act) imposes an obligation on an employer to pay the superannuation guarantee of 9.5% of an employee's earnings to a complying superannuation fund nominated by the employee. The obligations under the SG Act do not extend to councils with respect to the fees they pay to mayors and councillors because they are not employees of the council for the purposes of that Act.

Section 251 of the NSW Local Government Act also makes it clear that the payment of a fee to a mayor or councillor does not constitute the payment of a salary and mayors and councillors are not to be taken to be employees of councils because of the payment of the fee.

Budget Implications:

Financial considerations of the costs for Council to make superannuation contribution in relation to Councillor and Mayor fees would need to be incorporated into Council's annual budget should the proposal proceed.

Based on payment of the 9.5% superannuation guarantee for the Mayor and each Councillor, using the current level of remuneration, the annual cost for implementation of this proposal would be \$10,231.

Enclosures (following report)

- | | | |
|---|---|----------|
| 1 | Discussion Paper on Councillor Superannuation | 14 Pages |
|---|---|----------|

Attachments (separate document)

Nil



Office of
Local Government

COUNCILLOR SUPERANNUATION

Discussion paper

March 2020

ACCESS TO SERVICES

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NOWRA NSW 2541

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9.00am to 5.00pm

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Minister's foreword



Since becoming the Minister for Local Government, I have actively engaged with local councils across New South Wales. I am constantly impressed by the passion held by our mayors and councillors, and frequently find myself commenting on the incredible work ethic of many who continually deliver for their communities.

I am proud to be a part of a Government that is committed to supporting councils to deliver for their local communities. Since 2011 this Government has provided more than \$9 billion to local councils to deliver and improve local infrastructure, services and facilities for their communities. About half of this funding has gone to regional and rural communities which are struggling through one of the worst droughts on record and are recovering and rebuilding after the recent natural disasters. This funding boost has helped local councils provide the very things that make our communities tick – from local infrastructure to essential services and programs that unite local residents.

Under Commonwealth legislation, councils are not required to make superannuation contributions in relation to the fees they pay to mayors and councillors because they are not employees of councils. Recently I was pleased to host a workshop where the obstacles that deter women from nominating to be a councillor or mayor were identified, and the lack of superannuation payments was one of the barriers raised. It can also be said that this goes some way in deterring people under 35 from representing their community on their local council.

As you know, mayors and councillors currently receive a level of remuneration that is independently set by the Local Government Remuneration Tribunal based on the application of a range of criteria. It is currently possible for councils to make superannuation contributions on behalf of mayors and councillors on a pre-tax basis out of the fees they receive from the council as determined by the Tribunal.

However, the Government recognises that not everyone agrees with the current arrangements and acknowledges the calls for councils to be required to make superannuation contributions on behalf of mayors and councillors in addition to the payment of their fees. The purpose of this discussion paper is to encourage further discussion about this issue and assist the Government in better understanding the views of the local government sector and the broader community.

The discussion paper:

- provides information on the current system for setting councillor remuneration and the legislation governing superannuation contributions for elected officials
- sets out the arguments for and against the payment of superannuation contributions for mayors and councillors, and
- provides different options and legislative models.

I welcome your input into this conversation and look forward to hearing your views.

The Hon Shelley Hancock MP
Minister for Local Government

1. Should mayors and councillors in NSW receive superannuation payments in addition to their fees?

Reasons that mayors and councillors should receive superannuation payments in addition to their fees can be summarised as follows:

- it will ensure that mayors and councillors are adequately remunerated for the performance of their duties
- it will address a historic anomaly that has seen mayors and councillors denied the benefit of superannuation guarantee payments enjoyed by the broader workforce, and
- it is hoped it will encourage more women to stand as candidates for election to councils.

Each of these arguments are examined below.

Are NSW mayors and councillors adequately remunerated?

In NSW, the remuneration received by mayors and councillors is independently set by an expert tribunal, the Local Government Remuneration Tribunal.

Under section 239 of the NSW *Local Government Act 1993* (the Act), the Tribunal is required to determine the categories of councils and mayoral offices and to place each council and mayoral office into one of those categories. The categories are to be determined at least once every 3 years.

To ensure that mayors and councillors receive remuneration that is commensurate with, and reflects their workload and responsibilities, the Tribunal is required to consider a range of criteria under section 240 of the Act in determining remuneration categories. These include:

- the size, physical terrain, population and the distribution of the population of each local government area
- the nature and volume of business dealt with by each council
- the nature and extent of the development of each local government area
- the diversity of the communities each council serves
- the regional, national and international significance of the council, and
- any other matters the Tribunal considers relevant to the provision of efficient and effective local government.

The Tribunal last undertook a significant review of the categories and the allocation of councils into each of the categories in 2017. The Tribunal has indicated that it will next consider the model, the criteria applicable to each group and the allocation of councils in detail in 2020.

Under section 241 of the Act, the Tribunal is required to determine, no later than 1 May in each year, for each of the categories determined under section 239, the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils.

As noted above, in determining the maximum and minimum fees payable in each of the categories, the Tribunal is required under section 242A(1) of the Act, to give effect to the same policies on increases in remuneration as the Industrial Relations Commission.

The current policy on wages is that public sector wages cannot increase by more than 2.5 per cent, and this includes the maximum and minimum fees payable to councillors and mayors and chairpersons and members of county councils.

However, the Tribunal is able to determine that a council can be placed into another existing or a new category with a higher range of fees without breaching the Government's wage policy pursuant to section 242A(3) of the Act. This means that where, for whatever reason, the workload or responsibilities of the mayor and councillors increase, they may receive an increase in remuneration that reflects their increased workload even if that increase exceeds the 2.5% public sector wages cap.

The current remuneration levels for mayors and councillors in each category are set out below:

Table 1: Minimum and maximum fees for NSW mayors and councillors

Category		Councils in Category	Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
			Minimum	Maximum	Minimum	Maximum
General Purpose Councils – Metropolitan	Principal CBD	1	27,640	40,530	169,100	222,510
	Major CBD	1	18,430	34,140	39,160	110,310
	Metropolitan Large	8	18,430	30,410	39,160	88,600
	Metropolitan Medium	9	13,820	25,790	29,360	68,530
	Metropolitan Small	11	9,190	20,280	19,580	44,230
General Purpose Councils – Non - metropolitan	Regional City	2	18,430	32,040	39,160	99,800
	Regional Strategic Area	2	18,430	30,410	39,160	88,600
	Regional Rural	37	9,190	20,280	19,580	44,250
	Rural	57	9,190	12,160	9,780	26,530
County Councils	Water	4	1,820	10,140	3,920	16,660
	Other	6	1,820	6,060	3,920	11,060

- Mayors and county council chairpersons receive their fee **in addition to** the fee they receive as a councillor/member.

A comparison of average remuneration received by mayors and councillors in NSW with the remuneration received by their counterparts in other jurisdictions indicates that NSW councillors receive similar or higher levels of remuneration than their counterparts in other jurisdictions other than Queensland.

Table 2: Interjurisdictional comparison of councillor remuneration (as paid at March 2020)

Jurisdiction	Average	Lowest Fee	% NSW fee	Highest fee	% NSW fee
NSW	24,860	9,190		40,530	
QLD	141,066	53,049	577%	160,938	397%
VIC	27,999	8,833	96%	47,165	116%
TAS	23,372	9,546	104%	37,198	92%
WA	17,634	3,589	39%	31,678	78%
NT¹	13,283	4,428	48%	22,137	55%
SA	16,215	6,500	71%	25,930	64%

Table 3: Interjurisdictional comparison of mayors' remuneration (as paid at March 2020)

Jurisdiction	Average	Lowest Fee	% NSW fee	Highest fee	% NSW fee
NSW	141,005	18,970		263,040	
QLD	185,824	106,100	1,030%	265,549	101%
VIC	131,877	62,884	331%	200,870	76%
TAS	58,430	23,863	125%	92,997	35%
WA	94,443	4,102	22%	184,784	70%
NT	73,856	24,619	130%	123,093	47%
SA	101,500	26,000	137%	177,000	67%

¹ NT's councillor and mayoral fees are based on the Councillor Member Allowances for July 2018-2019

Have NSW mayors and councillors been denied a financial benefit received by other members of the workforce through the payment of the superannuation guarantee?

The superannuation guarantee was introduced in 1992-93, with compulsory contributions rising at regular intervals from 3 per cent of wages in that year to 9 per cent in 2002-03 and 9.5 per cent in 2013-14. The superannuation guarantee is scheduled to rise incrementally from 9.5 per cent of wages today to 12 per cent by July 2025.

While superannuation guarantee payments are made in addition to an employee's wages, as the Grattan Institute has demonstrated², higher compulsory superannuation contributions are ultimately funded by lower wages. When the superannuation guarantee increases, this is wholly or mostly borne by workers who receive smaller pay rises and lower take-home pay. For example, when the superannuation guarantee increased by from 9 per cent to 9.25 per cent in 2013, the Fair Work Commission stated in its minimum wage decision that the proposed minimum wage increase was *"lower than it otherwise would have been in the absence of the Super Guarantee increase"*.

Given the evidence that superannuation guarantee payments are in effect paid for by workers through lower wages, it would be over simplifying the situation to assume that workers are receiving a 9.5% supplementary payment that is being denied to NSW mayors and councillors.

The last increase in the superannuation guarantee came into effect in 2013/14 when the contribution rate increased from 9.25% to 9.5%. A comparison of increases in average weekly earnings with increases in NSW mayors' and councillors' remuneration as determined by the Tribunal since then indicates that NSW mayors and councillors have, on average, enjoyed slightly higher increases in remuneration than the rest of the community.

Table 4: Comparison of increases in average weekly earnings with increases in mayors' and councillors' remuneration

Financial year	Average weekly ordinary time earnings Aust - annual average increase June to June each year	Councillor remuneration increase 1 July
1 July 2014 – 30 June 2015	2.3%	2.5%
1 July 2015 – 30 June 2016	2.0%	2.5%
1 July 2016 – 30 June 2017	2.2%	2.5%
1 July 2017 – 30 June 2018	1.8%	2.5%
1 July 2018 – 30 June 2019	2.7%	2.5%
1 July 2019 – 30 June 2020	3.1%	2.5%

² See John Daley and Brendan Coates (2018) [Money in retirement: More than enough](#). Grattan Institute. November 2018

Were councils to be required to make an additional payment on behalf of mayors and councillors equivalent to the superannuation guarantee amount (currently 9.5% of their fees) this would, in effect confer on mayors and councillors a 9.5% increase in their remuneration outside of the normal process for setting mayors' and councillors' remuneration by the Local Government Remuneration Tribunal.

This will not be a one-off increase. With the superannuation guarantee set to increase to 12% in the years up to 2025, this would see further increases to mayors' and councillors' remuneration over and above any increases approved by the Tribunal.

While the receipt of a 9.5% increase in their remuneration through the payment of the superannuation guarantee is likely to be widely supported by mayors and councillors, it is important that the community is consulted and support shown by them before changes are made.

At present it is not clear whether ratepayers would support seeing the revenue they contribute to their local councils being diverted from providing services and infrastructure to fund a 9.5% increase in remuneration for their elected representatives.

Will payment of the superannuation guarantee encourage more women to stand as candidates at council elections?

Payment of the superannuation guarantee for mayors and councillors has been promoted as an equity measure to address disparities in men's and women's superannuation balances.

Research has demonstrated that the principal impediments to more women standing as candidates at local government elections are:

- lack of awareness of local government and the role of councils and councillors
- feeling unqualified
- balancing carer and work commitments
- the investment of time required to be an effective councillor, and
- perceptions of the culture of councils and councillor conduct.³

The payment of the superannuation guarantee would benefit male and female councillors alike. In the short term, male mayors and councillors will be the principal beneficiaries of any increase in remuneration through the receipt of an additional superannuation payment given that they currently comprise 69% of councillors in NSW⁴.

Major stakeholders promoting an increase in the number of females represented on councils including Local Government NSW, Women for Election Australia, Australian Local Government Women's Association and the Country Women's Association of NSW recently noted that *"a key barrier for women standing for election to local government can be the lack of access to superannuation, with women unwilling to take on more work with insufficient remuneration"*. The stakeholders also noted *"women tend to have far lower superannuation balances than men, often due to time out of the workforce caring for family members"*.

³ See Manion, Jo and Sumich, Mark (2013), [Influencing Change – Views of elected representatives on leadership, decision making and challenges for Local Government in NSW](#)

⁴ See Office of Local Government (2019), [NSW Candidate and Councillor Diversity Report 2017](#)

Will payment of the superannuation guarantee encourage younger people to stand as candidates at council elections?

Two separate studies undertaken by the University of Melbourne in 2014⁵ and 2015⁶ found that younger people tend not to be engaged by and are uninterested in superannuation or retirement planning. HECS repayments and saving to purchase a first home tend to be higher financial priorities for younger people than saving for retirement.

