



12 April 2016

Dear Councillor,

Your attendance is requested at an Ordinary Council Meeting of the Blayney Shire Council to be held in the Chambers, Blayney Shire Community Centre on Monday, 18 April 2016 at 6.00 pm 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) Notices of Motion
- (8) Confirmation of Minutes - Ordinary Council Meeting held on 21.03.16
- (9) Matters arising from Minutes
- (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

Rebecca Ryan
General Manager

Meeting Calendar 2016

April

Time	Date	Meeting	Location
6.00 pm	18 April 2016	Council Meeting	Community Centre
	25 April 2016	ANZAC Day	

May

Time	Date	Meeting	Location
6.30pm	3 May 2016	Cultural Centre Working Group	Community Centre
5.00 pm	12 May 2016	Cemetery Forum	Community Centre
6.00 pm	12 May 2016	Access Committee	Community Centre
6.00 pm	16 May 2016	Council Meeting	Community Centre
4.00 pm	17 May 2016	LEMC	Community Centre
5.30 pm	19 May 2016	Sports Council	Community Centre

June

Time	Date	Meeting	Location
4.00pm	6 June 2016	Chifley Local Area Command Community Safety Precinct	Lithgow City Council
6.30pm	7 June 2016	Cultural Centre Working Group	Community Centre
	13 June 2016	Queen's Birthday	
6.00 pm	16 June 2016	Towns and Villages	Community Centre
10.00 am	17 June 2016	Traffic Committee	Community Centre
6.00 pm	20 June 2016	Council Meeting	Community Centre

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HELD ON MONDAY 18 APRIL 2016

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01) **MINUTES OF THE PREVIOUS MEETING HELD ON MONDAY 21 MARCH 2016**

Department: Executive Services

Author: General Manager

CSP Link: 6.3 A well-run Council organisation.

File No: GO.ME.3

Recommendation:

That the Minutes of the Ordinary Council Meeting held on 21 March 2016, being minute numbers 1603/001 to 1603/025 be confirmed.

MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY CENTRE, ON 21 MARCH 2016, COMMENCING AT 6.00 PM

Present: Crs S Ferguson (Mayor), A Ewin, D Kingham, S Oates, K Radburn and D Somerville

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

ACKNOWLEDGEMENT OF COUNTRY

RECORDING OF MEETING STATEMENT

APOLOGIES

1603/001 RESOLVED:
That the apologies, tendered on behalf of Cr Geoff Braddon OAM, General Manager Rebecca Ryan and Acting Director Infrastructure Services Nathan Skelly, be accepted. (Oates/Ewin)

DISCLOSURES OF INTEREST

Nil

PUBLIC FORUM

Lorna Harris – Agenda Item No.14 – Development Application 165/2015 – Erection of a Dwelling – Lot 40, DP263360, 37 Graham Lane, Millthorpe

CONFIRMATION OF MINUTES**MINUTES OF THE PREVIOUS MEETING HELD ON MONDAY
15 FEBRUARY 2016**

1603/002

RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 15 February 2016, being minute numbers 1602/001 to 1602/034 be confirmed. (Radburn/Kingham)

MATTERS ARISING FROM THE MINUTES

Nil

EXECUTIVE SERVICES REPORTS**MINUTES OF THE CULTURAL CENTRE WORKING GROUP
MEETING HELD ON MONDAY 29 FEBRUARY 2016**

1603/003

RESOLVED:

1. That the minutes of the Cultural Centre Working Group Meeting, held on Monday 29 February 2016, be received.
2. That an investigation and feasibility of a refurbishment of the Cottage be undertaken with the view of including a commercial Coffee Shop operator and current Visitor Information services as Stage 1 of the Cultural Centre project. (Ewin/Oates)

CORPORATE SERVICES REPORTS**REPORT OF COUNCIL INVESTMENTS AS AT 29 FEBRUARY
2016**

1603/004

RESOLVED:

1. That the report indicating Council's investment position as at 29 February 2016 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted. (Kingham/Somerville)

**ADOPTION OF AUDIT COMMITTEE AND INTERNAL AUDIT
CHARTERS**

1603/005

RESOLVED:

That the Audit Committee and Internal Audit Charters be adopted. (Somerville/Ewin)

**ADOPTION OF RESTRICTED AND UNRESTRICTED CASH
POLICY**

1603/006

RESOLVED:

That the draft Restricted and Unrestricted Cash policy be adopted and included in Council's policy register. (Radburn/Somerville)

- 1603/007** **ADOPTION OF RISK MANAGEMENT POLICY**
RESOLVED:
That the draft Risk Management policy be adopted and included in Council's policy register. (Oates/Ewin)

- 1603/008** **MINUTES OF THE BLAYNEY SHIRE AUDIT COMMITTEE MEETING HELD ON 17 FEBRUARY 2016**
RESOLVED:
That the minutes of the Blayney Shire Audit Committee meeting held on 17 February 2016 be received. (Somerville/Ewin)

INFRASTRUCTURE SERVICES REPORTS

- 1603/009** **DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT**
RESOLVED:
That the Director of Infrastructure Services Monthly report for March be received and noted. (Oates/Kingham)

- 1603/010** **TENDER FOR PROVISION OF TRAFFIC CONTROL SERVICES**
RESOLVED:
 1. That Council accept the tender from Midwest Traffic Management for Contract 726946 Provision of Traffic Control Services;
 2. That Council authorise the signing and attachment of the Council Seal to the instrument of agreement, and other associated documents between Blayney Shire Council and Midwest Traffic Management. (Radburn/Somerville)

- 1603/011** **PLANET FOOTPRINT - 2015-16 HALF YEAR RESULTS**
RESOLVED:
That the 2015-16 Planet Footprint Half Year Performance Review for electricity consumption be received and noted. (Oates/Ewin)

- 1603/012** **MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE MEETING HELD ON FRIDAY 19 FEBRUARY 2016**
RESOLVED:
That Council accept the Minutes of the Blayney Traffic Committee Meeting, held on Friday 19 February 2016 and resolve to adopt the recommendations 2 to 7 as follows:
 1. That Council support for the Newbridge Speed Review Report, be noted and note that Roads and Maritime Services require a written response from NSW Police supporting the report.
 2. That Council inspect the signage currently on Bakers Road, Burnt Yards. Roads and Maritime Services recommends appropriate signage for gravel roads is

- “Drive to Conditions”, RMS do not speed limit gravel roads. Council to write to proponent.
3. That Council look at the criteria for black spot funding for Gap Road and respond to proponent. That Council and Roads and Maritime Services inspect the signage of Gap Road and remove any signage that refers to Gap Road as Platform Road.
 4. That Council work with RSL/Anzac Day Committees in Blayney, Neville and Mandurama and ensure Traffic Control Plans provided by Council are put in place.
 5. That Council liaise with owners of Hill & Crofts with a view to extending the Disabled Parking area to the kerb area in front of Hill & Croft, 98 Adelaide Street, Blayney and Disabled Parking Signs be erected either side of the parking area.
 6. That Council liaise with Central Tablelands Water in regards to an appropriate area for Disabled Parking that aligns with the existing ramp access for CTW in Church Street with both Council and CTW contributing to the cost.
 7. That Council advise RMS of the request received for reduced speed limit at 1129 Millthorpe Road, Millthorpe. Council to check previous Speed Zone Review report provided by RMS in regards to signage – “Driveway warning signs.” Council to advise proponent that signage on Millthorpe Road is provided by RMS and that the request has been forwarded to RMS for review. (Radburn/Oates)

**MINUTES OF THE BLAYNEY SHIRE SPORTS COUNCIL
MEETING HELD ON WEDNESDAY 2 MARCH 2016**

1603/013

RESOLVED:

That the Minutes of the Blayney Sports Council Meeting, held on Wednesday 2 March 2016, be received and noted.
(Kingham/Ewin)

1603/014

REDMOND OVAL RECONSTRUCTION PROJECT

RESOLVED:

1. That Council approve additional funds with an upper limit of \$200,000 (ex GST) for the completion of upgrade works at Redmond Oval.
2. That the financial allocations be determined and identified as part of the March 2016 Quarterly Budget Review Statement. (Oates/Somerville)

PLANNING AND ENVIRONMENTAL SERVICES REPORTS**DEVELOPMENT APPLICATION 165/2015 – ERECTION OF DWELLING – LOT 40 DP 263360, 37 GRAHAM LANE, MILLTHORPE****RECOMMENDATION:**

That Council refuse Development Application 165/2015 for a proposed dwelling on Lot 40 DP 263360, 37 Graham Lane, Millthorpe, because:

- Council is not satisfied that the applicant has adequately addressed the matters set down under Clause 4.6 (3) of the Blayney LEP 2012; and
- The proposal is not in the public interest because it is inconsistent with the objectives within the RU1 zone, and inconsistent with the objectives of the 100ha standard.

The reasons for refusal are elaborated upon as follows:

- a) The proposal does not align with Council's structured and planned strategic approach to the location of lifestyle allotments under the Rural and Industrial Land Use Strategy 2008.
- b) The development has the potential to create a precedent for the establishment of lifestyle blocks within the entire RU1 Primary Production zone of the Blayney Shire Local Government Area with no strategic rationale, is inconsistent with the State Environmental Planning Policy (Rural Lands) 2008, is inconsistent with the objectives of the Blayney LEP 2012, is inconsistent with the RU1 zone objectives and inconsistent with the 100ha development standard objectives.
- c) The development is proposed in isolation, with no strategic analysis of supply and demand for rural residential allotments, and no analysis of the environmental impacts of soil capability and service provision in the context of future development of the surrounding lots.
- d) The development has the potential to create landuse conflict with adjoining agricultural landuses, having regard for current and future agricultural activities, and the efficient and effective operation of agricultural land.
- e) The proposal has the potential to have an adverse visual impact on the locality, with no indication of possible mitigation measures.

An AMENDMENT was MOVED

That Council defer this matter to the May Council Meeting at the request of the owner for determination (Ferguson/Somervaille)

The Amendment, on being put, was WON

The Amendment became the RESOLUTION

RESOLVED:**1603/015**

That Council defer this matter to the May Council Meeting at the request of the owner for determination (Ferguson/Somervaille)

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

FOR	AGAINST
Councillor Ewin	
Councillor Oates	
Councillor Kingham	
Councillor Somervaille	
Councillor Ferguson	
Councillor Radburn	
Total (6)	Total (0)

PLANNING PROPOSAL TO AMEND BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012 - HERITAGE ITEMS

1603/016

RESOLVED:

1. That, following consideration of the submissions received, Council proceed to endorse the amendments to heritage items within the Blayney Local Environmental Plan 2012 as identified in the business paper report presented to Council at the Ordinary Meeting of 11 May 2015.
2. That, Council, in exercising its delegations under Section 59 of the Environmental Planning and Assessment Act 1979, as endorsed by NSW Planning & Environment in the Gateway Determination, forward the relevant documents to Parliamentary Counsel for opinion, to make amendments to Schedule 5 of the Blayney Local Environmental Plan 2012, and the making of a Local Environmental Plan.
(Kingham/Radburn)

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

FOR	AGAINST
Councillor Ewin	
Councillor Oates	
Councillor Kingham	
Councillor Somervaille	
Councillor Ferguson	
Councillor Radburn	
Total (6)	Total (0)

PLANNING PROPOSAL: RURAL AND LARGE LOT RESIDENTIAL LANDS

1603/017

RESOLVED:

1. That Council forward a Planning Proposal to the Minister for Planning and Environment requesting a Gateway Determination to amend the Blayney Local Environmental Plan 2012 (BLEP 2012) by:
 - a) Transferring all land which is shown as “Deferred Matter”

- in BLEP 2012 (land is zoned 1(c) Rural Small Holdings under the Blayney Local Environmental Plan 1998) in the vicinity of Forest Reefs Road, Millthorpe to R5 Large Lot Residential under the Blayney Local Environmental Plan 2012 with a Minimum Lot Size of 2 Hectares.
 - b) Transferring all land which is shown as “Deferred Matter” in BLEP 2012 (land is zoned 1(c) Rural Small Holdings under the Blayney Local Environmental Plan 1998) in the vicinity of Browns Creek Road Blayney to R5 Large Lot Residential under the Blayney Local Environmental Plan 2012 with a Minimum Lot Size of 20 Hectares.
 - c) Extending the period of time specified in Clause 4.2A (4) of the Blayney Local Environmental Plan 2012 from 3 to 5 years,
 - d) Incorporating a new standard instrument boundary adjustment clause to permit simple boundary adjustments in rural areas on lots below the minimum lot size and/or greater than 10% variations in lot size.
 - e) Amending Clause 4.2A (3)(c) to add the words ‘under an environmental planning instrument’ before the words ‘before this Plan’, and,
2. If points 1a) and 1b) are adopted, to revoke Blayney Local Environmental Plan 1998. (Oates/Radburn)

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

FOR	AGAINST
Councillor Ewin	
Councillor Oates	
Councillor Kingham	
Councillor Somervaille	
Councillor Ferguson	
Councillor Radburn	
Total (6)	Total (0)

BLAYNEY 2020 MASTERPLAN AND IMPLEMENTATION STRATEGY

1603/018

RESOLVED:

That Council adopt the Blayney 2020 MasterPlan and Implementation Strategy. (Ewin/Somervaille)

MINUTES OF THE BLAYNEY SHIRE ACCESS ADVISORY COMMITTEE MEETING HELD ON THURSDAY 11 FEBRUARY 2016

1603/019

RESOLVED:

That Minutes of the Blayney Shire Access Advisory Committee Meeting, held on 11 February 2016, be received. (Oates/Ewin)

**MINUTES OF THE BLAYNEY SHIRE CEMETERY FORUM
MEETING HELD ON THURSDAY 11 FEBRUARY 2016**

1603/020

RESOLVED:

That Minutes of the Blayney Shire Cemetery Forum Meeting, held on 11 February 2016, be received. (Radburn/Oates)

DELEGATES REPORTS**WBC ALLIANCE EXECUTIVE OFFICER REPORT**

1603/021

RESOLVED:

That the report from the WBC Alliance Executive Officer to March 2016 meeting be received. (Ewin/Oates)

CLOSED MEETING

1603/022

RESOLVED:

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

ELECTRICITY PROCUREMENT

This matter is considered to be confidential under Section 10A(2) (c) (di) 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; AND commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it.

REQUEST FOR EXTENSION OF INTEREST FREE LOAN

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. (Ewin/Oates)

CONFIDENTIAL MEETING REPORTS**ELECTRICITY PROCUREMENT**

1603/023

RESOLVED:

1. That Council acknowledge that there are extenuating circumstances surrounding the procurement of electricity and as such Council should be excused from the tendering requirements under Section 55 of the Local Government Act 1993.
2. That Council engage Energy and Management Services to conduct the procurement process for electricity for the next rounds of small sites, large sites and street lighting contracts.
3. That Council delegate the authority to execute the contracts for the supply of electricity to the Mayor and General Manager. (Radburn/Oates)

REQUEST FOR EXTENSION OF INTEREST FREE LOAN

MOTION:

That Council approve an extension of the provision of the interest free loan approved in February 2015 (minute no. 1502/007) to four (4) years under the existing loan agreement arrangements, subject to negotiation of a satisfactory payment plan.

(Radburn/Oates)

An AMENDMENT was MOVED

That at the request of the borrower, Council approve an amendment of the loan agreement approved in February 2015 (minute no. 1502/007) by changing the first repayment date to 16 March 2017 and the second repayment date to 16 March 2018 subject to negotiation of a satisfactory payment plan.

(Somerville/Radburn)

The Amendment, on being put, was WON

The Amendment, became the RESOLUTION

1603/024

RESOLVED:

That at the request of the borrower, Council approve an amendment of the loan agreement approved in February 2015 (minute no. 1502/007) by changing the first repayment date to 16 March 2017 and the second repayment date to 16 March 2018 subject to negotiation of a satisfactory payment plan.

(Somerville/Radburn)

1603/025

RESOLVED:

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

AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 1603/023 TO 1603/024.

There being no further business, the meeting concluded at 7.06pm.

The Minute Numbers 1603/001 to 1603/025 were confirmed on 18 April 2016 and are a full and accurate record of proceedings of the Ordinary Meeting held on 21 March 2016.

Cr S Ferguson
MAYOR

Mrs R Ryan
GENERAL MANAGER

02) COUNCIL RESOLUTION REPORT**Department:** Executive Services**Author:** General Manager**CSP Link:** 6.3 A well-run Council organisation.**File No:** GO.ME.1**Recommendation:**

That Council notes the Resolution Report from July 2014 to March 2016.

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 provided 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 Director 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 a Resolution Report on a quarterly basis.

Report:

This Council Resolution Report includes Council Resolutions up until the March 2016 Council Meeting.

Council currently has 5 resolutions 'in progress'.

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

Meeting	Resolution Number	Subject
Confidential Ordinary Council Meeting 16 November 2015	1511/020	Inala Units
RESOLVED		
With the view to changing the purpose of the housing for Inala Units from Retirement to Residential, that Council;		
<ol style="list-style-type: none"> 1. approves the proposed transfer of the remaining 2 leases to a Residential Lease under the Residential Tenancies Act. 2. approve the management and control of these remaining two units to 		

<p>Council’s Property Management Services Agent, Kennedy Real Estate Blayney and;</p> <p>3. note that a further report will be provided to Council for consideration regarding the Inala Units matter.</p> <p style="text-align: right;">(Kingham/Ewin) CARRIED</p>		
<p>Status 30 Mar 2016 Tenants under Retirement Villages Act, administered by Council engaged. Negotiations ongoing.</p>		
Meeting	Resolution Number	Subject
<p>Ordinary Council Meeting 15 February 2016</p> <p>RESOLVED</p> <p>1. That Council prepare a Planning Proposal to amend the Blayney Local Environmental Plan 2012 for Rural and Large Lot Residential Areas, including;</p> <p>a) Insertion of a new standard instrument boundary adjustment clause,</p> <p>b) A minor wording amendment to Clause 4.2A,</p> <p>c) To extend the period of time specified in Clause 4.2A (4) of the Blayney Local Environmental Plan 2012 from 3 to 5 years,</p> <p>d) To transfer all land which is zoned 1(c) Rural Small Holdings under the Blayney Local Environmental Plan 1998 in the vicinity of Forest Reefs Road Millthorpe to R5 Large Lot Residential under the Blayney Local Environmental Plan 2012 with a Minimum Lot Size of 2 Hectares,</p> <p>e) To transfer all land which is zoned 1(c) Rural Small Holdings under the Blayney Local Environmental Plan 1998 in the vicinity of Browns Creek Road Blayney to R5 Large Lot Residential under the Blayney Local Environmental Plan 2012 with a Minimum Lot Size of 20 Hectares,</p> <p>2. That Council continue with the Employment Lands Study, including an industry engagement evening with key stakeholders in March 2016.</p> <p>3. That Council proceed to prepare a Planning Proposal to rezone the area described “Blayney West” from RU2 Rural Landscape to appropriate residential zoned land.</p> <p>4. That Council proceed to develop a comprehensive Development Control Plan for the Blayney Shire LGA prior to January 2017.</p> <p style="text-align: right;">(Oates/Ewin) CARRIED</p>	<p>1602/027</p>	<p>Strategic Planning Projects</p>
<p>Status 06 Apr 2016 In progress</p>		

Meeting	Resolution Number	Subject
Ordinary Council Meeting 21 March 2016	1603/010	Tender for Provision of Traffic Control Services
<p>RESOLVED</p> <p>1. That Council accept the tender from Midwest Traffic Management for Contract 726946 Provision of Traffic Control Services;</p> <p>2. That Council authorise the signing and attachment of the Council Seal to the instrument of agreement, and other associated documents between Blayney Shire Council and Midwest Traffic Management.</p> <p style="text-align: right;">(Radburn/Somerville)</p> <p style="text-align: right;">CARRIED</p> <p>Status 06 Apr 2016 In progress.</p>		
Meeting	Resolution Number	Subject
Ordinary Council Meeting 21 March 2016	1603/015	Development Application 165/2015 – Erection of Dwelling – Lot 40 DP 263360, 37 Graham Lane, Millthorpe
<p>RESOLVED</p> <p>That Council refuse Development Application 165/2015 for a proposed dwelling on Lot 40 DP 263360, 37 Graham Lane, Millthorpe, because:</p> <ul style="list-style-type: none"> • Council is not satisfied that the applicant has adequately addressed the matters set down under Clause 4.6 (3) of the Blayney LEP 2012; and • The proposal is not in the public interest because it is inconsistent with the objectives within the RU1 zone, and inconsistent with the objectives of the 100ha standard. <p>The reasons for refusal are elaborated upon as follows:</p> <ol style="list-style-type: none"> a) The proposal does not align with Council’s structured and planned strategic approach to the location of lifestyle allotments under the Rural and Industrial Land Use Strategy 2008. b) The development has the potential to create a precedent for the establishment of lifestyle blocks within the entire RU1 Primary Production zone of the Blayney Shire Local Government Area with no strategic rationale, is inconsistent with the State Environmental Planning Policy (Rural Lands) 2008, is inconsistent with the objectives of the Blayney LEP 2012, is inconsistent with the RU1 zone objectives and inconsistent with the 100ha development standard objectives. c) The development is proposed in isolation, with no strategic analysis of supply and demand for rural residential allotments, and no analysis of the environmental impacts of soil capability and service provision in the context of future development of the surrounding lots. d) The development has the potential to create landuse conflict with adjoining agricultural landuses, having regard for current and future agricultural activities, and the efficient and effective operation of agricultural land. e) The proposal has the potential to have an adverse visual impact on the 		

locality, with no indication of possible mitigation measures.
 An AMENDMENT was MOVED
 That Council defer this matter to the May Council Meeting at the request of the owner for determination (Ferguson/Somerville)
 The Amendment, on being put, was WON
 The Amendment became the RESOLUTION
RESOLVED:
 That Council defer this matter to the May Council Meeting at the request of the owner for determination.
 (Ferguson/Somerville)
CARRIED

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

FOR	AGAINST
Councillor Ewin	
Councillor Oates	
Councillor Kingham	
Councillor Somerville	
Councillor Ferguson	
Councillor Radburn	
Total (6)	Total (0)

Status

06 Apr 2016

Council defer this matter to the May Council Meeting at the request of the owner for determination

Meeting	Resolution Number	Subject
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Ordinary Council Meeting 21 March 2016	1603/017	Planning Proposal: Rural and Large Lot Residential Lands
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RESOLVED

1. That Council forward a Planning Proposal to the Minister for Planning and Environment requesting a Gateway Determination to amend the Blayney Local Environmental Plan 2012 (BLEP 2012) by:
 - a) Transferring all land which is shown as “Deferred Matter” in BLEP 2012 (land is zoned 1(c) Rural Small Holdings under the Blayney Local Environmental Plan 1998) in the vicinity of Forest Reefs Road, Millthorpe to R5 Large Lot Residential under the Blayney Local Environmental Plan 2012 with a Minimum Lot Size of 2 Hectares.
 - b) Transferring all land which is shown as “Deferred Matter” in BLEP 2012 (land is zoned 1(c) Rural Small Holdings under the Blayney Local Environmental Plan 1998) in the vicinity of Browns Creek Road Blayney to R5 Large Lot Residential under the Blayney Local Environmental Plan 2012 with a Minimum Lot Size of 20 Hectares.
 - c) Extending the period of time specified in Clause 4.2A (4) of the Blayney Local Environmental Plan 2012 from 3 to 5 years,
 - d) Incorporating a new standard instrument boundary adjustment clause to permit simple boundary adjustments in rural areas on lots below the minimum lot size and/or greater than 10% variations in lot size.

- e) Amending Clause 4.2A (3)(c) to add the words ‘under an environmental planning instrument’ before the words ‘before this Plan’, and,
 2. If points 1a) and 1b) are adopted, to revoke Blayney Local Environmental Plan 1998.

(Oates/Radburn)

CARRIED

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

FOR	AGAINST
Councillor Ewin	
Councillor Oates	
Councillor Kingham	
Councillor Somerville	
Councillor Ferguson	
Councillor Radburn	
Total (6)	Total (0)

Status

06 Apr 2016

In Progress - with DoPE for Gateway Determination

Enclosures (following report)

Nil

Attachments (separate document)

Nil

03) RISK, WORK HEALTH AND SAFETY QUARTERLY REPORT**Department:** Executive Services**Author:** Risk Officer**CSP Link:** 6.3 A well-run Council organisation.**File No:** GO.ME.1**Recommendation:**

That the Risk, Work Health and Safety Report for the quarter January to March 2016 be noted.