The average tenure of councillors is between one to two terms. More than three quarters (77%) of councillors elected at the 2012, 2016 and 2017 elections had served two terms or less. Assuming that councillors were to receive the superannuation guarantee of 9.5% with respect to their fees over one or two terms, as demonstrated by table 5, the value of the capital contributions made to their superannuation funds would, at retirement, represent a small proportion of their accumulated lifetime superannuation capital.

Table 5: Comparison of superannuation contribution amounts that would be made on the maximum annual fee in each category of council at a rate of 9.5% over 1 term (4 years) and 2 terms (8 years).

Category		Number of Councils in Category	Councillor/Member Maximum Annual Fee	4 years at 9.5%	8 years at 9.5%
General Purpose Councils – Metropolitan	Principal CBD	1	40,530	15,401	30,802
	Major CBD	1	34,140	12,973	25,946
	Metropolitan Large	8	30,410	11,556	23,112
	Metropolitan Medium	9	25,790	9,800	19,600
	Metropolitan Small	11	20,280	7,706	15,412
General Purpose Councils – Non-metropolitan	Regional City	2	32,040	12,175	24,350
	Regional Strategic Area	2	30,410	11,556	23,112
	Regional Rural	37	20,280	7,706	15,412
	Rural	57	12,160	4,621	9,242
County Councils	Water	4	10,140	3,853	7,706

⁵ See Ali, Paul and Anderson, Malcolm and Clark, Martin and Ramsey, Ian and Shekhar, Chander (2014), [Superannuation Knowledge, Behaviour and Attitudes in Young Adults in Australia](#). CIPR Paper No. RP002/2014

⁶ See Ali, Paul and Anderson, Malcolm and Clark, Martin and Ramsey, Ian and Shekhar, Chander (2015), [No Thought for Tomorrow: Young Australian Adults' Knowledge, Behaviour and Attitudes About Superannuation](#). Law and Financial Markets Review Vol. 9, No. 2, pages 90-105

	Other	6	6,060	2,303	4,606
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How much will it cost and who will pay?

The cost of paying the superannuation guarantee for mayors and councillors will need to be met by each council out of its existing budget.

This cost will vary from council to council depending on what fees the mayor and councillors receive and how many councillors there are on the council. The table below sets out the average annual cost to councils in each remuneration category of paying the 9.5% superannuation guarantee for the mayor and each councillor based on the maximum annual fee payable in each category.

The total estimated annual cost of paying the 9.5% superannuation guarantee for mayors and councillors for the local government sector as whole is close to \$3 million (\$2,758,739).

Table 6: Average annual cost to councils of making a 9.5% superannuation contribution for mayors and councillors

Category		Councils in Category	Average annual cost of paying 9.5% superannuation contribution for mayors and councillors
General Purpose Councils – Metropolitan	Principal CBD	1	55,792
	Major CBD	1	55,886
	Metropolitan Large	8	45,973
	Metropolitan Medium	9	35,911
	Metropolitan Small	11	21,541
General Purpose Councils – Non-metropolitan	Regional City	2	46,007
	Regional Strategic Area	2	45,973
	Regional Rural	37	21,543
	Rural	57	11,762
County Councils	Water	4	9,289
	Other	6	5,081

2. Why are councils not required to make superannuation guarantee payments to mayors and councillors?

The Commonwealth *Superannuation Guarantee (Administration) Act 1993* (SG Act) imposes an obligation on an employer to pay the superannuation guarantee of 9.5% of an employee's earnings to a complying superannuation fund nominated by the employee.

The obligations under the SG Act do not extend to councils with respect to the fees they pay to mayors and councillors because they are not employees of the council for the purposes of that Act. Mayors and councillors are elected to a civic office in the council and the council is not their employer.

Section 12(9A) of the SG Act expressly excludes mayors and councillors across Australia from the definition of "employee" meaning that councils are not obliged to make superannuation guarantee payments to mayors and councillors under that Act. Section 12(9A) of the SG Act provides that, "*a person who holds office as a member of a local government council is not an employee of the council*".

Section 251 of the NSW Local Government Act also makes it clear that the payment of a fee to a mayor or councillor does not constitute the payment of a salary and mayors and councillors are not to be taken to be employees of councils because of the payment of the fee.

3. Can NSW councils make superannuation contributions on behalf of mayors and councillors as a component of their fees?

There is nothing currently preventing councils from making superannuation contributions on a voluntary basis on behalf of the mayor and councillors.

The Australian Tax Office has made a definitive ruling, (ATO ID 2007/205) that allows for mayors and councillors to redirect their annual fees into superannuation on a pre-tax basis.

In practical terms, there is nothing currently preventing mayors and councillors, who wish to make concessional contributions to their superannuation funds, from entering into an arrangement with their council under which they agree to forego part of their remuneration in exchange for the council making contributions to a complying superannuation fund on their behalf on a pre-tax basis.

Councils are also able to determine for themselves, by council resolution and/or within an appropriate council policy, if and how councillors may do this.

4. Can NSW councils make superannuation contributions on behalf of mayors and councillors *in addition to the payment of their fee?*

It is open to councils under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the Commonwealth *Taxation Administration Act 1953* (TAA) to resolve that mayors and councillors are subject to Pay As You Go withholding. The resolution must be unanimous to be effective.

A resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA operates to take the mayor and councillors out of section 12(9A) of the SG Act, which recognises that they are not employees of the council, and brings them within section 12(10) of the SG Act which states that:

A person covered by paragraph 12-45(1)(e) in Schedule 1 to the Taxation Administration Act 1953 (about members of local governing bodies subject to PAYG withholding) is an employee of the body mentioned in that paragraph.

Section 12(1) effectively deems the mayor and councillors to be employees and the council to be their employer for the purposes of the SG Act. This will mean the council will be obliged to make superannuation guarantee contributions (currently 9.5% of the mayor's and councillors' fees) to complying superannuation funds in respect of fees paid to the mayor and councillors. These contributions would be paid in addition to the fees received by the mayor and councillors.

It should be noted however that a resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA will also result in mayors and councillors being treated as employees for a wide range of other taxation purposes. Among other things:

- the council will have to withhold amounts from the payment of fees to the mayor and councillors in accordance with section 12-45(1)(e) of Schedule 1 of the TAA
- the council will be subject to fringe benefits tax under the Commonwealth *Fringe Benefits Tax Assessment Act 1986* on the taxable value of expenses paid to and facilities provided to the mayor and councillors under the council's councillor expenses and facilities policy adopted under section 252 of the LGA, and
- the council will be obliged under Commonwealth *Child Support (Registration and Collection) Act 1988* to withhold payments from fees paid to the mayor and councillors for the purposes of making child support/maintenance/carer payments.

It is unclear however whether a resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA is permissible under sections 248(2) and 249(3) of the Act where it would have the consequence of requiring a council to make a superannuation guarantee contribution in respect of the fees paid to councillors and the mayor that, taken together with their fees, exceeds the maximum amount determined by the Local Government Remuneration Tribunal.

It is also unclear what impact section 242A of the Act would have in relation to a council's resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA. Section 242A of the Act places an obligation on the Local Government Remuneration Tribunal when determining the remuneration of mayors and councillors, to apply the same policies on increases in remuneration as those that the Industrial Relations Commission is required to apply under section 146C of the NSW *Industrial Relations Act 1996* when making or varying awards or orders relating to the conditions of employment of public sector employees.

It is possible that where a council is obliged to make superannuation guarantee contributions on behalf of the mayor and councillors in addition to their fee, the Tribunal may, in turn, be obliged under section 242A to make a determination reducing the mayor's and councillors' fees to ensure that the fee and superannuation contribution do not result in an increase that exceeds the 2.5% public sector wages cap.

5. What is the position in Queensland?

Section 226 of the Queensland *Local Government Act 2009* gives councils the option to pay an amount into a complying superannuation fund on behalf of the mayor and councillors up to an amount payable with respect to employees of the council. The amount paid is in addition to the amount the mayor and councillor receive as a fee. Alternatively, councils may contribute a portion of the mayor's or councillors' fees to complying superannuation fund as is the case in NSW.

6. Options

Option 1: Maintaining the status quo

Under this option, councils will continue not to be obliged to make superannuation guarantee payments on behalf of the mayor and councillors. Mayors and councillors who wish to make concessional contributions to their superannuation funds can continue to enter into an arrangement with the council under which they agree to forego part of their fee in exchange for the council making contributions to a complying superannuation fund on their behalf on a pre-tax basis.

Option 2: Amending the NSW *Local Government Act 1993* to require councils to pay a portion of the mayor's and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillors.

Under this option, the Act would be amended to require councils to pay a proportion of the mayor's and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillors.

Option 3: Amending the NSW *Local Government Act 1993* to require councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the payment of the mayor's and councillors' fees.

Under this option, all councils will be required to pay an amount equivalent to the superannuation guarantee contribution payable with respect to the mayor's and councillors' fees, into a complying superannuation fund nominated by the mayor and councillors. The payment would be made in addition to the payment of the mayor's and councillors' fees.

A supporting amendment would be required to exempt the additional payment from section 242A of the Act.

Option 4: Amend the NSW *Local Government Act 1993* to give councils the option to pay an amount equivalent to the superannuation guarantee into a

**complying superannuation fund nominated by the mayor and councillors
in addition to the mayor's and councillors' fees.**

This option is based on the Queensland model. Under this option, the payment of an additional superannuation contribution in addition to the mayor's and councillors' fees would be optional for councils. Councils would also have the option to make a superannuation contribution on behalf of the mayor and councillors as a portion of the mayor's or councillors' fees.

As with option 3, a supporting amendment would be required to exempt the additional payment from section 242A of the Act.

7. Have Your Say

We now want to hear from you.

**Key
questions
to
consider**

- **Should councils be required to make superannuation contributions for the mayor and councillors?**
- **Should contributions be made as a portion of mayors' and councillors' fees or in addition to them?**
- **Which is your preferred option?**
- **Do you have an alternative suggested option?**

Submissions may be made in writing by COB Friday 8 May 2020 to the following addresses.

Post

Locked Bag 3015
NOWRA NSW 2541

Email:

olg@olg.nsw.gov.au

Submissions should be labelled 'Councillor Superannuation Consultation' and marked to the attention of OLG's Council Governance Team.

Further information

For more information, please contact OLG's Council Governance Team on (02) 4428 4100 or via email at olg@olg.nsw.gov.au.

08) ADOPTION OF COUNCIL POLICIES**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Local Governance and Finance**File No:** GO.PO.1

Recommendation:

That Council adopt the Procurement of Goods and Services policy and the Road, Street and Bridge Names policy and they be included in Council's policy register.

Reason for Report:

For Council to adopt the Procurement of Goods and Services policy and the Road, Street and Bridge Names policy and they be included in Council's policy register.

Report:

Council at its meeting held 17 February 2020 resolved to place the Procurement of Goods and Services policy and the Road, Street and Bridge Names policy on public exhibition.

The Procurement of Goods and Services policy provides a framework for procurement activities within Council and applies to all procurement processes undertaken, including purchasing, ordering, tendering, contracting and disposals. It also applies to all types of goods and services but does not apply to real property acquisitions and other non-procurement expenditure.

At the February Council meeting it was suggested that with the revision of the Procurement of Goods and Services policy a review of the Council purchase delegations also occur. A review has been undertaken by the General Manager and staff delegations have been amended where warranted.

The Road, Street and Bridge Names policy provides a consistent approach to local road and bridge naming within the Blayney Shire Council Local Government Area (LGA).

The closing date for public exhibition of the above policies was 19 March 2020 and no submissions were received by Council.

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

Risk/Policy/Legislation Considerations:

Nil.

Budget Implications:

Nil

Enclosures (following report)

- | | | |
|---|---|---------|
| 1 | 3G Procurement of Goods & Services policy | 8 Pages |
| 2 | 25F Road, Street & Bridge Names policy | 6 Pages |

Attachments (separate document)

Nil



Procurement of Goods & Services Policy

Policy	3G
Officer Responsible	Chief Financial Officer
Last Review Date	XX/04/2020

Strategic Policy

Scope

This Procurement of Goods and Services Policy applies to all procurement processes and activities undertaken by Council, including purchasing, ordering, tendering, contracting and disposals. It applies to all types of goods and services but does not apply to real property acquisitions and other non-procurement expenditure, such as sponsorships, donations and employment contracts.

The Procurement of Goods and Services Policy applies to anyone who undertakes or is involved in procurement activities. This includes Councillors, staff and delegates.

Compliance

The Procurement of Goods and Services Policy, conditions of tender and conditions of contract must be strictly observed at all times. Procurement activities will be periodically audited.

Procurement Procedures and Supporting Documents

The Corporate Services Directorate will develop and maintain procedures, templates, tools and guidelines necessary to give practical effect to the Procurement of Goods and Services Policy.

Fundamental Procurement Principles

All procurement activities will be conducted in accordance with seven fundamental principles.

1. Ethical behaviour, Integrity, Probity and Fair Dealings

Council values the highest ethical and professional standards in its business dealings. Council will ensure the verifiable integrity of its procurement activities through transparent processes. Council will respect the rights of tenderers and contractors, including confidentiality and the expectation to be treated fairly at all stages of the procurement process.

Council must not engage in any practices that aim to give a potential tenderer, service provider or business an advantage over others, nor engage in any form of collusive practice. A Councillor or Council employee with an actual or perceived conflict of interest must address that interest without delay in accordance with Council's Code of Conduct.

The procurement of services should be conducted in a way that imposes as far as practicable the same level of accountability and responsibility on the service provider as would exist if the Council carried out the services itself. In pursuit of ethical behaviour, staff will, for example:

- Disclose to the General Manager any possible conflict of interest; where a potential conflict relates to the General Manager, it will be

disclosed to the Council in accordance with the Local Government Act 1993

- Deal with all suppliers in an honest, fair and equitable manner
- Respect all in-confidence information received and not use it for personal gain, or to prejudice fair and open competition
- Not accept money, goods, loans, credits, purchasing incentives, services or prejudiced discounts
- Not use Council's name or purchasing power to make purchases other than for Council use during the procurement of services. In this regard, Staff will ensure that their close associates also do not receive an advantage in relation to a Council procurement.

A tenderer will be immediately excluded from a procurement process where:

- A conflict arises or
- There is inappropriate lobbying of the Council or
- There is a behaviour that might reasonably be regarded as seeking to solicit favourable treatment for the procurement process including by the offering of gifts or benefits.

2. Value for Money

Council seeks to achieve value for money in all its procurement activities. Council will select goods, services and suppliers that represent the best overall value for Council; not necessarily the lowest priced conforming offer.

Value for the community is the core principle underpinning Council's procurement system. This will involve a comparative analysis of all relevant costs and benefits of each proposal throughout the whole procurement cycle. Value for money is not restricted to price alone. When assessing value for money, consideration shall also be given to:

- The advancement of Council and Local Government priorities
- The non-cost factors such as fitness for purpose, quality, service and support, and sustainability considerations
- The cost related factors including whole-of-life costs and transaction costs associated with acquisition, use, holding, maintenance and disposal.

3. Open and Effective Competition

Council recognises the commercial and economic benefits of open and effective competition. Council will encourage healthy competition in the markets from which it purchases.

4. Cooperation

Council will approach its procurement dealings in good faith and in a spirit of cooperation. Where appropriate, Council will work proactively with tenderers, contractors and third parties (such as other Councils or peak industry bodies) to improve overall outcomes for the community.

5. Ethically and Environmentally Responsible

Council is committed to minimising the impact of its activities on the environment. Council will support the use of environmentally sustainable products, materials, processes and services.

Council will, when evaluating quotations or tenders, take into consideration the anticipated impact on the environment and show such consideration in their evaluation documentation. This may be achieved by procuring goods and services that will minimise their impact on the environment, including goods constructed from recycled or re-used products.

6. Risk Management

Council will implement systems within its procurement process to identify and manage risks, including, but not limited to Health and Safety risks, fraud prevention and legal compliance.

7. Support for Local Industry

Council recognises the importance of employment growth in the Shire. Council will structure its procurement activities to encourage the development of local employment opportunities

POLICY DIRECTIVES

Council shall undertake its procurement of goods and services activities in accordance with the following directives.

Statutory Requirements

The Local Government (General) Regulation 2005 is particularly relevant to the tendering process; however, various Acts and Regulations apply to Council's diverse range of procurement activities. The Procurement of Goods and Services Policy is intended to supplement these instruments. Any inconsistency that may arise between the Procurement of Goods and Services Policy and a relevant Act or Regulation, shall be resolved in favour of the Act or Regulation.

Officers shall maintain a working knowledge of the Acts and Regulations applying to the procurement activities they undertake.

Conduct of Officers

Officers shall conduct themselves with the utmost integrity and professionalism when undertaking procurement activities. Care shall be taken to ensure the proper management of conflicts of interest and other issues that may affect the integrity of procurement activities. Council's Code of Conduct shall be strictly observed at all times.

Delegations

Officers shall not make procurement decisions outside of their delegated authority. Procurement decisions shall not be divided or restricted, nor any other process engaged in, for the purpose of circumventing delegation limits.

General Application of Delegation Limits to Procurement

Most procurement decisions are subject to delegation limits. Such procurement decisions must be made by an officer with a delegation limit sufficient to cover the value of the procurement exercise. A decision with a value in excess of the General Manager's delegation limit must be made by Council resolution.

Delegation limits apply to procurement decisions that create a financial commitment or a commitment to provide ongoing business opportunities. This includes the approval of requisitions, one-off purchases, one-off contracts, discretionary contract variations, the exercising of contract options and orders against existing period contracts. It also includes the approval of period contracts including standing offer arrangements and pre-qualified supplier panels.

Determining the 'Delegations Value' of the Procurement

The relevant value, for delegations purposes, is simply the face value of the purchase or contract (inclusive of GST).

Delegations and Contract Variations

Variations fall into two categories, discretionary and non-discretionary. Discretionary variations involve a decision to increase the scope of a contract (for example, by adding extra requirements or product lines) and consequently increase the level of financial commitment. Discretionary variations must be approved by an officer (or Council) with a delegation limit sufficient to cover the value of the variation.

In some instances a contract price can alter due to the application of pre-agreed terms (for example, a price adjustment formula, a measured quantity clause, a latent condition clause or an expense reimbursement clause). Such alterations are often referred to as variations; however they are non-discretionary in nature. Although they may require some professional skill to calculate or verify, they do not involve a 'decision' to increase the scope of the contract. Nevertheless, to provide for sound administrative governance such non-discretionary variations shall also be subject to delegation limits up to \$250,000 in value. Non-discretionary variations over \$250,000 in value do not need to be approved by Council but must be approved by the General Manager.

Pursuant to the Local Government Act s.55(3)(n)(ii) a delegation limit of \$150,000 will apply to Discretionary variations where Council invites a contract involving the provision of services where those services are, at the time of entering the contract, being provided by employees of the council

For general reporting and accounting purposes non-discretionary variations shall be recorded and tracked in the same way as other variations.

Budget Constraints

All procurement is subject to approved budgets. Procurement of Goods and Services Policy thresholds and delegation limits operate in addition to (not in place of) any budget constraints.

Number of Firms to be invited

Council shall invite sufficient offers to provide a reasonable degree of competition for the level of expenditure involved, without creating undue administrative cost for Council or the invitees.

Intention to Proceed

Council shall generally not invite offers without a firm intention to proceed with the procurement. Where it is necessary to invite offers on a contingency basis this shall be clearly communicated to participants. Where it is necessary to invite the submission of indicative pricing for estimating or planning purposes this shall be clearly communicated to participants. Where Council intends to consider an existing common-use procurement arrangement along with invited tenders this shall be clearly communicated to participants (see also Common-Use Government Procurement Arrangements).

Public Invitations to Tender

All public invitation processes shall be managed in accordance with the relevant elements of the Local Government (General) Regulation 2005, regardless of whether or not the Regulation applies to the contract.

Offers

All offers made in response to a public invitation or for a contract greater than \$250,000 in value must be received via a formal tender box process, regardless of whether or not the Local Government (General) Regulation 2005 applies.

Late Offers

Late offers received via a formal tender box process shall be handled in accordance with the relevant elements of the Local Government (General) Regulation 2005, regardless of whether or not the Regulation applies to the contract.

Late offers for minor procurement exercises (i.e. not closing via the tender box) may be considered if the approving officer is of the opinion that the circumstances of the offer do not compromise the integrity of the process.

General Communications

Wherever practical, communications with suppliers, contractors and tenderers shall be in writing (electronic or hard-copy). Where this is not practical file notes or formal minutes shall be recorded in an appropriate Council system.

Unsuccessful Offers

Council shall generally provide feedback to unsuccessful offerers if requested. Where the contract value exceeds \$250,000 at least two Council officers shall participate in the feedback session. Written records shall be made and recorded in an appropriate system.

Successful Offers

Successful offers shall be notified by the issue of a Council Purchase Order. Other correspondence may also be issued however a supply will not be binding without the issue of a Council Purchase Order.

References

Officers shall not provide written references to suppliers or contractors. Officers may provide verbal references to appropriately identified persons, on issues relating to specific contract performance. File notes shall be made.

Common-Use Government Procurement Arrangements

Where Council does not have its own procurement arrangement for a particular good or service, common-use arrangements (such as, Centroc, Local Government group arrangements, NSW Government arrangements and Commonwealth Government arrangements) may be used. Where a common-use arrangement exists, tenders from other contractors may be sourced, however the invitation documents must state that a common-use Government procurement arrangement exists for this item and will be considered as part of Council's tender process.

Emergency Situations

In some circumstances an urgent purchase may be required to meet Council's obligations in regard to safety, asset protection, environmental protection or critical service provision. If such a situation arises **and** there is insufficient time to comply with Procurement of Goods and Services Policy or delegations limits then the most senior officer available may approve an emergency procurement exercise.

An emergency procurement exercise should comply, to the maximum extent possible, with the policies and procedures that would normally apply. All emergency procurement exercises (and the circumstances leading to them) shall be documented and reported to the relevant Director.

Reporting to Council

Contracts in excess of \$250,000 in value shall be reported to Council.

Integrity, Dignity and Respect

- Council treats all persons with courtesy and respect.
- Council officials will demonstrate fair and consistent decision-making, ensuring probity at all times.

Appendix 1: Exemptions from Purchase Orders

Council shall develop a list of exemptions from purchase order generation as part of its operational procedures to allow seamless administrative operations. This list may change from time to time based on Council's operational requirements.

End of Policy

Adopted:	20/09/1999	664
Last Reviewed:	14/05/2007	07/094
	12/11/2012	1211/014
	09/12/2013	1312/003
	21/05/2018	1805/014
	XX/04/2020	
Next Review:	19/04/2022	



Road, Street and Bridge Names Policy

Policy	25F
Officer Responsible	Director Infrastructure Services
Last Review Date	XX/04/2020

Strategic Policy

OBJECTIVES

To provide a consistent procedure to local road and bridge naming within the Blayney Shire Council Local Government Area (LGA).

To ensure that road, street and bridge names comply with relevant legislative, government department and locality requirements.

To increase the use of names within the Blayney LGA which have relevant historical or botanical themes.

To provide clear information on Council's requirements for the naming of roads and streets.

GENERAL

The naming of roads in New South Wales is standardised to ensure that the process is transparent and easy-to-understand for regulatory bodies and members of the community. A consistent approach benefits emergency services, transport and goods delivery and provides opportunities for community consultation when naming roads.

This policy has been prepared to assist Council staff with the naming of proposed roads and the renaming of existing roads.

The approval for road names is regulated by Clause 162 of the Roads Act 1993.

162 Naming of public roads

- (1) A roads authority may name and number all public roads for which it is the roads authority.*
- (2) The RMS may name and number all classified roads.*
- (3) Neither a roads authority nor the RMS may name a public road, or alter the name of a public road, unless it has given the Geographical Names Board at least one month's notice of the proposed name.*

Therefore, all requests for road names must be directed to the local road authority.

It is the road authority's responsibility to assess all proposed road names and renaming of existing roads.

SCOPE

Council as the local road authority must approve the naming of any road under its control, including public roads or a road that is to be dedicated to Council by way of a subdivision of land, but excludes Crown public roads, private roads and roads under the control of any State Government Authority.

GUIDELINES

The process for naming or renaming a road is undertaken by Council in accordance with the *NSW Addressing User Manual*.

Council's preference is to use names of Ex-Service personnel, Previous Mayors of the Council and Indigenous Leaders. Council has a list of pre-approved names (below) that can be considered for use by any proponent, or alternatively a written proposal together with a plan indicating the location of the road to be named, shall be submitted to Council. The proposal shall also include the contact name and address details of the proposer.

When a name is used for a bridge, the rank and initials of an Ex-Serviceman may also be used, however this is not supported by the NSW Naming Guidelines for roads.

If an alternate name is being suggested information supporting the suggestion must be included, and the name must comply with the criteria defined in the *NSW Addressing User Manual*.

All suggested road names must be submitted to the Geographical Names Board for approval.

Where the need for a name is not caused by a subdivision, the proposed name shall be the subject of a Council report with a recommendation for Council adoption.

The renaming of an existing road will require a Council resolution for the decision to rename and the determination of the new name must include community consultation with the residents affected.

The proposed road name shall be placed on public exhibition for 28 days, with public submissions invited via the local press

Upon completion of the 28 day public exhibition period, and where no objections have been received, a report shall be provided for Council adoption of the road name.

Once adopted by Council, the road name shall be re-advertised as approved in the Government Gazette and the local press.

IMPLEMENTATION

Council shall arrange the manufacture and installation of street signs other than those in new subdivision areas, and private roads.