Reason for Report:

To update Council on Risk, Work Health and Safety activities and performance for the period January to March 2016.

Report:**Consultation**

- Health and Safety Committee met in February and WHS is discussed at weekly departmental meetings.
- Risk Management and WHS are included in the agenda for weekly MANEX meetings.
- All staff are encouraged to participate in risk management, health and safety and report any concerns to their representatives, supervisor or Risk Officer.

Specific WHS Hazards

Asbestos Inspections of Council Buildings were carried out during the first 2 weeks of February. Individual reports were prepared for 30 sites. An overarching Asbestos Register and Blayney Shire Council Asbestos Management Plan have been developed and may be accessed by all staff via the Council Intranet. This project was funded by the 2015 Statewide Mutual Rebate.

Training

3 staff members attended Electrical Test and Tag training in February. Council replaced the existing Testing device. Equipment registers and testing log are being developed.

Workers Compensation

There has been no Lost Time Incidents (LTI) during the quarter.

	2014-15	July-Sept 2015	Oct-Dec 2015	Jan-Mar 2016
Claims	3	2	3	0
Lost Time Incident	2	1	2	0
Days lost	18	2	4	0

Notifications of Injuries/Incidents/Hazards

	2014-15	July-Sept 2015	Oct-Dec 2015	Jan-Mar 2016
Injury	15	2	3	5
Incident	17	3	6	7
Hazard	16	2	2	2

SafeWork NSW

A SafeWork NSW representative visited the Council Depot on 2 February 2016 to conduct a manifest and placard quantity dangerous goods and hazardous chemical inspection. The SafeWork NSW Inspection Report identifying 8 improvement actions. 5 actions have been completed; 2 have been initiated and should be completed shortly at minimal cost. The final action is being investigated and an initial verbal report was given to the inspector in March.

Contractors

Contractors have been working on numerous projects during this period. Projects have included work at Redmond Oval, Blayney Showground, King George Oval, the Sewer Network, the Liberty Swing, the Office refurbishment, tree trimming and removal, survey work and Asbestos inspections. Staff conducted twelve site inductions with contractors. These inductions included hazard identification and implementing control measures.

Risk / WHS Inspections

Council staff conducted 12 Risk, Health and Safety inspections at project sites where Contractors were working. There were 8 documented inspections of Council staff worksites. The Risk and WHS inspections are an opportunity to audit health and safety documentation, work process, hazard identification and risk controls.

Volunteers

Project and site specific inductions occur on a regular basis. Volunteers have been inducted at Hobbys Yards Hall for some minor repairs and maintenance being undertaken.

Events

Blayney Farmers Markets, Textures of One and CentrePoint Open Day have been held without any WHS issues.

WHS Awareness

WHS Induction training was delivered to 40 Infrastructure staff members during January and February. All other staff are scheduled to attend the same presentation in April.

Business Continuity Plan (BCP)

A draft BCP has been developed by Council and a Business Continuity Management Interruption Response Analysis was conducted by Echelon on 30 March. This analysis was funded by StateWide Mutual. Their report will be finalised mid-April.

Issues:

Nil

Budget Implications:

Council's Workers Compensation third quarter payment (1/01/2016 – 31/03/2016) was \$28,084.

The Statecover financial incentive for 2015 rebated to Council in December was \$15,713.

The StateWide Mutual Risk Management 2015 incentive rebate for to Council in December was \$18,920.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

04) CARCOAR SCHOOL OF ARTS

Department: Executive Services

Author: General Manager

CSP Link: 5.4 Capable, self sufficient communities engaged in decision making about issues that affect them.

File No: CR.CC.1

Recommendation:

That in determining the best interests for the future of the Carcoar School of Arts, Council will make a commitment to;

1. assist and facilitate in the establishment of an alternative Incorporated Association to be Trustee that is supported by the local Carcoar community; and
2. provide support and recommendations to this Incorporated Association in regards to the governance, budgeting and insurance matters.

Reason for Report:

Council considered an updated report in regards to the request by the Trustee for the ownership of the Carcoar School of Arts Hall to be transferred to local government at the February 2016 meeting.

Council resolved that in considering the ownership of the Carcoar School of Arts building for the purpose of community land that further due diligence be undertaken by the investigation of the following matters:

1. Insurance
2. Legal costs
3. Building condition report and cost of any repairs
4. Council decision making during merger proposal guidelines
5. Any other matters. (**Resolution No 1602/008**).

Copies of the previous reports pertaining to this matter in November 2015 and February 2016 are enclosed following the report for Council information.

It is important to note that following the public meetings that were held in Carcoar in August and September 2015 a majority of those present voted in favour of transferring the School of Arts to local government control. There is strong support and an expectation that Council will agree to the request.

Report:**Insurance**

A desktop valuation of the Carcoar School of Arts was undertaken and based on the approximate floor areas, is very similar to the Shoalhaven School of Arts building in Berry which is valued at \$2.1 million. Based on Council's 2015/16 Insurance schedule a building with a valuation of \$2.1m would have a

2015/16 premium of \$6,602. Allowing for a 5% increase in insurance in 2016/17 this would equate to \$6,932.

Inclusion of this building would have no monetary impact with regards to Council's Public Liability cost.

Legal Expenses

Legal expenses for the property transfer is in the order of \$5,000 - \$7,000 depending on the complexity and Land and Property Information (LPI) charges.

Building condition report and cost of any repairs

A site inspection of the Carcoar School of Arts building was carried out by Council's Senior Health and Building Surveyor and Design Engineer on 23 March 2016. The purpose of the inspection was to attempt to ascertain the extent of maintenance works that will be required to bring the building back to a level that is fit for purpose.

In summary the School of Arts building is showing signs of serious dilapidation and will require major works to restore the structural integrity of the masonry walls at the rear of the building. The roof will also require repairs in the same area as it was noted that severe separation had occurred between the roof frame and the structural walls. This has most likely been the catalyst for moisture penetration leading to a degree of subsidence at the rear of the building.

The inspection revealed the following concerns;

- Subsidence is obvious at the rear of the building and the roof has separated from the wall
- Severe cracking in masonry walls
- External rear masonry wall has twisted/moved out of alignment
- Internal rear walls render and plaster are showing signs of dilapidation
- The Basement floor, under the stage, is demonstrating an uneven appearance possibly due to moisture penetration and the proximity of the bearers to the ground
- The electrical wiring throughout the building may also require some attention to ensure compliance with building standards.

However;

- Stormwater system appears adequate with a relatively new gutter and downpipes
- Generally the internal linings are in reasonable order with only minor repairs required.

The building inspection of the Carcoar School of Arts has revealed a level of dilapidation, the extent of which cannot be determined accurately from this initial inspection.

The building will require substantial funding to repair the damage caused over previous years and to restore it to a level fit for purpose and there is the question of the ongoing unsubstantiated maintenance budget.

It was recommended that a Structural Engineer be contracted to provide a thorough report on the current state of the building and estimate of costs. The cost of such an inspection and report is estimated to be \$5,000.

As this project has no budget allocation, the engaging of a Structural Engineer has not been proceeded with, until further direction of Council was sought.

Council decision making during merger proposal guidelines

In regards to the guidelines for decision making by Councils during a merger proposal, Council has to assess whether this is a normal operations matter. Or is it indeed changing the focus or service levels without due consideration of the financial burden on the newly merged council.

Contact has been made to the Office of Local Government and it was deemed acceptable that a community hall and the activities held from this facility is not out of the scope of a current Council service. This type of issue and level of service request has been presented to Council in the past. And Council has a number of NSW Crown Land facilities under its care and control which are detailed in the following November 2015 Business Paper report.

It is therefore appropriate for Council to make a decision on this matter.

Other Matters

The transfer of ownership and management to local government is detailed under s54B and s38 of the Local Government Act (1993).

Section 54B notes that a Council and the trustee may enter into an agreement for the land to be transferred, which may contain provisions about the purposes for which the land is to be used, and the land must be freed and discharged from any past estates or claim. Further Council must prepare a draft plan of management that has to be placed on public exhibition. On transfer to Council any assets, rights or liabilities, proceedings that were commenced by or against the trustees before the transfer is effected and any act, matter or thing done or omitted to be done will become the responsibility of Council.

Appreciating that the above are excerpts from pieces of legislation; the importance of Council, despite all good intentions, being aware of the potential liability should not be understated.

Issues:

Council must be comfortable with the risks associated with accepting the ownership of this community facility and these are not limited to the financial challenges. There is a history of significant good will and cooperation of the stakeholders who support the School of Arts. This includes the Lyndhurst RSL and Carmanhurst Museum which is housed upstairs; and Carcoar

Primary School P&F, Uralba Hospital Museum and Aged Care Service and the Carcoar Historical Society all of whom use the Hall for events and fundraising activities.

The Carcoar School of Arts Incorporated which had been managing the day to day operations for many years, whilst not involved currently, remain an incorporated body.

There are a group of local community members who have pulled together and are working with the Trustee managing the hall hire, paying the bills and undertaking minor R&M jobs to maintain the building as a safe public facility.

Council would certainly provide a positive outcome in terms of the leadership and direction for the community, who remain divided on this issue.

As demonstrated in the public meetings held in August and September last year when the majority of those present voted in favour of the Council option, there has since been letters received, a petition and representations to Council meetings both for and against this matter.

Ongoing Support

Council support and advice remains critical to the transition from one Trustee to another, and it is recommended that Council remain involved in facilitating this process. In addition Council can offer guidance into the governance and management issues for the new Trustee. It is essential that the liability and risk associated with the management of this asset be transferred from the sole Trustee to a community group, the members of which are protected under the Incorporated Associations Act (2009).

As an example; in providing a review of the potential Insurance costs, in regards to event organiser's public liability, Council's Risk Officer noted that under the current arrangements this cost and therefore the liability is not transferred to the hall hirer. Council charges a casual hall hire fee of \$94 for any uninsured body or individual for private events to cover Public Liability expense and a risk assessment is undertaken prior to the event being held.

Budget Implications:

As mentioned above there is no budget allocation in the current Operational Plan 2015/16 for the Carcoar School of Arts Hall. Should Council agree to the request, the following expenses could be expected to be incurred;

Upfront	Legal Fees	\$7,000
Per Annum	Insurance	\$6,900
	Electricity	\$2,500
	Rates and Charges	\$1,500
	R&M	\$5,000*
	TOTAL	\$22,900

This estimate is based upon the information in the Report and past audited financial statements of the incorporated body that was managing the halls operations until June 2015.

Income for Hall hire averaged \$2,300 for the past 2 financial years, and there was significant fund raising events and donations which contributed a further \$8,338 each year.

This cost does not include the resources required to prepare a Management Plan as per the legislative requirements for Council to assume the ownership of the School of Arts land.

A Management Committee or s355 Committee of Council would be essential for Council to manage the Hall operations on a day to day basis. Staff resources and time needed during the establishment phase until the new arrangements were working properly.

None of the structural or major issues that require significant investment and grant funding have been costed by a Structural Engineer. Based on local builders advice, pinning of masonry walls and alleviating subsidence could cost in the vicinity of \$100,000 - \$150,000.

Council would not be in a position, unless a capital infrastructure or Heritage grant could be sourced, to undertake this work. The community are well aware of this position and given the past support provided to the School of Arts it is anticipated that they would rally behind any fundraising activity.

* Note: The estimate for Repairs and Maintenance has been valued at \$5,000 per annum. Volunteer community groups will always manage to achieve greater value for money by the mere fact that they are not Council.

An incorporated body is better suited to attract 100% grant funding, and many local contractors do not add their oncosts as a community service. This does not happen for local government where grants are often \$ for \$ and procurement procedures in some respects limits the 'volunteer' contribution to be valued by contractors undertaking works.

An incorporated body is also eligible to attract Council financial support, the Rates and Charges donation of which is already included in Council's Financial Assistance Program.