The subdivision developer is required to supply the road sign and maintain the street sign until Council accepts maintenance of the road as a public road.

Proposed road names in new subdivisions must be approved by Council as part of the subdivision approval process.

Proposed Name	Initial	Locality	Conflict	Limitations
Ash	W	Blayney	1914-1918	Ash Street, Orange in Orange LGA 12.7 km away
Baulch	F			
Bennett	G	Millthorpe	1914-1918	Bennet lane, Spring Side in Orange LGA 6.2 km away
Biddulph	L	President Lyndhurst SC	1906	
Bird	A	Millthorpe	1939-1945	
Black	HN	Blayney	Boer 1899-1902	Back Street, Cargo in the Cabonne LGA 10.5km away
Brimble	T	Millthorpe	1914-1918	Bimble Close, Orange in the Orange LGA 18km away
Burrell	J	Millthorpe	1914-1918	
Caldwell	R	Millthorpe	1914-1918	Caldwell lane, Borenor in the Cabonne LGA 18.8km away
Castle	AE H	Blayney Blayney	1917 1917	
Chalson	A(Gus)	Blayney	1917	
Chapman	ELE(Ted) EBE	Blayney Blayney	1917 1917	Chapman Road, Sping Hill in the Oange/Cabonne LGA 1.2km away
Cheffins	CR	Carcoar	1914-1918	
Cheney	E AA	Blayney President Lyndhurst SC	1914-1918 1932-1937	Similar to Chesney Lane in neighbouring locality of Browns Creek 5km away
Chittenden	G	Blayney	1914-1918	
Clements	PE	Blayney	1917	Clements Road, Rosberg/Woodstock in the Cowra LGA 4 km away
Colburt	BD	President Blayney SC	1981-1982 1984-1993	
Coppock	W	Millthorpe	1914-1918	
Crichton	DR	Shaw	Boer 1899-1902	
Davis	J	Millthorpe	1914-1918	Davis Road, Spring Hill, in the Cabonne LGA 8.8 km away
Frost	S	Blayney	1914-1918	Frost Street, Orange in the Orange LGA 14.6km away
Gainsford	F	Millthorpe	1914-1918	
Gannon	F	Mandurama	1914-1918	
Gardiner	G	Blayney	1914-1918	Gardiner Road, Orange in the Orange LGA 14 km away
Golding	RJ	Millthorpe	1939-1945	Golden Place, Orange in the Orange LGA 14km away
Goode	G E	Millthorpe Millthorpe	1914-1918 1914-1918	
Hewish	AL	Blayney	1917	
Holland	W	Millthorpe	1914-1918	
Hosie	P	Mandurama	1914-1918	

Hoynes	N	Blayney	1914-1918	
Innes	JA	President Lyndhurst SC	1937-1951	
James	H	Millthorpe	1914-1918	
Jennings	CW	Blayney	1914-1918	Jenning Close, Orange in the Orange LGA 16.5km away
Kable	GP	Blayney	1914-1918	Kable Place, Orange in the Orange LGA 13.5km away
Knox	G	Millthorpe	1914-1918	Cox Ave, Orange in the Orange LGA 14.8km away
Kotton	M	Millthorpe	1914-1918	Cotton Street, Raglan in the Bathurst LGA 24km away
Lambert	B	Kings Plains	Aboriginal Leader	'Billy Lambert' acceptable for a bridge
Lassey	RL	Neville	1914-1918	
Life-Smith	E	Carcoar	1914-1918	
Mann	AE	Neville	1914-1918	Main St, Darby Falls in the Cowra LGA 19km away
Mayberry	S	Carcoar	1914-1918	
McMahon	T	Millthorpe	1914-1918	
McVicar	HW	Carcoar	1914-1918	
Miles	R	Millthorpe	1914-1918	Miles Road, Byng in the Cabonne LGA 3.7km away
Milham	RM	Millthorpe	Boer 1914- 1902	
O'Leary	KI	Millthorpe	1939-1945	
Pittendrigh	NT	Blayney	1915	
	E	Blayney	1915	
Roberts	JJ	Blayney	1917	
Robinson	J	Millthorpe	1914-1918	Robinson St, Woodstock in the Cowra LGA 11 km away
Rosenburg	M	Lyndhurst	1914-1918	Roseburg Road, Roseburg in the Cowra LGA 2 km away
Ryan	R	Carcoar	1914-1918	Ryans Road, Rockley Mount in the Bathurst LGA 11 km away
	MJ	Carcoar	1914-1918	
Sams	E	Millthorpe	Boer 1899- 1902	
Shappere	CS	Blayney	1916	
Simmons	F	Blayney	1914-1918	Simmons Pl, Kelso in the Bathurst LGA 21km away
Stammers	EW	Lyndhurst	1914-1918	
Starr	JH	Millthorpe	Boer 1899- 1902	
Syphers	JNO	Lyndhurst	1914-1918	
	J	Millthorpe	1914-1918	
Thompson	EG	President Lyndhurst SC & Blayney SC	1965-1977 1977-1991	
Thorncraft	C	Neville	1914-1918	

Tibbs	RH	Blayney	1916	
Wenban	E	Millthorpe	1914-1918	
Williamson	AS	Millthorpe	1939-1945	Williamsons Road, LewisPonds/Rocksford in the LGAs of Bathurst/Cabonne
Wise	GAN	Blayney	1916	Wise Road, Springside in the Orange LGA 5.5km away

End of Policy

	Date	Minute
Adopted:	12/08/1996	724
Last Reviewed:	09/08/2010	1008/011
	12/11/2012	1211/014
	XX/04/2020	
Next Review:	19/04/2022	

09) ADOPTION OF FRAUD AND CORRUPTION CONTROL POLICY AND PLAN

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 2. Local Governance and Finance

File No: GO.PO.1

Recommendation:

That the Fraud and Corruption Control policy and plan be adopted and included in Council's policy register.

Reason for Report:

For Council to adopt the Fraud and Corruption Control policy and plan and for inclusion in Council's policy register.

Report:

Council at its meeting held 16 March 2020 resolved to place the Fraud and Corruption Control policy and plan on public exhibition.

The Fraud and Corruption Control policy is the basis for various control strategies to address risk exposures associated with Fraud and Corruption. It also forms an integral part of the Council's integrity framework. The plan summarises Council's framework for the prevention, detection, investigation and reporting of such activity.

The closing date for public exhibition is 16 April 2020 and as at the date of report preparation Council had received no submissions. Should any public submissions be received after preparation of this report they will be tabled at the Council meeting.

A copy of the policy and plan are provided as an attachment to this report.

Risk/Policy/Legislation Considerations:

Adoption of the policy will clearly articulate the Council's commitment to the implementation of Risk Management throughout the organisation.

Budget Implications:

Nil

Enclosures (following report)

1 Fraud and Corruption Control policy and plan

11 Pages

Attachments (separate document)

Nil



Fraud and Corruption Control Policy and Plan

Policy	2F
Officer Responsible	Director Corporate Services
Last Review Date	XX/04/2020

Strategic Policy

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POLICY

1. Introduction

This policy sets out for Council the approach to be taken with Fraud and Corruption. Council is required to have a policy in place to manage these significant risks which provides the foundation of good governance and instils community trust and faith in Council to deliver ethical service delivery.

2. Purpose

- To ensure a sound ethical culture exists within Council.
- To ensure that councillors, staff and council representatives are aware of their responsibilities for identifying possible exposures to fraudulent activities and for establishing controls and procedures for preventing such fraudulent activities and or detecting such fraudulent activity when it occurs.
- To provide guidance as to the action which should be taken where fraudulent activity is suspected and the process of investigating fraudulent activities, and provide a suitable environment to report such matters.
- To protect the integrity, security and reputation of the Council.
- To protect the public funds and assets.

This policy should be read in conjunction with Council's Code of Conduct; Statement of Business Ethics and the Internal Reporting policy.

3. Policy

Council is committed to minimising the incidence of fraud and corruption by implementing and regularly reviewing a range of strategies that aim to prevent, detect and respond to fraud and corruption. Council promotes an organisational culture that will not tolerate any act of fraud or corruption. The accompanying Fraud and Corruption Control Plan is designed to put these principles into practice.

This policy applies to all delegates – Councillors, Council employees (including temporary work experience / trainees), Contractors, Volunteers, Committee members and other delegates.

4. Definitions

Fraud - Council has adopted the definition of fraud contained in the Australian Standard 8001-2008 on fraud and corruption control, which defines it as:

Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following the activity.

This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position for personal financial benefit.

Corruption – corruption and corrupt conduct are defined in the ICAC Act 1988 (Sect 7, 8, 9) as:

- Conduct of a person (whether or not a public official) that adversely affects, or could affect the honest and impartial exercise of public official functions, or

- Conduct of a public official that involves the dishonest or partial exercise of any of his or her public official functions, or
- A breach of public trust, or
- The misuse of information or material acquired in the course of a public official's functions.

Additionally, corrupt conduct can also be the conduct of any person (whether or not a public official) that adversely affects or could affect the exercise of official functions and involves conduct such as bribery, blackmail, fraud, forgery and various other crimes.

For conduct to be corrupt it must be covered by one of the conditions above and also any one of the following:

- A criminal offence;
- A disciplinary offence; and/or
- A situation where there are reasonable grounds for dismissal or dispensing or terminating the Councillor or a public official.

5. Related Policies and Documents

- 1A Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy
- 1B Code of Conduct for Councillors
- 1D Code of Conduct for Council Staff
- 1E Code of Conduct for Council Committee Members, Delegates of Council and Council Advisers
- 2C Complaints Management Policy
- 2D Public Interest Disclosures: Internal Reporting Policy
- 2E Gifts and Benefits Policy
- 2H Statement of Business Ethics
- 2I Enterprise Risk Management Policy and Plan
- 3G Procurement of Goods and Services Policy
- 3J Disposal of Assets Policy
- 4C Corporate Credit Card Policy
- 8C Information Technology Security and Usage Policy
- 11C Privacy Management Plan
- Public Interest Disclosures Act 1994
- Independent Commission Against Corruption Act 1998 –
- Part 3 Local Government Act 1993
- Crimes Act 1900 – section 156 & 157
- State Records Act 1998
- Australian Standard AS8001:2008
- Audit Office of NSW – Fraud Control Improvement Kit 2015

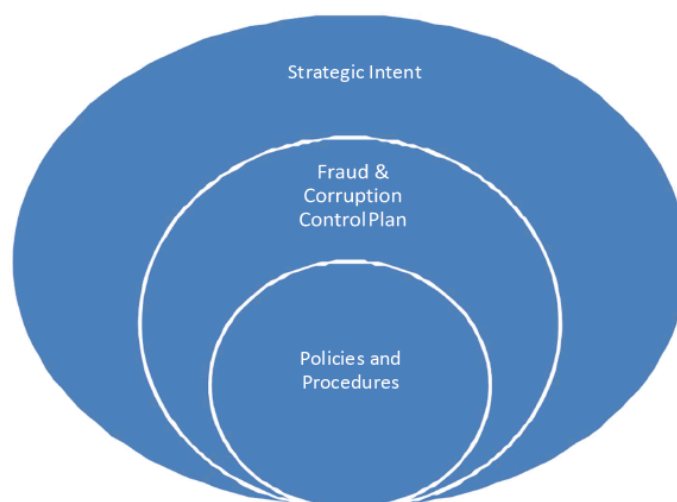
PLAN

6. Introduction

The Fraud and Corruption Control Plan provides the basis for various control strategies to address risk exposures associated with Fraud and Corruption. It also forms an integral part of the Council's integrity framework which consists of the following:

- Fraud and Corruption Control Policy and Plan
- Code of Conduct
- Statement of Business Ethics

The relationship of the above key drivers of integrity are presented in the following diagram:



A key element of the Fraud and Corruption Control Plan is the Fraud Control Policy. The Plan follows the guidelines of the Australian Standard 8001-2008, Fraud and Corruption Control (the Standard) and tailors the requirements of the Standard to the Council environment.

While it is recognised that even the most stringent of governance frameworks may not prevent all fraud and corruption, the Plan summarises the Council's framework for the prevention, detection, investigation and reporting of such activity.

7. Statement

Blayney Shire Council is committed to a work environment that is resistant to fraud and corruption and is dedicated to implementing effective measures to minimise fraud and corruption risks.

Blayney Shire Council does not tolerate fraudulent or corrupt behaviour and will take appropriate action against Council Officers, contractors and elected members who have participated in such behaviour, and those who allowed it to occur.

8. Scope

The Fraud and Corruption Control Plan applies to:

- Councillors
- Council Officers
- Contractors working for Council
- Other people who perform public official functions on behalf of Council, such as volunteers

9. Areas within Council where Fraud and Corruption may occur

Fraud may be categorised as 'internal' or 'external' fraud. Internal fraud, sometimes called 'workplace fraud', refers to fraud that is committed by Council delegates in the workplace. External fraud refers to fraud against Council by non-delegates, such as customers, suppliers etc.