Enclosures (following report)

- | | | |
|---|---|---------|
| 1 | November 2015 Council Resolution and Report | 8 Pages |
| 2 | February 2016 Council Resolution and Report | 4 Pages |

Attachments (separate document)

Nil

Cut Out – Council Meeting – 16 November 2015

EXECUTIVE SERVICES REPORTS

1511/008 CARCOAR SCHOOL OF ARTS RESERVE TRUST

RESOLVED:

That Council:

1. Note the report.
2. That a further report be brought back to Council in February 2016.
3. That the Mayor and any interested Councillors meet with the Trustee to discuss interim arrangements for the ongoing use of the Carcoar School of Arts.
(Ferguson/Radburn)

07) CARCOAR SCHOOL OF ARTS RESERVE TRUST**Department:** Executive Services**Author:** General Manager**CSP Link:** 6.1 Good governance across our communities.**File No:** CR.CC.1**Recommendation:**

For Council consideration.

Reason for Report:

For the past 5 months Council has been attempting to resolve the governance issues for the Carcoar School of Arts Trust. A resolution is not sought from Council at this stage, rather this is an opportunity for Councillors to read and digest the large amount of information. It is timely too that any issues or questions from Council may be clarified to be addressed further in a later report.

The objective of this involvement by Council is to seek a solution for the community and stakeholders so that maintenance, care and control of the School of Arts Hall is established for future generations.

Clarification is being sought from NSW Crown Lands School of Arts Reserve Trusts officers in terms of the impacts of the NSW Crown Lands review and proposed legislative changes. In particular, how this relates to a Council being a Trustee of a School of Arts Reserve Trust that is a privately owned Trust. These questions have yet to be answered formally, and could make the decision making process clearer.

Report:

Council facilitated a meeting in late June seeking a resolution to the management authority over the care and control of the Carcoar School of Arts Trust and Hall (School of Arts). Those attending included the Mayor and General Manager of Blayney Shire Council, a representative from the NSW Crown Lands Office; Geoff Braddon, and Mr Ron Murray. Mr Lance Lowe was an apology.

At that stage Council was aware that the sole trustee was Geoff Braddon.

Clarification of past events and direction was sought from NSW Crown Lands and in summary;

- The Institution is covered by the Trustees of Schools of Arts enabling Act 1902 (the Act)
- The Institution is a Private Trust
- The sole Trustee is Mr Geoff Braddon

- NSW Crown Lands have received and accepted resignations from former Trustees Mr Allan Kind (in 1990), Mrs Robyn Bell and Mrs Jennifer Wright (in 2002)
- Nominations as new Trustees for both Mr Ron Murray and Mr Lance Lowe were received by Crown Lands in 2002 however these were not processed as per the Act and have not been gazetted
- As it is 13 years since these nominations were received, Crown Lands do not intend to submit the request to appoint Mr Murray and Mr Lowe as Trustees to the Minister for approval
- The Carcoar School of Arts Incorporated which has undertaken the role of the day to day management has not been appointed or gazetted as Trustee by the Minister and therefore has no authority or formal jurisdiction over the Institution.

It was made clear at that meeting that none of the information provided by NSW Crown Lands should be considered as legal advice, and if any party is seeking clarification independent legal advice is recommended

Given that Trustees of Private Trusts are '*personally liable for actions taken on behalf of the institution, events occurring on the institution's property, or contracts entered into by the institution*' (s34 Trust Handbook); it has been recommended by Crown Lands that an incorporated body be appointed as the Trustee. It was also discussed that consideration be given to appointing the local government body, i.e. Blayney Shire Council as Trustee. Regardless of the final outcome the same process as noted above as per s34.1 of the Trust Handbook has to be implemented. Excerpts of the Trust Handbook are provided to Council in the attached documents pertaining to this report.

The appointment of a new trustee is detailed in the Act and Trust Handbook (s34.1). The timing of the public newspaper advertisements of the Special Meetings which were open to the public were scheduled as detailed in the Trust Handbook.

Disappointedly NSW Crown Lands were not in a position to provide assistance, so in the interests of Carcoar, the Mayor and General Manager agreed to facilitate the process of engaging the community to nominate and appoint a new Trustee.

Meetings

There are clearly a number of passionate and dedicated groups of people who have been connected to the School of Arts for many years. These stakeholders include the Lyndhurst RSL and Carmanhurst Museum which is housed upstairs, Carcoar School of Arts Incorporated, Carcoar Primary School P&F, Uralba Hospital Museum and Aged Care Service and the Carcoar Historical Society. As articulated in the recent Our Carcoar Community Plan 2015-2015 the Hall is considered of great value and an asset for future development of social and community activities.

The first public meeting was held on Thursday 20 August 2015 at the Carcoar School of Arts Hall with 53 people in attendance.

This is Page No. 22 of the Business Paper of the Ordinary Council Meeting of Blayney Shire Council held on 16 November 2015

The second public meeting was held on Thursday 17 September 2015, once again at the Carcoar School of Arts Hall with 52 people in attendance.

A secret ballot to vote for the option of a local incorporated body or Council as preferred trustee was as follows; Incorporated Body - 18 votes and Local Government - 33 votes.

The final motion then supported by the majority of those present was that the community approve the election of Blayney Shire Council as the preferred nominated trustee of the Carcoar School of Arts Trust.

Copies of the minutes of those meetings have been provided to Council within the attached documents.

Carcoar School of Arts Inc

The Carcoar School of Arts Inc, has presided over the School of Arts for many years. Up until the middle of the year, this committee which had a list of 2014/15 financial members of 26 people, were the accepted body which has cared for and fundraised for insurance, R&M and managed bookings. It was only when a Grant Application that required signatures of the Trust was it realised that there was only one Trustee.

Various representatives from this School of Arts committee were present at both public meetings, and the committee remain firm on their request to maintain the status quo.

They have provided Council with supporting information and attached as follows;

1. Audited financial statements for the past 2 years 2013/2015
2. Letter of Resignation Treasurer and Vice President (dated 28.08.15)
3. Letter Points for Consideration (dated 01.10.15)

It is understood an AGM was advertised to be held on Sunday 15 November 2015.

Community Support

A number of letters have been received by Council subsequent to the second public meeting which are attached for Councillors information including;

4. Letter Points for Consideration (dated 09.10.15)
5. Voting Carcoar School of Arts Trusteeship (dated 10.10.15)
6. Letter (dated 11.10.15)
7. Petition received 09.11.2015.

Crown Lands Review

In October 2015 the NSW Government released its response to the Crown Lands Legislation and Management Review which proposes a simpler legislative framework and other actions to support Crown Land management.

This review included the management of Reserve trusts, Commons and Schools of Arts.

There is proposed new consolidated legislation and repealing of existing Acts. The Government response in regards to the Schools of Arts, which is relevant to this matter and 'next steps':

- *It is proposed that where a School of Arts is on private land, the trustees will remain the legal owners of the land and will be able to deal with the land subject to the terms of any trust deed and the Trustee Act 1925.*

The Response to the Crown Lands Legislation White Paper has been attached for Councillor information under separate cover. It is available on the NSW Crown Lands website
http://www.lpma.nsw.gov.au/__data/assets/pdf_file/0004/206680/response-to-crown-lands-legislation-white-paper.pdf

Implications

Should Council become Trustee the land is transferred to Council as 'community land' and is 'freed of any trusts, estates, interests or provisions affecting the land.' As per the Local Government Act (1993) Council would be required to prepare, consult, publicly exhibit and adopt a Plan of Management.

As noted earlier in the report the effect of the Crown Lands Review and proposed legislation changes pertaining to Council Trusts; is not entirely clear. Whilst there is a suggestion that the management could be streamlined, in the case of NSW Heritage Listed School of Arts Trusts this may not be the case.

As an alternative governance model, Council is a logical and sensible option as Trustee. There are staff with the necessary skills and expertise on hand to professionally manage this valuable heritage item whilst maintaining the local ownership, encouraging and supporting community participation into the future planning and activities. Council would be a good Trust Manager, and has a number of community assets that it successfully looks after.

There is risk that if the community are not fully supportive of Council's involvement however well meaning, that the residents will become disengaged. Raised expectations by stakeholders and the perception that they no longer have ownership could add a financial burden to Council's Halls/Buildings budget. The support and volunteering effort by the community is critical for future fundraising, day to day management, cleaning and looking after the building.

Budget Implications:

Council would need to resolve if all or only part of the expenses were accepted to be included in the Operational Plan budget. Community assets such as this are often transferred to Council with the unrealistic expectation that all the R&M, WHS or improvements required can be addressed immediately. This was dispelled at the public meetings and it was conveyed

that Council believes the local interests and current stakeholders remain integral to the operations and future planning for the hall.

It was made clear to the community meetings that whilst Council was an option, it was very necessary that this have the full support of the community.

Also it was indicated that Council does not have the resources to be responsible for the day to day operations, cleaning, hall bookings and future planning. Therefore a School of the Arts Management Committee with representatives from the Carcoar community should be established to take ownership of future fundraising, applying for external grants and establishing hire fees or lease agreements.

A MOU or Licence Agreement could be established to facilitate such an arrangement.

Land

The site is zoned RU5 Village under the Blayney Local Environmental Plan 2012.

The land is located within the Carcoar Heritage Conservation Area, and is listed on the LEP as a locally significant heritage item. It is noted that the building is also listed on the State Heritage Register (as of 2 April 1999). As noted above, it is an institution with the meaning of the Trustees of Schools of Arts Enabling Act (1902) and the consent of the Minister is required to sell, lease or mortgage the property.

Repairs and Maintenance

In a pre DA meeting advice letter (January 2015) reference was made to proposed R&M works for the Carcoar School of Arts building which included;

- Attention to earthworks along the eastern side of the building to address stormwater impact on the building.
- Clearance of air vents along the lower walls.
- Cleaning of gutters and installation of gutter guards, down pipes and flashing.
- Repair to leak in the rear SE corner of the building.
- Repair to damaged plaster in the SE corner of the building.
- Repairs to rotten and subsided floor in kitchen and NE corner of the hall.

Council's Senior Health and Building Surveyor and Design Engineer undertook an onsite external inspection of the building on 6 October 2015. The following is a summary of that assessment of the condition and recommendations for remedial action.

- There is an existing drainage line (pipe) along the eastern side of the building which flows to the rear and out towards the river. This appears to be part of previous work carried out along the side of the building by the community in regard to drainage.

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- It is recommended that, given that the building appears to encroach across the boundary into the lane, a rubble drain needs to be constructed along the side of the building and directed into this pipe. The works should be assessed by a suitably qualified engineer prior to commencement.
- Cross floor ventilation should also be investigated for the building as well, to avoid too much drying out under the building, which may result in cracking of the structure.

There has been no costing made of these works, nor an internal inspection to the building undertaken.

A complete building inspection by a qualified structural engineer would be recommended for Insurance purposes, should Council become Trustee.

Heritage Value

Council should be aware of the minimum standards of maintenance and repair which are the responsibility of the managers of buildings listed on the NSW State Heritage Register.

Insurance

Council's Risk Officer has sought information from our Insurer should Council become Trustee of Carcoar School of Arts.

The building can be added to the property asset schedule. Council would need to provide the replacement value of the building and contents.

On the current property value schedule, halls in the villages are valued between \$122,000 (70m²) and \$315,000 (217m²) all of which are single storey weatherboard and/or corrugated iron construction. The School of Arts is double brick, about 400m² and on the State Heritage Register. This would suggest a value of at least \$500,000 (1,250/m²) without the museum contents.

A full independent property and building inspection report and valuation would be recommended prior to a decision being made by Council to accept the community request.

Once the building is added to the property asset schedule the Council Public Liability cover will also automatically provide protection and in terms of dollar amounts, there will be no impact with regards to Public Liability. There will be a premium payable for the Property (approximately \$1,600 per annum depending on the building and contents valuation) although this will be taken into consideration at renewal, there will be no immediate premium impact.

The Museum contents would need to be valued and insured. Long term occupiers of Council buildings are required to obtain contents and public liability insurance prior to any hire/occupancy agreement.

Casual hirers of the hall would need to abide by similar conditions of hire to the Blayney Community Centre. Proof of current Public Liability insurance is

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required for many functions. Casual Hirer Insurance cover is available from Council for \$94.00 per event (2015/16) subject to terms and conditions.

Council is Trustee of a number of public spaces, recreation and sporting reserves.

Location	Reserve Name	Trust Name
Blayney	King George V Park	BSC Crown Reserves Reserve
	Blayney Golf Course	Blayney Golf Course (R69798) Reserve
	Blayney Dakers Oval reserve	BSC Crown Reserves Reserve
	Adelaide Street reserve	Blayney Tennis Courts (R84340) Reserve
	Blayney Recreation reserve	BSC Crown Reserves Reserve
	Innes Park	BSC Crown Reserves Reserve Innes Park (R97872) Reserve Blayney SES Reserve
	Carrington Park	Carrington Park Reserve Carrington Park Reserve
Carcoar	Naylor Street playground	BSC Crown Reserves Reserve
	Carcoar playground	BSC Crown Reserves Reserve BSC Crown Reserves Reserve
Gallymont	Somers recreation reserve	BSC Crown Reserves Reserve
Lyndhurst		Lyndhurst Showground Reserve
Millthorpe		Redmond Park Reserve Millthorpe Park Reserve
Neville	Neville recreation reserve	BSC BSC Crown Reserves Reserve
	Neville recreation reserve	Neville Recreation Reserve Neville Bushfire Brigade (R97731) Reserve
Newbridge	Newbridge recreation reserve	BSC Crown Reserves Reserve

Attachments (separate document)

1	NSW Reserve Trust Handbook References	4 Pages
2	Minutes from Meeting held 20.08.2015	2 Pages
3	Minutes from Meeting held 17.09.2015	2 Pages
4	Financial Statements	3 Pages
5	Resignation of Treasurer and Vice President	1 Page
6	Letter Points for Consideration 01.10.15	2 Pages
7	Letter Points for Consideration 09.10.15	3 Pages
8	Voting Carcoar School of Arts Trusteeship 10.10.15	2 Pages
9	Letter dated 11.10.15	1 Page
10	Response to Crown Land Legislation	36 Pages
11	Petition received 09.11.2015	4 Pages

Cut Out – Council Meeting – 15 February 2016

EXECUTIVE SERVICES REPORTS**1602/008** **CARCOAR SCHOOL OF ARTS RESERVE TRUST**
RESOLVED:

That Council consider assuming the ownership of the Carcoar School of Arts building for the purpose of community land subject to the provision of the following investigation:

1. Insurance
2. Legal costs
3. Building condition report and cost of any repairs
4. Council decision making during merger proposal guidelines
5. Any other matters. (Ferguson/Kingham)

07) CARCOAR SCHOOL OF ARTS RESERVE TRUST**Department:** Executive Services**Author:** General Manager**CSP Link:** 5.4 Capable, self sufficient communities engaged in decision making about issues that affect them.**File No:** CR.CC.1**Recommendation:**

For Council Consideration.

Reason for Report:

Council considered a detailed report about the issues and matters arising for the trustee arrangements at the Carcoar School of Arts at the November meeting.

The report was noted and Council requested that a further report be bought back (**Resolution No 1511/008**).

Council direction is sought as to its agreement or otherwise to transfer the ownership of the Carcoar School of Arts to local government control, as requested by the Carcoar community in September 2015.

Report:

Clarification was sought from the NSW Department of Primary Industries (DPI) Lands, about the repeal of the Trustees of Schools of Arts Enabling Act (1902) the proposal of which is outlined in the Crown Lands Legislation White Paper (pp 34-35) which is attached under separate cover for Council information. The Minister has recently announced that the new Crown lands legislation will take place in 2016, and if made, will not come into effect until 2017.

As Carcoar is on private trust land there will be options upon repeal of the Act which are likely to be similar to what was outlined in the information sent to Schools of Arts in July 2012 as well as the ability to remain as a private trust under the Trustees Act 1925.

A copy of the November 2015 Report is provided to Council for reference purposes, which details the process undertaken that sought community input in to the matter of the preferred governance model for the School of Arts in Carcoar, outlining the insurance risk and possible day to day management structure for the institution.

This is Page No. 22 of the Business Paper of the Ordinary Council Meeting of Blayney Shire Council held on 15 February 2016

Issues:

Whilst the correct process engaging the members, to nominate and appoint a new Trustee, as per the Schools of Arts Enabling Act (1902) (s14) and Trust Handbook (s34.1) was undertaken, the definition of who is a 'member' was the subject of a teleconference between the current Trustee, Council and the DPI in December 2015.

A 'member' is a financial member of the institution and the recognised body that has managed the hall, care and upkeep, insurances, finances and bookings was the Carcoar School of Arts Incorporated. However at the time of the public meetings, as reported to Council in November 2015, there was no executive of the Carcoar School of Arts Incorporated, with all the minutes, books and financial control handed back to the sole remaining Trustee.

During the public meetings, it was unanimously agreed by all those attending that the interests and future governance arrangements of the School of Arts institution was of great concern to all the community. It was agreed that all stakeholders input and participation in the process would ensure that community goodwill and the best outcome for the School of Arts building would be achieved.

Under s54B Trustees of Schools of Arts Enabling Act (1902) Transfer of private trust land, council and the trustee may enter into an agreement for the land to be transferred to the council, must be discharged of any matter that could affect the land or its proposed purpose and usage, and is to be used and managed by the council as community land.

Council has to prepare a draft plan of management in relation to the land transferred to it and is required to advise the Minister for Local Government that it is preparing the draft plan which should take into account the purposes for which the land was held as an institution.

Budget Implications:

A transfer of private trust school of arts land to council occurs under Section 54B of the Local Government Act (1993). Advice from DPI Officer is that the Minister of Lands is not required to give consent to the transfer and all that is involved is a Deed of Transfer and notification to NSW Land and Property Information (LPI).

Council is seeking legal advice as to steps involved and estimated cost, which at the time of writing the report was not available, however will be conveyed as soon as comes to hand.

Given there is no purchase amount, the transfer may be only that of legal expenses, which should not be borne by Council. It is recommended that should Council resolve this way that any legal expenses be required to be paid for by the current Trust.

There will be some staff cost to manage and facilitate the transfer process and establish a community based Management Committee, develop an MOU Agreement, then ongoing supervision and oversight. This Agreement will be

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very clear in the understanding that Council as the owner will not assume responsibility for the costs of maintaining or operating the institution. The continued success and future of the School of Arts building must remain firmly in the hands of the stakeholders, user groups and community.

Enclosures (following report)

- | | | |
|---|--|---------|
| 1 | Carcoar School of Arts Letter 19.01.2016 | 2 Pages |
| 2 | November Council Meeting Resolution and Report | 8 Pages |

Attachments (separate document)

Nil

05) STAGE 1 CULTURAL CENTRE**Department:** Executive Services**Author:** General Manager**CSP Link:** 1.6 A vibrant local retail and business sector.**File No:** CS.LP.7

Recommendation:

1. That Council implement Stage 1 of the Cultural Centre Project at the Blayney Cottage at 97 Adelaide Street and progress the following;
 - a) Re-allocate funding for Cottage capital works in 2015/16 as detailed in the report;
 - b) Budget \$150,000 in the 2016/17 for refurbishment required, \$130,000 from the Blayney Town Restricted Asset as detailed in the report;
 - c) Lodge a Development Application for a Café/Coffee Shop at the Cottage in Blayney; and
 - d) Seek Expressions of Interest for the operation of a Café/Coffee Shop.
2. That a report be bought back to Council by 30 June 2016 in regards to the implementation of Stage 1.

Reason for Report:

Council have established a Cultural Centre Working Group to progress the concept of a Cultural Centre in Blayney.

A recommendation from the Working Group was accepted by Council at the March meeting to undertake an investigation and feasibility of the refurbishment of the Cottage with the view of including a commercial Coffee Shop operator and current Visitor Information services as Stage 1 of the Cultural Centre project (**Resolution No 1603/001**).

Report:

In early 2015, the Blayney Shire Arts and Crafts Council Incorporated (BSACI) volunteers raised a number of issues that were looming, including;

1. The 20 year anniversary of the BSACI providing tourism information services for Blayney Shire in 2016
2. Reprint of the Blayney Visitor Guide, walking maps and Village Guides
3. Refurbishment of the Cottage and related WHS Issues
4. The age, and decline in numbers of volunteers and difficulty in sustaining Visitor Information Centre (VIC) operations unless we can attract more volunteers and/or younger members

Issues: 1, 2 and 3

The 20 year anniversary celebrations are certainly worth noting, and planning is underway for a celebratory luncheon to be held in September 2016.

This event to be hosted by the BSACI with Council at the Community Centre will include original and founding members, awarding of certificates or pins and a display of memorabilia.

The main purpose is for the acknowledgement of the contribution that the BSACI have made to promoting Blayney Shire over the past 20 years.

With the appointment of Council's Community Development and Tourism Promotions Officer, the visitor guides, signage and maps have been updated professionally and funded either by Council's Tourism budget or the Village Enhancement Program. There is ongoing promotion of the BSACI volunteers and support provided from Council whenever and wherever appropriate.

The smaller building R&M, internet access and other WHS matters have been dealt with as required within the Cottage budget.

Issue 4: Future Sustainability

In regards to the issue of the current volunteer arrangements with the VIC as the sole occupier of the Cottage, there are a number of points worth noting.

There is a Memorandum of Understanding (MOU) agreement between the BSACI and Council, enclosed for Councillors information following this report, which details the responsibilities of each party. The latest version of this MOU was signed in 2013, noting the provision by Council of the Seniors Kiosk and expectation that the Cottage is an accredited Level 3 VIC with the Australian Visitor Information Centre (AVIC). A level 3 accreditation is dependent on the VIC operating a minimum of 5 days per week and must include weekends. Accreditation provides approval for the 'i' sign and promotion on the AVIC network website and guidebooks.

A couple of younger members have joined the BSACI in the last year and following a successful school holiday program there was a Children's Art exhibition at the Cottage held in September 2015. Despite this recent activity and interest however, the age and ongoing health of the volunteers remains their greatest challenge.

The completion of the Blayney 2020 Master Plan and convening of the Cultural Centre Working Group has generated a discussion of what potential there is for a Cultural Centre in Blayney.

Blayney's current Tourism Strategy supports targeted marketing and promotion that is leveraged from both Bathurst and Orange Visitor Information Centre's, Central NSW Tourism, Taste Orange and Arts OutWest. Our social media communications and internet presence is the cheapest and most effective tool that is adding value to local tourism operators.

Importantly local businesses and community groups who are conducting events in the shire are providing the events needed to attract visitors.

Council does not have, nor is it foreseeable that in the next 4 year Delivery Program to provide a budget allocation for Visitor Information services by Council employees. Similar 7 day a week VIC's with 2.5 staff can cost up to \$300 - \$500K per annum.

We have commercial operators in each of our villages who provide the face to face tourism information services with brochures and maps of the shire.

Issues:

A successful Cultural Centre would be a community hub incorporating a mix of volunteer, council provided and commercial enterprises. There is potential to incorporate; a Library, Museum (Viv Kable Collection), family history space, VIC, Art Gallery and community meeting rooms. Innovative use of space can be provided by moveable feature walls and book shelves on wheels to provide flexibility and options. The main advantage is the sharing of customer service resources and multi delivery of services to benefit the community.

Councils Heritage Advisor was engaged to provide a report in regards to the Cultural Centre concept. Advice was sought in regards to how a Cultural Centre could be sympathetically designed and incorporated into the CBD location from either within or behind the Cottage.

In summary, as detailed in the enclosed Heritage Report, there are avenues for the development to retain the heritage character of the site whilst building for new uses. The site has the capacity for the provision of a centrally located Cultural Centre with the preferred option being at the rear of the cottage, and parts of the facility could be included in the restored and adapted existing building whilst other elements such as the Library, Art Gallery, Museum and meeting spaces would be in the new building at the rear.

A pavilion concept with a glazed gallery space could link both the old and the new structures and would avoid major works to the existing building. The front façade and roof line of the existing building should be maintained and the side enclosed verandah be removed.

The Library being a destination does not need main street frontage and the drawcard from the main street should be the VIC. The advantage of this concept is that work undertaken at the Cottage would not be demolished in 2-3 years' time when and if a new Cultural Centre (Stage 2) becomes feasible to construct.

In February 2016, an inspection for asbestos was undertaken by an external contractor and the report is attached under separate cover.

The building is a single storey building consisting of brick and fibre cement external walls, brick internal walls, masonite and fibre board ceilings, timber floors and a metal roof. Identified materials containing asbestos include the external cement corrugated wall panels, resin electrical mounting board and internal fibre board wall and ceiling linings.