Areas identified as having high risk ratings for fraud and corruption in the public sector include:

- **Managing people** – delegations, recruitment, supervision of staff, secondary employment.
- **Managing external relationships** – conflicts of interest, procurement, commercial activities, joint ventures, sponsorship.
- **Managing services and products** – client relationships, community affiliations, regulatory functions, and resource allocation.
- **Managing money** – accounts management, cash handling, credit cards, grants and program funding, payroll, ticket vending.
- **Managing information** – confidential information, electronic transactions, IT systems.
- **Managing assets** – disposal of goods and property, intellectual property, management of resources, use of resources.

Some examples of fraud and corruption include:

- **Theft** (from Council or its customers) of assets, such as equipment, consumables, supplies, cash, information.
- **Unauthorised or illegal use of assets, information or services for private purposes** including: vehicles, human resource support, computers (including email and internet), confidential information, equipment (including photocopiers, telephones, fax), Council logo or stationary.
- **Abuse of position and power for personal gain** for example obtaining gifts or benefits in exchange for favourable treatment, nepotism in staff appointments, non-compliance with procurement processes by favouring one tenderer over another.
- **Manipulation or misuse of accounting**, such as ordering equipment for personal use, over-ordering for private use, favouring suppliers whose costs are not as competitive as other suppliers, deliberate miscoding or transfer of financial transactions to achieve favourable reported budget outcomes.
- **Falsification of records or services**, including timesheets, travel claims, purchase orders, petty cash vouchers, allowing contractors to under-deliver on goods or services below their contracted arrangements.
- **Conflict of interest** e.g.: where a councillor or employee acts in their own self-interest rather than the interests of Council.

10. Responsibilities

10.1 Council

Council considers and approves the strategic policy.

10.2 General Manager

The General Manager is ultimately responsible for the prevention and detection of fraud and is responsible for ensuring the appropriate and effective internal control systems are in place.

10.3 Audit, Risk and Improvement Committee

The Audit, Risk and Improvement Committee has been established and assists in reviewing the effectiveness of Council's fraud and corruption control strategies and plans.

10.4 Directors

Directors are to provide leadership and a point of reference with regards to good governance in their Department and actively promote the Code of Conduct and ensure that there are **fraud prevention strategies and** mechanisms in place within their area of control to:

- Assess the risk of fraud.
- Promote employee awareness of ethical principles.
- Educate employees about fraud prevention and detection.
- Facilitate the reporting of suspected fraudulent activities.

10.5 Managers and Supervisors

Managers and Supervisors are to provide leadership with regards to good governance in their area and actively promote the Code of Conduct and ensure that there are **fraud prevention strategies and** mechanisms in place within their area of control to:

- Promote employee awareness of ethical principles.
- Educate employees about fraud prevention and detection.
- Facilitate the reporting of suspected fraudulent activities.
- Monitor these strategies and ensure their effectiveness and report issues promptly to their Director if they occur

10.6 All staff

All Staff must act ethically, lawfully and in accordance with the principles contained in the Code of Conduct. All potentially unethical or corrupt practices must be reported via the established mechanisms in place.

11. Education for Awareness

Council recognises that the success and credibility of this Plan will largely depend upon how effectively it is communicated throughout the organisation and beyond.

The Council will, therefore, from time to time take proactive steps towards ensuring that the wider community is aware of the Council's zero-tolerance stance towards Fraud and Corruption including by:

- promoting the Council's initiatives and policies regarding the control and prevention of Fraud and Corruption on the Council website and at Council's office;
- facilitating public access to all of the documents that constitute the Council's Fraud and Corruption framework;
- communication and discussion at staff inductions and at regular scheduled information sessions on the Code of Conduct.

12. Conflict of Interests

A conflict of interest exists when a staff member could be influenced, or perceived to be influenced, by a personal interest when carrying out their duties. Council's Code of Conduct provides detailed guidance regarding conflicts of interest.

It is corrupt behaviour to knowingly make a decision influenced by a conflict of interest.

13. Areas of Possible Risk

Based on studies by ICAC the following public sector operational areas and functions are perceived to have high fraud and corruption risk ratings:

- *Financial functions* – such as the receipt of cash, revenue collection and payment systems, salaries and allowances, and entertainment expenses
- *Construction, development and planning functions* – ranging from land rezoning or development applications to construction and building activities
- *Regulatory functions* – involving the inspection, regulation or monitoring of facilities and operational practices, including the issue of fines or other sanctions
- *Licensing functions* – such as the issue of qualifications or licences to indicate proficiency or enable the performance of certain activities
- *Demand driven or allocation-based functions* – where demand often exceeds supply, including the allocation of services, or the provision of subsidies, financial assistance, concessions or other relief
- *Procurement and purchasing functions* – including e-commerce activities, tendering, contract management and administration
- *Other functions involving the exercise of discretion*, or where there are regular dealings between public sector and private sector personnel (especially operations that are remotely based or have minimal supervision).

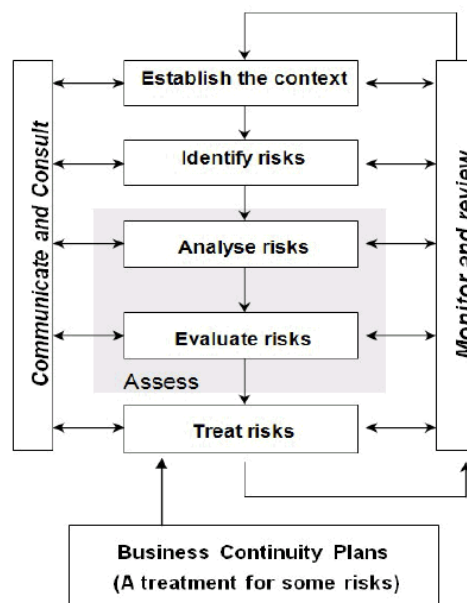
14. Risk Management

An important part of fraud and corruption prevention is understanding where the areas of risk are in Council. With this in mind, Council aims for the risk management process to result in meaningful action that eliminates or, at least, improves mitigation of fraud and corruption risks. The complete elimination of fraud and corruption is the desired state to be achieved, and while striving to achieve this level of control, a higher level of fraud and corruption risk mitigation will be achieved.

Risk management is:

- the responsibility of all employees
- integrated into all business activities and systems
- based around the overall process of risk identification, risk analysis, risk evaluation and risk treatment.

This plan is to be cross referenced with Council's Enterprise Risk Management Policy and Plan, in particular its risk management process.



15. Reporting

All employees have the responsibility to report suspected fraud by immediately notifying their supervisor, and if the supervisor is suspected of involvement in fraudulent activity, the matter should be notified to the next highest level of supervision.

Such reporting is to be undertaken in accordance with Council's internal reporting procedures. Alternatively, if the employee is uncomfortable about reporting the alleged fraud within the organisation, the employee may utilise the mechanisms contained within the Protected Disclosure Act (NSW) 1994. The policy sets out:

- procedures for making disclosures to Council;
- procedures for making disclosures to appropriate external agencies;
- procedures for dealing with anonymous reports;
- protection for people making protected disclosures from reprisals that might otherwise be inflicted on them because of their disclosures;
- provisions for disclosures to be properly investigated and dealt with.

Supervisors have the responsibility to report the suspected fraud, confidentially to the General Manager and the General Manager is responsible for investigating the suspected fraud with the assistance of appropriate senior staff.

Staff are encouraged to continue to raise appropriate matters at any time with their managers, but as an alternative they have the option of making a public interest disclosure.

In the event that the General Manager is the subject of a suspected fraud, the matter must be reported to the Mayor and the Mayor is responsible for investigating the suspected fraud with the assistance of appropriate senior staff.

16. Prevention

Council through its management team will create an environment and culture in which fraudulent acts will not be tolerated and which will be appropriately investigated when they are suspected or reported.

The General Manager, or appropriate staff delegated to carry out such activities, will conduct regular risk assessment reviews and audits with officers from the relevant operational areas. After identification and assessment of a potential risk, an implementation plan will be developed to minimise and control the identified risks.

17. Investigation

All complaints of suspected fraudulent behaviour be thoroughly, objectively and carefully investigated, providing for the protection of those individuals making the complaint.

The purpose of any internal investigation is to ascertain the facts surrounding the matter. The investigation is not an exercise in establishing the guilt of the person accused.

Confidentiality is paramount. Releasing information may result in serious damage to the investigation and may also damage the accused's reputation, which may leave persons open to an action in defamation.

All NSW State Agencies and Councils have a duty to report any suspected corrupt conduct to the Independent Commission Against Corruption (ICAC), pursuant to the provisions of the Independent Commission Against Corruption Act 1988.

The ICAC may decide to investigate the matter itself or it may ask Council to carry out the investigation. In the case of the latter option, the General Manager, with the assistance of the appropriate staff member (as outlined above), shall commence the investigation being mindful of the rights of the accused person.

However, if the allegation of fraud appears to carry the imputation of criminal conduct, the matter shall also (after an initial fact gathering investigation) be referred to the NSW Police Service. The Police Service may also ask Council to fully investigate the matter.

In the event that an internal investigation is carried out, the relevant officers shall carry out the investigation objectively, thoroughly and without prejudice.

The officers shall also be mindful of procedural fairness obligations and offer the accused a right to respond if evidence appears to insinuate fraudulent behaviour and internal disciplinary action or any other form of internal action adversely affecting the accused is to be undertaken.

18. Disciplinary Action

Where internal investigations confirm fraud has occurred, appropriate disciplinary action will be recommended having regard to Council's Code of Conduct, the relevant industrial instrument and other relevant legislative provisions.

Pursuant to section 440D of the Local Government Act 1993, the General Manager may temporarily suspend a member of staff in connection with serious corrupt conduct. Serious corrupt conduct is defined as corrupt conduct that may constitute a serious indictable offence done in connection with the exercise of the staff member's duties.

END

Adopted:	11/8/2008	08/209
Last Reviewed:	12/11/2012	1211/014
	19/03/2018	1803/014
	XX/04/2020	
Next Review:	16/03/2022	

10) RECYCLED WATER QUALITY POLICY

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 2. Local Governance and Finance

File No: GP.PO.1

Recommendation:

1. That the Recycled Water Quality policy be placed on public exhibition for a period of at least 28 days.
2. Upon completion of the period the results of the public exhibition be reported to Council for consideration.

Reason for Report:

To seek Council approval for public exhibition of the proposed Recycled Water Quality policy.

Report:

Council is required to have a policy on recycled water that details the requirements for managing recycled water systems. This policy only relates to recycled water systems which discharge water from the Council Sewage Treatment Plant to various end users. These systems are required to obtain s.60 approval from the NSW Department of Primary Industries.

The Recycled Water Quality policy supports and promotes the responsible use of recycled water and the application of a management approach that consistently meets the National Guidelines on Water Recycling, as well as recycled water user and regulatory requirements. Given the risks to public health when water is not treated or recycled properly, it is of paramount importance that preventative risk management systems are developed and implemented to ensure the protection of human and environmental health.

It is proposed that the policy be placed on public exhibition for a period of 28 days.

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

Risk/Policy/Legislation Considerations:

Adoption of the policy will ensure Shire Council's compliance with the Local Government Act Section 60 and the Australian Guidelines for Water Recycling 2006.

Budget Implications:

Nil

Enclosures (following report)

1 27E Recycled Water Quality policy

4 Pages

Attachments (separate document)

Nil



Recycled Water Quality Policy

Policy	27E
Officer Responsible	Manager Water and Wastewater
Last Review Date	XX/XX/XX

Strategic Policy

1. PURPOSE

Blayney Shire Council supports and promotes the responsible use of recycled water and the application of a management approach that consistently meets the *National Guidelines on Water Recycling*, as well as recycled water user and regulatory requirements.

2. IMPLEMENTATION

Blayney Shire Council will implement and maintain recycled water management systems consistent with the *National Guidelines on Water Recycling* to effectively manage the risks to public and environmental health.

To achieve this we will:

- ensure that protection of public and environmental health is recognised as being of paramount importance
- maintain communication and partnerships with all relevant agencies involved in management of water resources, including waters that can be recycled
- engage appropriate scientific expertise in developing recycled water schemes
- manage recycled water quality at all points along the delivery chain from source to the recycled water user
- use a risk-based approach in which potential threats to water quality are identified and controlled
- integrate the needs and expectations of our users of recycled water, communities and other stakeholders, regulators and employees into planning processes
- establish regular monitoring of control measures and recycled water quality and establish effective reporting mechanisms to provide relevant and timely information, and promote confidence in the recycled water supply and its management
- develop appropriate contingency planning and incident-response capability
- participate in and support appropriate research and development activities to ensure continuous improvement and continued understanding of recycled water issues and performance
- contribute to the development of industry regulations and guidelines, and other standards relevant to public health and the water cycle

3. RESPONSIBILITIES

All managers and employees involved in the supply of recycled water are responsible for understanding, implementing, maintaining and continuously improving the recycled water management system. Membership and participation in professional associations dealing with management and use of recycled water is encouraged.