The risk level of exposure under current conditions is very low, with a recommendation to label as asbestos and re-inspect condition on an annual basis. The point of labelling is to ensure any building or refurbishments works promote awareness and pre-cautions are taken when manipulating material.

Stage 1

The addition of a commercial coffee shop/café enterprise at the Cottage offers an alternative delivery of tourism information services that could fill in the gaps when the BSACI volunteers were not available. It also lends itself to then be included in the Cultural Centre facility, and the café could be extended to service the Library and courtyard space.

The idea of an alternative or shared use for the Cottage was first raised last year and then again recently with the BSACI as a suggestion for adding value to the VIC services and supporting the volunteers.

This proposal is permissible within the current zoning of the Blayney LEP 2012 and would be subject to a development application (DA).

Lease Agreement

Council does not have a desire to be operating a café or coffee shop to compete with private owners of mainstreet premises. Nor be seen to be providing a subsidy that would advantage trade from one operator over another. To ensure the issues of competitive neutrality is addressed Council would undertake an open and transparent Expression of Interest (EOI) process seeking local commercial operator interest in operating a café/coffee shop at the Cottage.

There has been a concern raised during public consultation for the Blayney 2020 MasterPlan and recent Building a Better Blayney community planning workshops about local cafés and coffee shops not being open on Public Holidays or weekends in Blayney at peak tourist times.

Therefore it would be reasonable for Council to establish a Commercial Lease with some MOU arrangements such as;

- sharing of space for Visitor Information services
- co-location and support for Cottage Volunteers
- Meeting space accommodated for CanAssist, Red Cross and Craft groups AH when needed
- Trading Hours to include Public Holidays and Weekends

Stage 2

Stage 2 of the Cultural Centre has been programmed for completion in draft Delivery Program in 2019/20 at an estimated cost of \$2m and is subject to external grant funding being received for \$1.5m.

In order to provide an investment ready project that will meet a variety of grant opportunities, a request for \$100,000 has been made in the 2016/17 budget for the preparation of Architectural drawings, Building Plans, Council DA/CC approval and Business Case.

When the Cultural Centre Working group have finalised the most desirable location for Stage 2, concept plans will be prepared for Council review.

It should be noted that Stage 1 as proposed above can be stand-alone project and the success is not reliant on Stage 2.

Budget Implications:

Council has budgeted an amount of \$20,000 this financial year for both internal and external painting for the Cottage. Works have been scheduled for the month of April/May.

Council's Senior Health and Building Surveyor and Director Planning and Environmental Services have inspected the Cottage and provided some recommended works and budget as follows.

It is proposed that should Council determine to proceed with the Stage 1 Cultural Centre Project that the works programmed for this financial year will include; painting exterior of the building and modification of the external toilet doorways and hand rails to make public toilets compliant to disabled access regulations.

In preparing for the 2016/17 Operational Plan a request is made for \$150,000; \$130,000 of which is from the Blayney Town Works Restricted Asset for the works required to refurbish the Cottage. Works include; installation of a commercial kitchen with approved Liquid Trade Waste separator, floor linings, installation of a new roof, doorways to make inside of building wheelchair accessible, craft/art and visitor information display units, internal painting and other miscellaneous works.

The electricity, water rates and cleaning expense would be payable by the tenanted business. Currently this cost to Council is \$8,000 per annum.

It would be appropriate for Council to retain the responsibility of cleaning and servicing the external Public Toilets which are open 7 days a week.

Based on commercial Blayney CBD rental, income could be in the vicinity of \$10,000 to \$13,000 per annum.

Options

In the event that there was no interest in a commercial operator leasing premises at the Cottage for the purposes of a café/coffee shop, the projects undertaken in 2015/16 remain as positive improvements.

The 2016/17 budget allocation would be reviewed and modified as approved by Council to include only those works required for WHS, disabled access and recommended building maintenance.

Enclosures (following report)

- | | | |
|---|-----------------------------|---------|
| 1 | Memorandum of Understanding | 3 Pages |
| 2 | Heritage Advisor Report | 7 Pages |

Attachments (separate document)

- | | | |
|---|----------------------------|----------|
| 3 | Asbestos Inspection Report | 28 Pages |
|---|----------------------------|----------|

BLAYNEY SHIRE COUNCIL
15 OCT 2015
Doc. No.
Verified:
Disp. GA39:
LD Sent. PURPOSE

Initials: 

Memorandum of Understanding
between
Blayney Shire Council
and
Blayney Shire Arts & Craft Council Incorporated

The purpose of this memorandum of understanding is to outline the general principles for a collaborative approach to the operation of the Blayney Tourist and Community Information Centre, 97 Adelaide Street, Blayney.

DEFINITIONS

1) In this document the following definitions will apply:

Council: means Blayney Shire Council

BSACI: means Blayney Shire Arts & Craft Council Incorporated

Cottage: means Blayney Tourist and Community Information Centre, 97 Adelaide Street, Blayney.

COMMENCEMENT & PERIOD OF OPERATION

2) This Memorandum of Understanding (MOU) will commence on the day it is signed by the parties and will continue in force until either party advises in writing that it no longer wishes to participate in the MOU.

ACKNOWLEDGEMENTS

3) The parties acknowledge that:

a) The aim of the Blayney Tourist and Community Information Centre is to provide a meeting venue and be an information service to the community and visitors as required.

GENERAL

4) The parties acknowledge that:

a) Level 3 accreditation to be maintained subject to conditions being satisfied.

b) Use of the Blayney Tourist and Community Information Centre letterhead shall be restricted for tourism purposes.

c) An allocation of two (2) car spaces for volunteers / members of BSACI shall be set aside

Initials: JP BR

FUNDING CONTRIBUTION

- 5) Council will provide funding support for the operation of the Cottage including charges associated with rates, sewer, water, building maintenance, utilities, internet, computer and fax upgrades / maintenance, smoke alarms and fire equipment.
- 6) Council will provide support to facilitate stocks of promotional material, of a general nature e.g. maps, brochures, new resident kits and information on localities within Blayney Shire, being maintained subject to budgetary constraints.
- 7) Council will provide a computer, printer, fax machine and telephone and bear all costs of services associated with this equipment.
- 8) Council will provide 100% funding for public liability insurance purposes through the Financial Assistance Program.
- 9) Council will be responsible for the Seniors Kiosk including computers, desk and 2 office chairs. Upgrade / replacement of the Seniors Kiosk will be subject to the availability of the current funding program. Council reserves the right to cease this program in the event of discontinuation of funding.

REVIEW OF MEMORANDUM OF UNDERSTANDING

- 10) Through the Memorandum of Understanding, the Council and the BSACI agree that the Memorandum of Understanding is open to constant review and can be adjusted when all parties agree that it is required.

Signatures to this memorandum:

Witness:

N. W. McBarthy

Signature:

G. Wilcox
Glenn Wilcox
General Manager
Blayney Shire Council

Date: 14.10.2013

Witness:

B. Anderson

Signature:

B. Anderson
Barbara Anderson
Chairperson
Blayney Shire Arts & Craft Council Incorporated

Date: _____

**Business Pack New Business
Schedule**



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Period Of Insurance

Effective Date 07/05/2013
Expiry Date 4:00pm on 07/05/2014
Print Date 03/06/2013

Insured Details

Name

Insured Name Blayney Shire Arts & Crafts Council Inc.
Trading Name

Goods & Services Tax (GST)

Are you registered for GST NO
Your ABN
Your Input Tax Credit (ITC) entitlement % on the GST component of the premium

Blayney Shire Council Heritage Advisory Service

David Scobie Architects

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

Heritage

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

Introduction

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

Blayney Visitor Information Centre

Attention: GM: Rebecca Ryan & Patsy Moppett

Site

The site is within the central Conservation Centre
The building is listed on the LEP as a heritage item

Proposal

- **The Main Street project has raised the desirability of a centrally located community cultural facility which could include a library etc. The VIC is one opportunity which meets the location and ownership criteria. The heritage character would need to be retained while adapting the site and building for new uses.**



Figure 1 The street elevation of the VIC – former Public School Headmaster's House. The site is in need of new sympathetic landscape planting and appropriate signs. The side infill could be removed or set back.

David Scobie Architects Pty Limited
ABN 64 079 683 079

February 2016

Blayney Shire Council Heritage Advisory Service



Figure 2 The rear corner elevation showing accessible bathroom. This could be relocated into the new extension off an attractive courtyard between the heritage building and the Council offices



Figure 3 The rear elevation showing the clean site and capacity for extensions, subject to some car space re-allocation. A simple glazed gallery style link between the heritage building and the new cultural building would provide access plus produce two courtyards for active use.

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February 2016

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Figure 4 View to the rear from the side of the potential building site for the cultural centre



Figure 5 View from the main passage of the front door with capacity for route through to an extension

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Figure 6 One example of remaining heritage details which could be more fully restored



Figure 7 The redundant former bathroom which could be adapted for another use as it has no original remaining features

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February 2016

Blayney Shire Council Heritage Advisory Service



Figure 8 The former and current kitchen which could remain depending upon the future use or it could be adapted for another use subject to retention of the structure and original elements



Figure 9 The current main display and meeting space which consists of two rooms plus the central passage route/axis. This could be retained or adapted back into separate rooms off the passage

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February 2016

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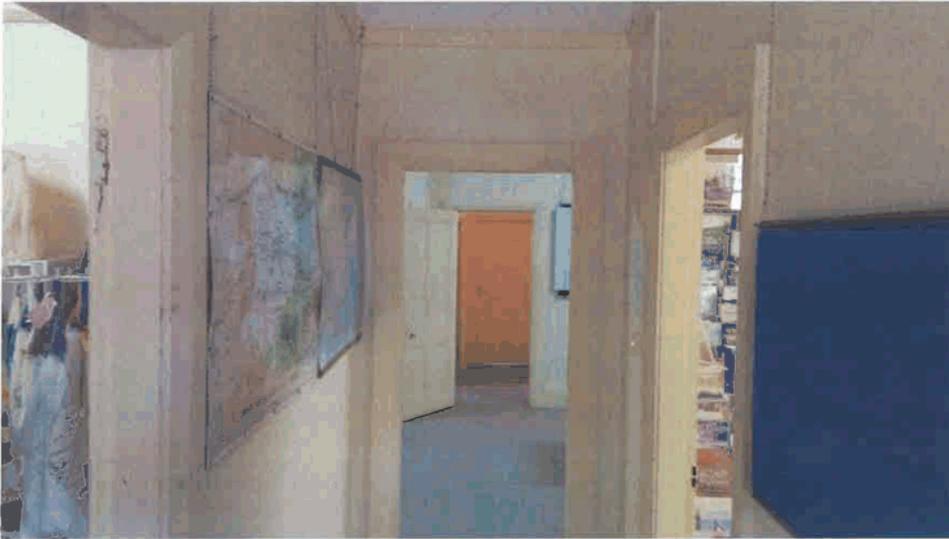


Figure 9 View of the main passage down towards the rear door which is the bathroom

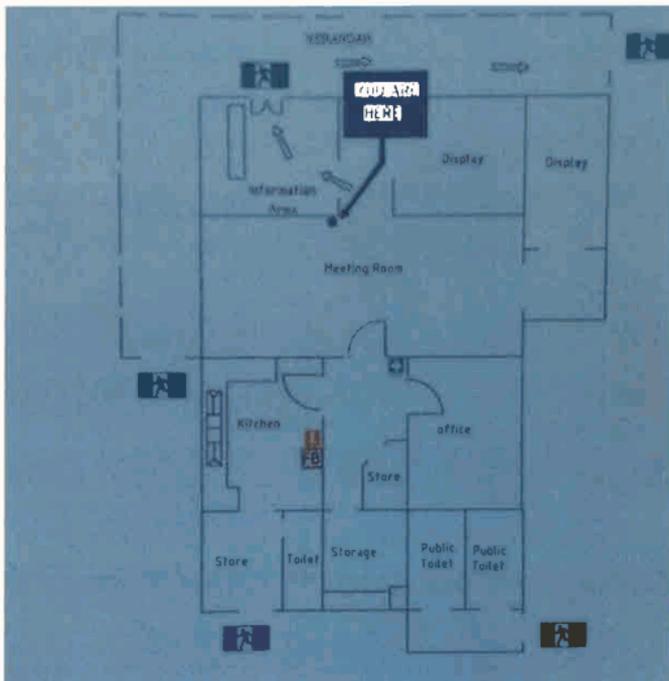


Figure 10 The floor plan showing the capacity for the central passage to serve both the existing and a substantial rear extension

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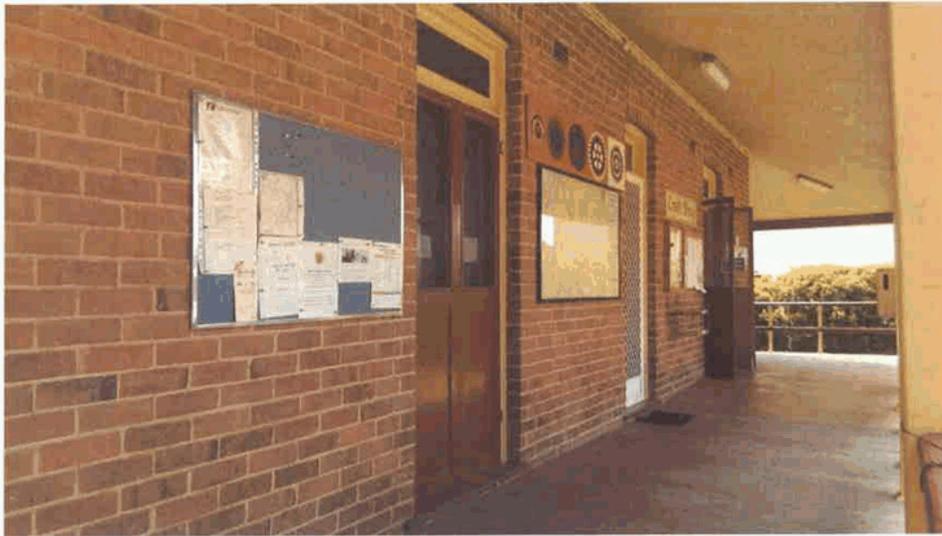


Figure 11 A view of the front elevation and verandah indicating the capacity for restoration

Summary

- The site has the capacity for provision of a central cultural facility with the preferred option being at the rear of the existing former Public School headmaster's House. Part of the facility such as the Visitor Centre would be included within the restored and adapted existing building while other elements such as the Library and meeting rooms would be in a new pavilion at the rear
- The new building would be well located off the existing car park and the pavilion concept would avoid major works to the existing building
- The Pavilion would allow a very flexible design internally and externally as only a glazed gallery space would link both structures
- The Pavilion would allow a separate entrance off a new courtyard and public gathering space between the existing council offices and the heritage building

David Scobie Architects Pty Limited
ABN 64 079 683 079

February 2016

06) MINUTES OF THE BLAYNEY SHIRE TOWNS AND VILLAGES COMMITTEE MEETING

Department: Executive Services

Author: General Manager

CSP Link: 5.4 Capable, self sufficient communities engaged in decision making about issues that affect them.

File No: GO.ME.1

Recommendation:

1. That the minutes of the Blayney Shire towns and Village Committee Meeting, held on 31 March 2016, be received.
2. That Council voice objections to Minister and Local Member to reduction of service at Blayney Railway Station.

Minutes:

**MINUTES OF THE TOWNS AND VILLAGES COMMITTEE MEETING
HELD ON THURSDAY 31 MARCH 2016
AT THE BLAYNEY SHIRE COMMUNITY CENTRE**

Meeting commenced at 6.10pm.

PRESENT

Richard Bloomfield, Vicki Pulling, Loretta Kervin, Kerry Cook, Judy Belecky, Cr Kevin Radburn, Alhazmi Shea, Elizabeth Russ, Wayne Moore and Tamara Miller.

APOLOGIES

Melanie Monico, Bruce Gordon, Kerry Adams, Cr Allan Ewin and Lesly Morris.

DISCLOSURES OF INTEREST

Nil.

MINUTES FROM PREVIOUS MEETING – 10 DECEMBER 2015

Recommended that the minutes from the previous Towns and Villages Committee meeting held on 10 December 2015 be adopted.

(Judy Belecky/Wayne Moore)

BUSINESS ARISING

Nil.

**SIGNAGE FOR SHIRE LOCALITIES SUCH AS KINGS PLAINS
(ELIZABETH RUSS)**

Welcome to signs for the following localities requested;

- Hobbys Yards signs are up.

- Forest Reefs
- Talwood
- Kings Plains
- Moorilda
- Hobbys Yards Road and Newbridge Road approaches to Blayney.

Action: GM to include Welcome to Signs for localities in 2016/17 VEP program.

VILLAGE ENHANCEMENT PLAN UPDATE

- Mandurama Town Flyers in development.
- Community Information Boards
- Carcoar Brochure – Melanie.
- Community Notice Board.

COUNTRY LIFESTYLE MAGAZINE

- Blayney Shire Council have an advertising feature in the Summary issue (December 2016). At a cost of \$9K which is being funded from Council's Tourism budget.

TOURISM ADVERTISING

- Caravanning Australia magazine, Country Style (with Orange and Cabonne Councils), Canowindra Phoenix and Forbes Phoenix (3 month contract)

COUNCIL CONNECT – E-NEWSLETTERS

- Subscription via Council's website or Facebook page to choose preferences for regular communications e.g. what's on, media releases, invitations, tourism and business news, community newsletter.
- Distribution via new MailChimp tool starting with the what's on for April.

EVENTS

- Blayney Hay Bale Art Challenge (3-10 April)
 - Tag along to B2B
- Social Media Workshop (Monday 4 April) 9am to 11.30am – registrations already at 50 people and being well received.
- NAB B2B Cyclo Challenge (Sunday 10 April). 2BS Radio Live Cross, 2 Coffee Vans, BSC Marquee with Visitor Information and Cancer Council Sponsored Sunscreen and Risk Prevention Information. Deputy Mayor to start event.
- F.O.O.D. Week (8-17 April). Sunday 17 April Blayney Farmers' Market Long Lunch and Local Wine Event, Millamolong Polo, Angullong Wines Tasting Evening, Tonic and Old Mill participation.
- Blayney Visitor Centre 20 Year Celebrations (Saturday 17 September)

- Hobbys Yards 75 Year Anniversary (Saturday 28 May)
- Lyndhurst Market Day (Sunday 23 October)
- Dialogue – Orange, Mudgee, Dubbo, Bathurst – Annual Running Championships
 - i.e. Carcoar Cup
 - Creating a reason to come to Carcoar.
 - NSW Forestry – Run by the Summit.

VILLAGE COMMUNITY PLANS

Underway with Neville workshop scheduled for 20 April at the Neville Memorial Hall. Anticipating plans will be finalised and presented to May Council meeting. First drafts for Blayney, Lyndhurst and Mandurama to be presented to local groups. Newbridge has reviewed version for exhibition to be organised.

DELEGATES REPORTS

Newbridge

- Swap Meet successful.
- Planning for Winter Solstice.
- Tennis Courts working well.

Neville

- Watering Showground FAP grant application submitted
- Toilet at Park relying on school being resolved with VEP funding
- ANZAC Service on Sunday 17 April 2016.

Hobbys Yards

- Water tank slab laid.
- Incorporated Body Hobbys Yards Community Association.
- 75th Anniversary to be held on 28 May.
- Volunteers inducted for works undertaken at Hall.

Barry

- School gutters, tank stand completed.

Kings Plains

- Fire Shed extension – meeting room and kitchen.

Blayney Town Association

- Town Community Plan
- Hay Bale Challenge
- Sports Council becoming subcommittee
- Textures of One – 5 local artists – disappointing attendance on the Saturday despite a successful Friday evening and launch.

Lyndhurst

- Team Penning going well.
- Café opening in June.
- Flooding issue resolved.
- Campground gaining momentum.
- ANZAC Day.
- Hall – Craft Ladies, Men’s Shed.
- Quotes for hall painted / refurbishment opportunity.

Carcoar

- Australia Day Fair – successful event.
- Financial legacy – having to deal with Fair Trading, clearing issues.
- Railway Station lease – scoping cost implications and opportunities.
- Uralba Retirement Villages good occupancy, viable and healthy. Grant received for sprinklers from Federal Government.

GENERAL BUSINESS**Long Weekend in Blayney**

Is an issue for visitors and even locals that there was not a coffee shop open in Blayney. Agreed was a BTA project to get the businesses to share Public Holidays and work together. Further to this, if a Café/Coffee Shop was to operate from the Cottage, Public Holidays and weekends could be a requirement of lease agreement.

Blayney Rail Station Closure

RECOMMEND: That Council voice objections to Minister and Local Member to reduction of service at Blayney Railway Station.

- Aging population
- Security
- Toilets
- Vandalism
- Villages access

(Elizabeth Russ/Alhazmi Shea)

Merger proposal Orange/Cabonne

Update provided

Carcoar Road Bridge Replacement

GM advised NSW Fisheries have approved design of wet crossing and works scheduled following Snake Creek wet crossing.

NEXT MEETING

Next meeting will be held Thursday 16 June 2016.

MEETING CLOSE

There being no further business the meeting closed at 8.20pm.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

07) MINUTES OF THE CULTURAL CENTRE WORKING GROUP MEETING HELD ON MONDAY 4 APRIL 2016

Department: Executive Services

Author: General Manager

CSP Link: 5.4 Capable, self sufficient communities engaged in decision making about issues that affect them.

File No: ED.LI.2

Recommendation:

That the minutes of the Cultural Centre Working Group Meeting, held on Monday 4 April 2016, be received.

Minutes:

MINUTES OF THE CULTURAL CENTRE WORKING GROUP MEETING HELD ON MONDAY 4 APRIL FEBRUARY 2016 AT THE BLAYNEY SHIRE COMMUNITY CENTRE

Meeting commenced at 6.34pm.

PRESENT

Cr David Kingham (Chair), Rebecca Ryan (General Manager), Gwenda Stanbridge, Penny May, Loretta Kervin, Tom Williams, Betty Williams, Ian Tooke and Elizabeth Russ.

APOLOGIES

Cr Scott Ferguson, Cr Allan Ewin and Jan Richards.

DISCLOSURES OF INTEREST

Nil

MINUTES FROM PREVIOUS MEETING – 29 FEBRUARY 2016

Recommended that the minutes from the previous Cultural Centre Working Group Meeting held on 29 February 2016 be adopted.

(Ian Tooke/Elizabeth Russ)

PRESENTATION ON ART EXHIBITION SPACES – PENNY MAY

Report tabled – ‘Regional Galleries of NSW Design, Planning and Development Manuel – A Checklist for Planning a Regional Gallery’.

STAGE 1 VIC/COTTAGE INVESTIGATION REPORT - GM

Stage 1

- Following inspection by Council Building and Planning staff, the matter was discussed and budget proposal for Stage 1 to be presented to April Council meeting.

GENERAL BUSINESS

Land adjacent to Cottage is an opportunity for investigation for Stage 2, as are other main street options. Parking spaces and access to Adelaide Lane to be investigated.

Action: Members to think about Cottage and other main street options that may not have been discussed for desirability/appropriateness for Stage 2

NEXT MEETING

Next meeting will be held Monday 2 May 2016.

MEETING CLOSE

There being no further business the meeting closed at 7.20pm.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

08) REPORT OF COUNCIL INVESTMENTS AS AT 31 MARCH 2016

Department: Corporate Services

Author: Accountant

CSP Link: 6.3 A well-run Council organisation.