4. LEGISLATIVE AND POLICY LINKS

This Policy has been formulated with reference to a number of key pieces of Legislation and associated Regulations and Guidelines.

These include, but are not limited to:

- Local Government Act 1993
- Water Management Act 2000
- Australian Guidelines for Water Recycling 2006

END

	Date	Minute No.
First Adopted:		
Last Reviewed:		
Next Review:		

11) 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 April 2020 be received and noted.

Reason for Report:

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

Report:

Topical Matters

Flood Damage – Lyndhurst

Following our submission of a Natural Disaster Assessment to NSW Justice in February, Council sought a progress update on this.

We are advised that the Office of Emergency Management has sought an extension to the list of affected Councils, and an outcome should be forthcoming. Noting delays due to the COVID-19 Pandemic.

Belubula River Open Space – Community Engagement

Council has now received the final amendments to the Belubula River Open Space proposal, and this shall be reviewed shortly.

Once this is undertaken arrangements will be made for Place Design Group, to present to Councillors (remotely by Zoom) before addressing any further concerns and seeking to place both the Belubula River and Beaufort Street Park project sites on Public Exhibition.

Project costings and stages will be then developed for future grant applications and funding opportunities.

Major Works

Forest Reefs Road

Sealing is completed for this project, with a contractor engaged to undertake the line marking. They have unfortunately been delayed due to weather, and are re-evaluating their program.

Small bridge replacement program

The hydrology report for the Leabeater Street site has been received. The report confirms that the current bridge is inundated by a 0.5EY (has approximately a 40% chance of being exceeded every year) storm. The report

informs Council that a bridge length of 30m is required to cover this 0.5EY storm.

A further report will be brought to Council to consider options on its replacement costs.

Road Maintenance Works

Maintenance grading has been undertaken on Matthews Road, Fairford Lane, Felltimber Road, Snake Creek Road, Sunnyside Lane, Caloola Road, Old Lachlan Road, Dunstaffnage Road, Ashleigh Park Road, and Pitlochry Road

Footpaths

Works have been completed on the footpath at Blake Street. With the crew t also completing an extension to the concrete apron at the RFS station in Millthorpe.

Works have commenced at Mandurama to extend the footpath along Gold Street from the Mid-Western Highway to the Recreation Ground.

Land Development

Final sealing is scheduled for Tuesday 14 and Wednesday 15 April, completing all on site works for this project.

A Subdivision Certificate will be sought prior to lodgement for title registration purposes.

Major Contracts

Carcoar Sportsground Amenities Block

This project has experienced a few minor delays with both frame and roofing deliveries taking far longer than expected. Works on the amenities block are now scheduled to be completed by 24 April. The project is however looking fantastic.

Council staff will be undertaking the driveway entrance and carpark works in conjunction with contractors. Works on these items should commence after the completion of the amenities block and is programmed for completion in June.

Napier Oval

Works at Napier Oval will commence at the end of April to set up the site ready for the Construction activities to commence early May. User groups were informed via email and letters were sent to residents in close proximity to the oval notifying them of the intended works. Further public notifications will be made via electronic and publicised media.

The oval will receive an entire facelift with works to include levelling of the playing field to provide adequate cross fall for drainage, retaining wall, 2 soccer fields, 1 cricket pitch with the fields to be irrigated by an automated irrigation system. The water for the irrigation system is expected to be

provided from the new recycled water treatment plant due for completion later this year.

Central West Equestrian and Livestock Centre (CWELC)

The soft opening conducted for Blayney Show was successful and many positive reports have been made.

All certification to achieve Occupation Certificate for DA process was completed prior to the opening, including fire and electrical.

Works remaining include painting of disabled carpark space, seating, gates at the eastern end of the arena, permanent yards and the arena surface. All events which were to use the arena have been cancelled until further notice due to the COVID-19 situation.

Assets

The Transportation assets data and unit rates are being finalised. Trial revaluations have been successfully completed for Pathways and Kerb and Gutter.

Staff are also undertaking the inspection of the unsealed road network.

Parks and Recreation

The public order issued on March 30 which closed down playgrounds, skate parks and exercise equipment has restricted the use of these facilities throughout our Shire. These facilities have been taped off in order to remind the public they are not to be used.

Construction works on new exercise equipment at Newbridge Sports Ground has been completed under the Stronger Country Communities Round 2 funding. These facilities will remain closed to the public until the Government advise they may be reopened.

The Parks team has continued with routine maintenance works to include general mowing of ovals, villages and cemeteries, with the intention to continue to provide amenity to the public who require these areas for exercise during this time. Weed spaying of ovals, drains and footpaths will also be undertaken.

With Level 5 water restrictions now in force, public areas which are currently irrigated with potable water will be turned off and only used to maintain the life of the plants, should it be required.

Tree surgeons will undertake detail pruning some older heritage trees around Blayney and Carcoar and grind some large stumps in Rowlands Street following a removal program conducted a few years ago.

Wastewater

Staff have submitted the Recycling Water Management System (RWMS) as a component of the Section 60 approval process to Department of Primary Industries for feedback.

The RWMS provides a framework for the management of its recycled water scheme that is consistent with the *Australian Guidelines for Water Recycling: (AGWR)*. The AGWR aims to ensure good management and sustainability of the recycled water scheme.

Staff are now working on development of the design of the treatment process which will also need to be submitted to DPI for approval.

Fleet & Plant

Council is expecting to take delivery of the new wing mower within a week, with other mowers expected to be delivered in coming weeks. This will result in the completion of the fleet replacement program for 2020.

Risk/Policy/Legislation Considerations:

Information report only.

Budget Implications:

Information report only.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

12) DEVELOPMENT SERVICING PLAN FOR SEWERAGE SERVICES

Department: Infrastructure Services

Author: Manager Water and Wastewater

CSP Link: 2. Local Governance and Finance

File No: SD.PL.4

Recommendation:

1. That the draft Development Servicing Plan for Sewerage Services be placed on public exhibition for a period of 30 business days and
2. Upon completion of the period the results of the public exhibition be reported to Council for consideration.

Reason for Report:

For Council to consider and endorse the Development Servicing Plan for Sewerage Services for public exhibition.

Report:

Water Supply and Sewerage Developer Charges are a requirement of the NSW Best-Practice Management of Water Supply and Sewerage Framework, regulated by Department of Primary Industries – Water. The Developer Charges are also a requirement of the National Water Initiative Pricing Principles 2010.

Section 64 of the Local Government Act 1993 enables a local government authority to levy developer charges for water supply, sewerage and stormwater. This derives from a cross-reference in that Act to section 306 of the Water Management Act, 2000.

The purpose of the developer charges are to serve three related functions:

1. they provide a source of funding for infrastructure required for new urban developments or additions and changes to existing developments;
2. they provide signals regarding the cost of urban development and thus encourage less costly forms and areas of development; and
3. are an integral part of the fair pricing of water related services

The Development Servicing Plan (DSP) details the water supply and sewerage developer charges to be levied on development areas utilising water supply and sewerage infrastructure.

Council's current (19/20 financial year) Sewerage DSP charges, per new equivalent tenement (ET) being a new dwelling or lot are \$2,833 for Blayney and \$7,452 for Millthorpe.

Council engaged a suitably qualified consultant to complete a review of the existing DSPs for Blayney & Millthorpe Sewerage. The Plans were prepared in accordance with the 2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater issued by the Minister for Lands and Water, pursuant to section 306 (3) of the Water Management Act 2000. The DSP incorporates both Blayney and Millthorpe DSPs into one document.

The new developer charges have been calculated as per methodology outlined in the 2016 guidelines. The calculated developer charge for Sewer of each sewerage network is:

- Blayney - \$15,209, an increase of 537% being \$12,376 per ET.
- Millthorpe - \$42,258, an increase of 567% being \$34,806 per ET.

The calculated developer charges are the maximum value that may be levied by the Council. In adopting a DSP for water supply, sewerage or stormwater, the Council may elect to levy less than the calculated amounts.

Council have completed a review of the calculated charges and determined to provide a more affordable developer charge. The reduced developer charges initiate a cross subsidy from the existing customers in the typical residential bill and must be disclosed in the relevant DSP. The calculated impact for the typical residential bill by the cross subsidy for both Blayney and Millthorpe is \$55 per annum.

The current (19/20 financial year) typical residential bill for both Blayney & Millthorpe is \$636 per annum. The \$55 increase to the typical residential bill equates to an increase of 8.6%.

Once adopted, this DSP supersedes any other requirements related to sewerage developer charges for the development areas covered by this DSP. The DSP takes precedence over any of Council's codes or policies where there are any inconsistencies relating to sewerage developer charges.

The developer charges will be indexed on 1st July each year on the basis of movements in the consumer price index (CPI) for Sydney. The developer charges calculated in this DSP will be reviewed after a period of 4 – 8 years.

Risk/Policy/Legislation Considerations:

Local Government Act 1993, Water Management Act 2000, NSW Best-Practice Management of Water Supply and Sewerage Framework, National Water Initiative Pricing Principles 2010

Budget Implications:

There are no adverse implications to the budget.

Enclosures (following report)

Nil

Attachments (separate document)

1 BSC_DSP_Exhibition Draft

64 Pages

13) ADOPTION OF ROAD HIERARCHY, RENEWAL AND MAINTENANCE POLICY

Department: Infrastructure Services

Author: Manager Infrastructure

CSP Link: 1. Public Infrastructure and Services

File No: GO.ME.2, GO.PO.1

Recommendation:

That Council adopt the Road Hierarchy, Renewal and Maintenance Policy and it be included in Council's policy register.

Reason for Report:

For Council to adopt the Road Hierarchy, Renewal and Maintenance Policy, and it be included in Council's Policy Register.

Report:

Council at its meeting held 17 February 2020 resolved to place the Road Hierarchy, Renewal and Maintenance policy on public exhibition.

The objectives of the Road Hierarchy, Renewal and Maintenance Policy are:

- To ensure that roads are maintained in compliance with relevant legislative requirements.
- To ensure that local and regional road maintenance is undertaken within the financial constraints and competing interests placed on Council, and in accordance with the limit of funds available as determined in Council's Transportation Asset Management Plan and Long Term Financial Plan.
- To provide clear information on the level of service that Council will provide to maintain roads defined within the Road Hierarchy, and the physical point at which Council ceases to maintain roads.
- To establish procedures that provide a simple, systematic and readily usable risk management approach to the maintenance of public roads to minimise potential hazards to road users resulting in public liability claims or injuries.

A Roads Policy is required for Council to:

- Properly account for changes in the road lengths valued in the Transportation Asset Revaluation as at 30 June 2020.
- Provide the required evidence for changes in road lengths for the Council's Financial Assistance Grants submissions.

It also facilitates Council to:

- Improve Council's Asset Management Framework and provide documented support for the assumptions contained in the Transportation Asset Management Plan;
- Provide clear direction to applicants seeking to extend the road network through development applications (subdivisions);
- Provide clear information to Council staff and any proponents seeking to have Council maintain a road not currently included in Council's Asset Register; and
- Determine Council's levels of service for the Renewal and Maintenance of the existing road network.

The closing date for public exhibition was 19 March 2020 and no submissions were received by Council.

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

Risk/Policy/Legislation Considerations:

Adoption of the policy will provide clear evidence of the extent of the road network for the 30 June 2020 Transportation asset revaluation and for the Financial Assistance Grant submissions.

It will also define Council's level of service for the maintenance and renewal of the existing road network, clarify the conditions for the acceptance of new roads and define the physical limit of Council road maintenance.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

- | | | |
|---|--|----------|
| 1 | Road Hierarchy Renewal and Maintenance Policy. | 10 Pages |
|---|--|----------|

14) MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 3 APRIL 2020

Department: Infrastructure Services

Author: Director Infrastructure Services

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

File No: TT.ME.1

Recommendation:

1. That the minutes of the Blayney Traffic Committee Meeting, held on Friday 3 April 2020, be received and noted.
2. That Council endorse the Blayney section of the Outback Classic Trial, to be staged on Fell Timber and Mt Macquarie Roads, Carcoar on 12 August 2020. The event to be classified as a Class 2 event, and approved subject to the conditions detailed in the Director Infrastructure Services' Report and subject to the following amendment:
 - That the event organiser provide evidence to Council of compliance with conditions of approval at least 60 days prior to the event occurring.
3. That Council installs a hold line and stop sign at the intersection of Adelaide Lane and the footpath of Water Street.
4. That Council install linemarking on Water Street, including road centreline, and foglines to provide 3.5m lane widths between Adelaide and Osman Streets.

MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE MEETING HELD FRIDAY 3 APRIL 2020 VIA ZOOM COMMENCING AT 10.34AM

PRESENT

Members: Cr Bruce Reynolds (Blayney Shire Council - Chair), Reg Rendall (Paul Toole Representative), Jackie Barry (TfNSW), Michael Chooi (NSW Police).

Present: Grant Baker (Acting General Manager), Andrew Cutts (Tablelands Area Road Safety Officer), Nikki Smith (Administration Officer).

APOLOGIES

Nil.

CONFIRMATION OF MINUTES

RESOLVED: That the Minutes of the previous Traffic Committee Meeting held on Friday 7 February 2020, be confirmed to be a true and accurate record of that meeting.

(Jackie Barry / Reg Rendall)

RESOLVED: That the Minutes of the previous Traffic Committee Meeting held Electronically February 2020, be confirmed to be a true and accurate record of that meeting.

(Reg Rendall / Jackie Barry)

MATTERS ARISING FROM THE MINUTES

Nil.

DECLARATION OF INTEREST

Nil.

CORRESPONDENCE

20200403:01 - Proposed Blayney High Pedestrian Activity Area

ACTION: Council to update Blayney Town Association on TransportNSW progress on Blayney High Pedestrian Activity Area including consideration of 40km zones.

REPORTS

Descent Signage - Mandurama Road

Deferred to General Business.

20200403:02 - Classic Outback Trial

RECOMMENDATION: That Council endorse the Blayney section of the Outback Classic Trial, to be staged on Fell Timber and Mt Macquarie Roads, Carcoar on 12 August 2020. The event to be classified as a Class 2 event, and approved subject to the conditions detailed in the Director Infrastructure Services' Report and subject to the following amendment:

- That the event organiser provide evidence to Council of compliance with conditions of approval at least 60 days prior to the event occurring.
(Michael Chooi / Reg Rendall)

ACTION: Council to provide NSW Police with notification of the event route.

20200403:03 - Signage at Intersection of Adelaide Lane and Water Street, Blayney

RECOMMENDATION: That Council installs a hold line and stop sign at the intersection of Adelaide Lane and the footpath of Water Street.

(Jackie Barry / Reg Rendall)

2020:0403:04 - Parking Report - Water Street, Blayney

RECOMMENDATION: That Council install linemarking on Water Street, including road centreline, and foglines to provide 3.5m lane widths between Adelaide and Osman Streets.

(Jackie Barry / Reg Rendall)

TRAFFIC REGISTER

That the information be noted.

GENERAL BUSINESS

20200403:05 - Descent Signage - Mandurama Road

ACTION: That Council install modified steep descent signage (WS5-12 & W8-17-1 (1km)) on Mandurama Road between Fell Timber and Gallymont Roads, in accordance with the Director Infrastructure Services report.

20200403:06 - Speeding Concerns - Victoria Street, Millthorpe

ACTION: That Council advise the Millthorpe Public School, that it considers the 50 Zone signage on the Vittoria Street approach to the Village of Millthorpe to be in accordance with the Speed Zone Guidelines and that it will install traffic monitoring devices for future referral to Traffic Committee.

20200403:07 - Power Pole - Intersection of Tucker St and Orange Rd

ACTION: That Council refers the item to Transport for NSW for technical advice on a painted median strip and take into consideration possible bus and garbage truck routes, and provide a future report for consideration by Traffic Committee.

INFORMAL MATTERS

20200403:08 - Monthly Road Safety Report – February 2020.

That the information be noted.

20200403:09 – Chifley Local Area Command – Serious/Fatal Motor Vehicle Accidents Reports – January & February 2020.

That the information be noted.

FUTURE MEETING DATES - 2020

- Friday, 12 June 2020
- Friday, 31 July 2020
- Friday, 9 October 2020
- Friday, 11 December 2020

MEETING CLOSED

There being no further business, the meeting concluded at 12.00pm

Enclosures (following report)

Nil

Attachments (separate document)

Nil

15) DRAFT BLAYNEY SETTLEMENT STRATEGY 2020**Department:** Planning and Environmental Services**Author:** Manager Planning**CSP Link:** 5. The Natural Environment**File No:** LP.TE.1

Recommendation:

That Council:

1. Endorse the Draft Blayney Shire Settlement Strategy 2020 as attached to this report for public exhibition
2. Exhibit the Draft Blayney Shire Settlement Strategy 2020 in accordance with the Draft Community Participation Plan and Community Engagement Strategy described in the report
3. Authorise the General Manager to approve minor amendments and changes to the Draft Blayney Shire Settlement Strategy 2020, prior to exhibition commencing.

Reason for Report:

To obtain Council endorsement of the Draft Blayney Shire Settlement Strategy 2020 to enable public exhibition.

Report:Introduction

The Draft Blayney Shire Settlement Strategy 2020 (DBSS) investigates and identifies housing needs and opportunities to assist the Blayney Shire meet the projected accommodation demands until 2040.

Background

Council's current Settlement Strategy was adopted in 2011 with an approved addendum in January 2012.

Elton Consulting has undertaken a review of the existing Blayney Settlement Strategy in order to achieve the following:

- Produce a 20-year Settlement Strategy into a succinct and legible document which can be readily understood and applied by the Blayney Shire community, Blayney Shire Councillors and staff, and other key stakeholders such as State Government Departments and Agencies.
- Review and update the accuracy and relevance of the contextual information regarding the wider Blayney Shire and each individual village covered by the Settlement Strategy. This includes issues such as existing zoning, settlement pattern and historic population.
- Review and update the opportunities and constraints of the wider Blayney Shire and each individual village covered by the Settlement Strategy.

- Review and update the demographic data and projected future population growth for the wider Blayney Shire and each village covered by the Settlement Strategy.
- Revise the proposed future land use arrangements with regard to the foregoing information.
- Align the Settlement Strategy with the Central West and Orana Regional Plan 2036.
- Align the Settlement Strategy with the DPIE Local Housing Strategy Guideline 2018.

Specifically the scope of works sought analysis and consideration of;

- Residential expansion options for the Blayney Township,
- Residential expansion options for the Millthorpe village,
- Review of the Minimum Lot Size (MLS) for the R1 General Residential zone within the Blayney Township,
- Review of the MLS for existing allotments which are un-serviced in the RU5 village zones,
- Review of the MLS for un-serviced R5 Large Lot Residential zoned land,
- Review of existing village boundaries and investigation for village growth opportunities,
- Other issues as identified.

Community Engagement Strategy

Public exhibition is proposed to consist of;

1. Public exhibition for 50 days of the DBSS from Thursday 30 April 2020 until 5pm Monday 22 June 2020.
Exhibition would commence the day public notice is given in Council's weekly column of the Blayney Chronicle.
2. DBSS placed on Council's website for the public exhibition period (hard copies can be provided at Council's Administration Office, however photocopying charges as per Council's 2019/20 Operational Plan Fees and Charges would apply).
3. A letter to all land owner's to which the DBSS proposes to alter a planning control.
4. Emails sent to:
 - All professionals who have recently dealt with Planning and Environmental Services of Blayney Shire Council (approx. 60 addresses) advising of the DBSS public exhibition.
 - The Blayney Shire Tourism, Town and Village Committee members advising of the DBSS public exhibition.
 - Contacts on the Council Connect e-newsletter (approx. 300 addresses) advising of the DBSS public exhibition.

5. Briefing sessions will be offered during the exhibition period to:
 - Construction and Development Professionals briefing (builders, developers, real estate agents, consultant town planners, surveyors, architects and drafts people etc).
 - All Village Committee/Progress Association's within the Blayney Shire with Council staff attending any meeting to undertake an individual briefing session, as appropriate under current circumstances.
6. Council staff will be available during office hours to answer questions via telephone during the public exhibition period. Individual appointments can be provided to any person or group upon request.
7. Draft DBSS reported back to Council at the 20 July 2020 Council meeting including summary of community consultation. Any person can address Council at the Public Forum.

The Community Engagement Strategy above is based upon the Development Control Plan public exhibition undertaken in 2018.

Risk/Policy/Legislation Considerations:

The scope of works and purpose of the Blayney Settlement Strategy Review outlined above set clear direction for the DBSS.

Over the past 2 years Council staff together with Elton Consulting have been undertaking the review of the 2012 Blayney Settlement Strategy. The number of constraints within the Blayney Shire is considered high and some of the proposals, in particular around the un-sewered villages are, from a land use planning perspective considered innovative and forward thinking.

The intent of the proposed changes, in particular around the un-sewered villages is to facilitate the growth of these communities in a sustainable and environmentally appropriate manner, facilitating quality development that does not create poor social outcomes, whilst providing a desirable and attractive locality to reside.

It is not just Blayney Shire Council that sets the content of the Blayney Settlement Strategy. The NSW Department of Planning Industry and Environment must approve the Blayney Settlement Strategy.

Changes identified in the final version of the Blayney Settlement Strategy would not be implemented in the Blayney Local Environmental Plan until a Planning Proposal is completed. This could be 12 to 18 months away.

Budget Implications: Elton Consulting were engaged to undertake the Blayney Settlement Strategy.

External consultant expenditure is allocated within the 2019/20 Operational Plan.

Council staff will be required to facilitate and resource any future Planning Proposal upon finalisation of the strategy.

Enclosures (following report)

Nil

Attachments (separate document)

1	Draft Blayney Shire Settlement Strategy 2020	134 Pages
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16) REPORT OF THE CENTROC BOARD MEETING AND CENTRAL NSW JOINT ORGANISATION MEETING HELD 27 FEBRUARY 2020

Department: Executive Services

Author: Mayor

CSP Link: 2. Local Governance and Finance

File No: GR.LR.3

Recommendation:

That the Mayoral Report from the Centroc Board Meeting and Central NSW Joint Organisation Meeting held 27 February 2020 in Grenfell be received and noted.

Reason for Report:

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

Report:

I attended the Board meetings of Centroc and the Central NSW Joint Organisation (JO) on Thursday 27 February 2020 at the Community Hub Centre in Grenfell. Draft minutes enclosed, following this report.

Reports from Centroc

In line with direction from the Auditor, windup is anticipated by 30 June, 2020 and a report for Forbes Council will be drafted in due course.

Reports from the CNSW Joint Organisation

Chairman's Minute

The Minute provided direction to the CNSWJO on activities and priorities for the year in the context of the broader JO Statement of Strategic Priorities. After good discussion, it was resolved that the overall focus for the year's effort is to align with the Federal Government's vision for an agricultural economy of \$100bn by 2030. This would be supported by activity in two areas.

- i. Watering the West
 - a. leveraging raising the wall at Wyangala; and
 - b. assuring urban water security in region; and
- ii. Freight links.

This region has four priorities in its Statement of Strategic Priorities, it was further suggested that there be a maximum of two headline priorities for the areas of Intergovernmental Cooperation and Regional Prosperity. The Board agreed to focus on the following activities within its Plan.

Intergovernmental Collaboration

1. Reporting value to members through the operational support program.
2. Supporting the sustainability of the broader JO network.

Regional Prosperity

1. Progressing support for the visitor economy.
2. Developing and monitoring the progress of the Regional Prosperity Subcommittee noting the agricultural focus.

Energy Program

The Board were updated on the progress of the Southern Lights LED Streetlight rollouts in Bathurst and Orange.

Report on JO Chairs Forum progress including feedback to the Minister on JO sustainability

The Board endorsed the advice provided to the Minister for Local Government's Advisory Committee with regard to sustainability of the broader network. The Board's policy position is that the focus of effort for JO sustainability be working, through the Minister's Office, with State agencies on a funding framework that offers value to both JO members and the State where the value to the State is recognised by remuneration.

Regional Transport

The Board were asked to provide feedback on the Central West and Orana Future Transport Regional Plan and comment on the suggested feedback already drafted.

The Board endorsed a submission on the Lithgow to Katoomba Corridor.

A response to the independent panel for the Regional Road Transfer and NSW Road Classification Review Terms of reference was endorsed and the region has asked the Review Committee to meet with the JO.

The Terms of Reference for the Regional Strategic Transport Group who meet quarterly was endorsed.

Regional Water

It was resolved to seek advice from DPIE Water on project status, particularly where the barriers are in delivering Council water projects.

The Board will develop advocacy material identifying the problems and solutions in assuring urban water supply during the unprecedented drought.

Representation will be made to the Premier, Deputy Premier, and Minister for Water and respective agencies providing advice on the challenges and solutions for this region in securing water.

Further, Infrastructure Australia will be invited to the next meeting to provide advice on opportunities for this region identified in its recent Priority List 2020.

Reporting on progress of the Strategic Plan

Advice was provided on progress on the four priorities in the Strategic Plan. Notably:

- The Minister for Local Government announced further funding for JOs in August 2019, we received advice in February that we will be granted \$150k in funding. An agreement with the Office of Local Government (OLG) is anticipated in the near future.
- An Equal Opportunity Management Plan was adopted by the Board.
- Approval was given to the Alliance between Safe NSW and the JO WHS working group for 2020-2022.

Financial report

It is anticipated a full year loss of \$60,601 at 30 June 2020 against a budgeted loss of \$52,128.

The increase in the anticipated loss against the budget is due to the reduction in expected interest income and the lesser LGP rebate income.

As resolved at the Board meeting 27 November 2019 the Centroc reserves of \$527,387 have been transferred across to the Joint Organisation. The remaining Centroc assets and accumulated surplus at 30 June 2019 will be transferred across to the Joint Organisation as further winding up of Centroc occurs.

Risk/Policy/Legislation Considerations:

Nil

Budget Implications:

Nil

Enclosures (following report)

- | | | |
|---|--|---------|
| 1 | Minutes of the Centroc and Central NSW JO Meetings held 27 Febraury 2020 | 5 Pages |
|---|--|---------|

Attachments (separate document)

Nil

Minutes of the Centroc Board meeting 27 February 2020 held at Grenfell**Board Delegates in bold**

Cr B Bourke	Bathurst Regional Council	Cr K Sajowitz	Oberon Council
Mr A Cattermole (Acting)	Bathurst Regional Council	Mr G Wallace	Oberon Council
Cr A Ewin	Blayney Shire Council	Cr R Kidd	Orange City Council
Ms R Ryan	Blayney Shire Council	Cr K Keith	Parkes Shire Council
Cr K Beatty	Cabonne Council	Cr M Liebich	Weddin Shire Council
Cr D Somervaille	Central Tablelands Water	Cr C Brown	Weddin Shire Council
Cr D Somervaille	Central Tablelands Water	Mr G Carroll	Weddin Shire Council
Cr B West	Cowra Council	Mr P Evans	OLG
Ms K Alberry	Cowra Council	Mr S Harma	RDACW
Cr P Miller	Forbes Shire Council	Mr A Albury	DPC
Mr S Loane	Forbes Shire Council	Ms J Bennett	Centroc
Cr J Medcalf	Lachlan Shire Council	Ms K Barker	Centroc

Chaired by Cr John Medcalf the meeting opened at 12.11pm

1. Apologies

Cr s Ferguson, Mr D Sherley, Mr P Devery, Mr G Tory, Mr D Waddell, Mr K Boyd, Ms C Weston, Mr G Rhodes and Mr B Byrnes

Resolved	Cr B West/Cr R Kidd
That the apologies for the Centroc Board meeting 27 February 2020 listed above be accepted.	

2. Minutes**2a Confirmation of the Minutes of the Board Meeting 27 November 2019 at Canberra**

Resolved	Cr B West/Cr K Keith
That the Minutes of the Centroc Board Meeting 27 November 2019 held at Canberra be confirmed.	

3 Wind up of Centroc

Resolved	Mr S Loane/Mr G Wallace
That the Central NSW Councils (Centroc) Board note the report regarding the windup of Centroc as a Section 355 Committee of Forbes Shire Council.	

4 Financial report

Resolved	Cr R Kidd /Cr B West
That the Board note the Financial report	

The General Meeting of the Centroc Board closed at 12.17pm

Page 1 is the last page of the Centroc Board Minutes 27 February 2020

Minutes of the Central NSW Joint Organisation meeting 27 February 2020 held in Grenfell

Attendees, voting members in bold.

Cr B Bourke	Bathurst Regional Council	Cr J Medcalf	Lachlan Shire Council
Cr A Ewin	Blayney Shire Council	Cr K Sajowitz	Oberon Council
Cr K Beatty	Cabonne Council	Cr R Kidd	Orange City Council
Cr B West	Cowra Shire Council	Cr K Keith	Parkes Shire Council
Cr P Miller	Forbes Shire Council	Cr M Liebich	Weddin Shire Council
Mr A Cattermole	Bathurst Regional Council	Cr D Somervaille	Central Tablelands Water
Ms R Ryan	Blayney Shire Council	Cr C Brown	Weddin Shire Council
Mr B Byrnes	Cabonne Council	Mr P Evans	OLG
Ms K Alberly	Cowra Shire Council	Mr S Harma	RDA CW
Mr S Loane	Forbes Shire Council	Mr A Albury	DPC
Mr G Wallace	Oberon Council	Ms J Bennett	Central NSW JO
Mr G Carroll	Weddin Shire Council	Ms K Barker	Central NSW JO
Mr G Rhodes	Central Tablelands Water		

1. **Opening meeting 10.05am**
2. **Acknowledgement to Country by Chair**
3. **Welcome to Weddin – By Cr Liebich.**
4. **Apologies applications for a leave of absence by Joint Voting representatives**

Cr S Ferguson, Mr D Sherley, Mr P Devery, Mr G Tory, Mr K Boyd, Mr D Waddell, Ms C Weston.

Resolved	Cr R Kidd/Cr B West
That the apologies for the Central NSW Joint Organisation Board meeting 27 February 2020 listed above be accepted.	

5. **Confirmation of the Minutes of the Central NSW Joint Organisation meeting 27 November 2019 in Canberra**

Resolved	Cr R Kidd/Cr K Keith
That the Central NSW Joint Organisation Board confirm the Minutes of the meeting 27 November 2019 held in Canberra.	

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

Resolved	Cr R Kidd/Cr B Bourke
That the Central NSW Joint Organisation Board note the Matters in Progress, making deletions as suggested.	

10.22am - Cr P Miller and Mr S Loane arrived

7. **Chairman's Minute**

Resolved	Cr M Liebich/Cr B Bourke
That the Board adopt the Chairperson's Minute on the advocacy approach for 2020 and	
<ol style="list-style-type: none"> 1. Adopt the over focus for the years to align with the Federal vision to grow the agricultural sector to \$100bn by 2030; 2. Note that this includes two priority areas of activity – these being: <ol style="list-style-type: none"> 1. Watering the West <ol style="list-style-type: none"> i. leveraging raising the wall at Wyangala and ii. assuring urban water security in the CNSW region; and 	

2. Freight links
3. Adopt the priorities for inter-council cooperation as:
 1. Reporting value to members of the operational support program; and
 2. Supporting the sustainability of the broader JO network;
4. Adopt the priorities for regional prosperity as:
 1. Progressing support for the visitor economy; and
 2. Developing and monitoring the progress of the Regional Prosperity Subcommittee noting the agricultural focus;
5. Adopt the changes to the Board calendar as follows:
 1. 3 June Board meeting in Penrith and 4 June meeting with State representatives at Macquarie Street, Sydney including launch of the Central West NSW Food and Fibre Strategy;
 2. August Board meetings in Canberra at a venue TBA; and
 3. The November meeting be part of a Summit, again retaining the agricultural focus;
6. Encourage members to form or activate friendship agreements with Councils in Western Sydney; and
7. Seek feedback from members to inform policy with regard to a regional response to Climate Change.

8. Reports to Statement of Regional Strategic Priority

Priority One: Inter-council Co-operation

a. Procurement Report (Priority 1.1a)

Resolved	Cr R Kidd/Cr K Boyd
That the Board note the Procurement Report and	
<ol style="list-style-type: none"> 1. approve the 12-month extension of the coldmix asphalt contract (S3_2018) with Boral Asphalt and Civil Independence until 31 May 2021; 2. approve the 12-month extension of the compliance training contract (WHS1_2015) with Allens Training, ATAC, Mines Rescue and TAFE until 31 March 2021; 3. approve the 6-month extension of the Asset Management Maturity Audit contract with University of Technology, Sydney; and 4. approve a procurement process for the revaluation of water and sewer assets, including a 5% contract management fee payable to CNSWJO. 	

b. Administration Update (Priority 1.2)

Resolved	Cr K Keith/Cr B West
That the Board note the timeline for the implementation of the JO and adopt the logo.	

c. Energy Programming Report (Priority 1.3)

Resolved	Cr R Kidd/Cr K Keith
That the Board note the Energy Programming Report and	
<ol style="list-style-type: none"> 1. note the progress of the Southern Lights rollouts in Bathurst and Orange; 2. note the cost savings to members of \$2.9m over 3 years achieved through the procurement process for the supply of electricity for large market and small market sites; and 3. GMAC give consideration to the renewable energy advice from Mr David West. 	

d. Report on JO Chairs Forum progress including feedback to the Minister on JO sustainability (Priority 1.4a)

Resolved	Cr R Kidd/Cr K Keith
That the Board note the feedback to the Minister for Local Government's Joint Organisation (JO) Advisory Committee (the Committee) and	

1. Recognises the serious risk of JO network failure due to sustainability;
2. Endorses the advice provided to the Minister for Local Government's Advisory Committee;
3. Commends to the Chairs of JOs Forum that the focus of effort for JO sustainability be working, through the Minister's Office, with State agencies on a funding framework that offers value to both JO members and the State where the value to the State is recognised by remuneration;
4. Reiterates its position that JOs should not be a fourth tier of government;
5. Notes that taking on a compliance burden has significant risks to JOs and is not supported;
6. Adopt the definition of Financial Sustainability for Joint Organisations as "A Joint Organisation will be financially sustainable over the long term when it is able to generate sufficient funds and deliver on the Strategic Regional Priorities agreed with its members and stakeholders";
7. Approves an amendment to the JO Chairs' Forum's Terms of Reference to allow for the election of a Chair and Deputy Chair for a period of 12 months; and
8. Provides feedback regarding the above to the Chairs of Joint Organisation Forum.

Priority Three: Regional Transport and Infrastructure

e. Regional Transport Advocacy Policy, Prioritisation and Freight Links Mapping.

Resolved	Cr K Keith/Cr B West
That the Board note the Transport and Infrastructure Report and	
<ol style="list-style-type: none"> 1. commend to members they provide feedback on the Central West and Orana Future Transport Regional Plan (the Plan); 2. provide the feedback to the Plan as described in the report; 3. endorse the Lithgow to Katoomba Corridor submission; 4. invite the independent panel for Regional Road Transfer and NSW Road Classification Review to meet with the JO; 5. endorse the CNSWJO response to the Regional Road Transfer and NSW Road Classification Review Terms of Reference; 6. adopt the Terms of Reference for the Regional Strategic Transport Group; and 7. thank respective Ministers for their support for the \$2.5b upgrade to the Great Western Highway and prepare a media release. 	

Priority Four: Regional Water

f. Regional Water Report

Resolved	Cr P Miller/Cr B Bourke
That the Board note the Regional Water Report and	
<ol style="list-style-type: none"> 1. Seek advice from DPIE Water on project status and what the issues are holding up emergency water projects; 2. Develop advocacy material identifying the problems and solutions in assuring urban water supply during the unprecedented drought; 3. Advocate to the Premier, Deputy Premier, Minister for Water and respective agencies providing advice on the challenges and solutions for this region in securing water; and 4. Note the Infrastructure Priority List 2020 and invite Infrastructure Australia to the June Board Meeting. 	

9. Report to the Central NSW JO Strategic Plan and Statement of Regional Strategic Priority 2019/2020

Resolved	Cr R Kidd/Cr M Liebich
That the Board note the report to the Central NSW JO Strategic Plan and Statement of Regional Strategic Priority and	
<ol style="list-style-type: none"> 1. thank the Minister for Local Government regarding the \$150K funding for CNSWJO; 2. adopt the Equal Opportunity Management Plan; 3. note the changes to the Risk Management Plan reflecting the ongoing challenges for Joint Organisations given the increased regulatory burden and resourcing implications; and 	

4. approve the Alliance between SafeWork NSW and the Central NSW Joint Organisation WHS Group for 2020 – 2022.

10. Financial Report

Resolved	Cr B Bourke/Cr B West
That the Board note the Financial Report.	

12.00pm - Mr G Rhodes and Mr B Byrnes left the meeting.

11. Matters raised by members – Blayney Demondrille Line

Resolved	Cr B West/Cr M Liebich
That the Board seek advice as to when the report on the Blayney to Demondrille line will be released.	

The matter raised by Forbes on the Murray Darling Irrigation Desalination Proposal was moved to Confidential report

12.09pm

Resolved	Cr R Kidd/Cr B Bourke
That the meeting close to the public for confidential matters.	

12. Confidential Report

• Energy Savings Certificates for Streetlighting

Resolved	Cr R Kidd/Cr P Miller
That the Board note the confidential report on energy savings certificates for streetlighting and recommend that councils individually write to Essential Energy and National Carbon Bank of Australia (NCBA) and request that the ESCs for street lighting be created through the Essential Energy agreement.	

12.11pm

Resolved	Cr P Miller/Cr B Bourke
That the meeting open to the public.	

• Murray Darling Irrigation Desalination Proposal

Resolved	Cr P Miller/Cr R Kidd
That the Board Note the advice from Forbes and include the option of linking desalinated water into considerations of priority for future water security for the region.	

13. Late reports – Nil

14. Speakers to the next meeting

- Penrith City Council
- Various Ministers
- Infrastructure Australia, Infrastructure Priority List 2020

15. The next meeting dates are Wednesday 3 June in Penrith and Thursday 4 June in Sydney.

16. Conclusion of the meeting - Meeting closed at 12.11pm

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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) COVID-19 - REQUESTS FOR RENTAL RELIEF

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.