File No: FM.IN.1

Recommendation:

1. That the report indicating Council’s investment position as at 31 March 2016 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

Reason for Report:

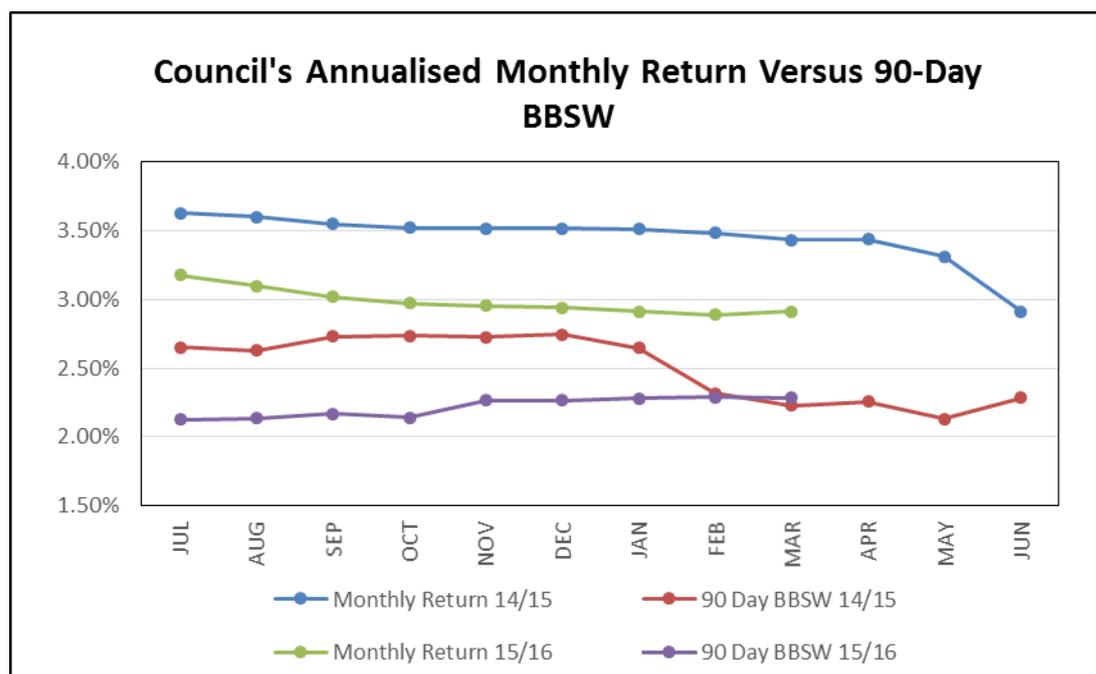
For Council to endorse the Report of Council Investments as at 31 March 2016.

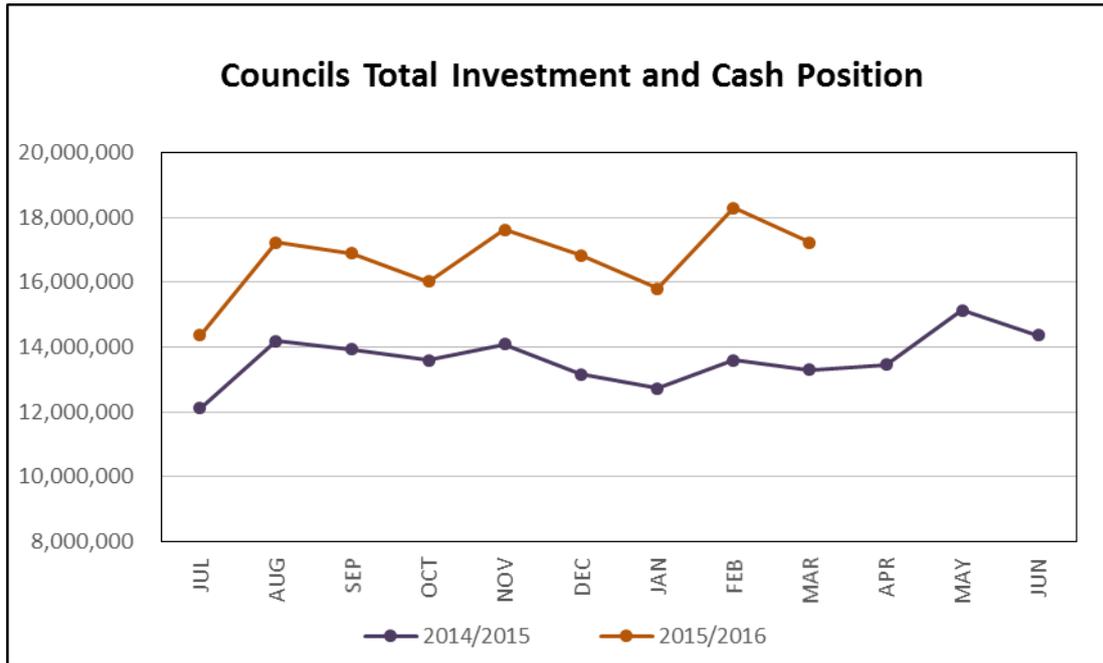
Report:

This report provides details of Council’s Investment Portfolio as at 31 March 2016.

Council’s total investment and cash position as at 31 March 2016 is \$17,222,890. Investments earned interest of \$41,219 for the month of March 2016.

Council’s monthly net return on Term Deposits annualised for March of 2.91% outperformed the 90 day Bank Bill Swap Rate of 2.28%.





REGISTER OF INVESTMENTS AND CASH AS AT 31 MARCH 2016				
Institution	Rating	Maturity	Amount \$	Interest Rate
AMP Bank	A1/A+	6/01/2017	500,000	2.85%
AMP Bank	A1/A+	10/05/2016	500,000	2.75%
AMP Bank	A1/A+	31/05/2016	500,000	2.75%
AMP Bank	A1/A+	26/04/2016	500,000	2.80%
AMP Bank	A1/A+	16/08/2016	500,000	2.90%
Auswide Bank Ltd	A2/BBB	7/03/2017	500,000	3.00%
Bank of Queensland	A2/A-	5/07/2016	500,000	3.05%
Bank of Queensland	A2/A-	26/07/2016	500,000	3.00%
Bank of Queensland	A2/A-	2/08/2016	500,000	3.05%
Bank of Queensland	A2/A-	15/08/2016	500,000	3.05%
Bankwest	A1+/AA-	5/04/2016	500,000	2.85%
Bankwest	A1+/AA-	3/05/2016	500,000	3.00%
Bankwest	A1+/AA-	12/07/2016	500,000	3.00%
Bankwest	A1+/AA-	14/02/2017	500,000	2.85%
Bankwest	A1+/AA-	14/06/2016	500,000	2.95%
Bankwest	A1+/AA-	29/06/2016	500,000	2.95%
Bendigo & Adelaide Bank	A2/A-	22/11/2016	500,000	2.80%
Bendigo & Adelaide Bank	A2/A-	14/06/2016	500,000	2.85%
IMB	A2/BBB	1/09/2016	500,000	2.80%
ING Bank	A2/A-	28/02/2017	500,000	3.10%
Macquarie Bank	A1/A	30/05/2016	500,000	2.70%
Macquarie Bank	A1/A	9/08/2016	500,000	2.80%
ME Bank	A2/BBB+	6/03/2017	500,000	3.07%
ME Bank	A2/BBB+	19/07/2016	500,000	2.95%
ME Bank	A2/BBB+	20/12/2016	500,000	3.00%
ME Bank	A2/BBB+	7/03/2017	500,000	3.07%
NAB	A1+/AA-	5/04/2016	500,000	2.96%
NAB	A1+/AA-	29/11/2016	500,000	2.92%
NAB	A1+/AA-	25/05/2016	500,000	2.96%
NAB	A1+/AA-	21/02/2017	500,000	3.13%
Westpac	A1+/AA-	6/12/2016	500,000	2.86%
Westpac	A1+/AA-	28/06/2016	500,000	2.88%
Total Investments			16,000,000	2.93%
Benchmarks:	BBSW 90 Day Index			2.28%
	RBA Cash Rate			2.00%
Commonwealth Bank - At Call Account			153,503	1.90%
Commonwealth Bank Balance - General			1,069,388	1.85%
TOTAL INVESTMENTS & CASH			17,222,890	

* % Interest rates as at 31/03/2016

Short Term Credit Rating*	Policy Maximum	Current Holding %	Current Holding \$
A-1+	100%	38%	6,000,000
A-1	80%	22%	3,500,000
A-2	60%	41%	6,500,000
A-3	40%	0%	-
			16,000,000

*Councils current investment portfolio contains only short term investments and has therefore been rated accordingly.

Overall Portfolio Return to Maturity			Actual %
Portfolio % < 1 Year	Min 40%	Max 100%	100%
Portfolio % > 1 Year	Min 0%	Max 60%	0%
Portfolio % > 3 Year	Min 0%	Max 30%	0%
Portfolio % > 5 Year	Min 0%	Max 20%	0%

Individual Institution Limit	Rating	Policy Maximum	Actual Maximum
AMP Bank	A1/A+	3,000,000	2,500,000
Auswide Bank Ltd	A2/BBB	3,000,000	500,000
Bank of Queensland	A2/A-	3,000,000	2,000,000
Bankwest	A1+/AA-	3,000,000	3,000,000
Bendigo & Adelaide Bank	A2/A-	3,000,000	1,000,000
IMB	A2/BBB	3,000,000	500,000
ING Bank	A2/A-	3,000,000	500,000
Macquarie Bank	A1/A	3,000,000	1,000,000
ME Bank	A2/BBB+	3,000,000	2,000,000
NAB	A1+/AA-	3,000,000	2,000,000
Westpac	A1+/AA-	3,000,000	1,000,000

<u>RESTRICTED CASH, CASH EQUIVALENTS & INVESTMENTS</u>	
	\$ 000's
External Restrictions - Sewer	5,027
External Restrictions - Unexpended Grants*	1,480
External Restrictions - Other*	1,112
	7,619
Internal Cash Restrictions*	6,444
Unrestricted	3,159
	9,603
TOTAL CASH & INVESTMENTS	17,223

* Restrictions represent balance as at 1 July 2015

Issues:

Nil

Budget Implications:

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

Enclosures (following report)

Nil

Attachments (separate document)

Nil

09) DELEGATIONS REGISTER AMENDMENTS

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 6.3 A well-run Council organisation.

File No: PE.AT.1

Recommendation:

That the proposed amendments to Council's Register of Delegations, as detailed within this report, be adopted.

Reason for Report:

For Council to approve amendments to the Delegations Register.

Report:

At the February meeting Council considered and approved amendments of the Register of Delegations following a review that was undertaken. A number of anomalies have since been identified and further amendments are now proposed for approval. Amendments proposed include changes to officer delegations, legislative references and regulatory powers assisting in the seamless operation of Council and effective provision of service.

In summary, the following delegations to the General Manager have been amended:

- 1F – Disposal of Assets <\$1,000
- 1G – Disposal of Assets >\$1,000
- 4A – Authority to Enter Premises - LGA
- 4B – Authority to Enter Premises - EPA
- 10A Companion Animals
- 14A Development Consent
- 14H Development Consent – Exempt Development

Amendments to the register have been marked and underlined for ease of reference.

Council's responsibility under the Local Government Act, s.377, is the delegation of responsibilities to the General Manager. Delegation of responsibilities to staff are tasked to the General Manager under s.378 of the Local Government Act.

Issues:

The Local Government Act (1993) Chapter 12 Part 3 outlines requirements pertaining to delegation of authority.

Budget Implications:

Nil.

Enclosures (following report)

Nil

Attachments (separate document)

1 Register of Delegations as at 18 April 2016 40 Pages

10) VIV KABLE COLLECTION - BLAYNEY LIBRARY

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 2.3 Blayney Shire - a centre for arts, performance and entertainment.

File No: RC.MG.2

Recommendation:

1. That Council receive and note the Viv Kable Collection report.
2. That the Sustainable Collections Program commence the documentation of the collection and upload information and images to e-hive for an online presence.
3. That through the Sustainable Collections program, work commence with Council to plan future exhibitions and develop educational resources.

Reason for Report:

To provide Council a report provided by the Museum / Heritage Coordinator under the Sustainable Collections Program on the recommended future direction on management of the Viv Kable Collection.

Report:

Council is in receipt of a report on the Viv Kable Collection from the Museums and Heritage Officer, through the Sustainable Collections program. Council has committed to this program jointly with Cabonne and Orange City Councils in conjunction with Arts NSW since 2007 with a view to development of strategies focussed upon the improvement and long term preservation of museum collections and the knowledge base of volunteers in the region.

The report encourages Council to consider the future of the Viv Kable Collection housed at Blayney Library with planning and deliberations in place for a proposed Cultural Centre in Blayney.

The origins and history of the collection have been researched and a number of strategies and options on how the collection should be preserved and exhibited in the future have been recommended and incorporated into the above recommendations to Council.

A copy of the report on the Viv Kable Collection is attached for information. Also attached is a report on the Blayney Local and Family History Group resources, not controlled by Council, that are housed at the Blayney Library for the information of Council.

Issues:

The Sustainable Collections program presents an opportunity for Council to have some robustness and professionalism around its museum collection management and preservation at the Blayney Library.

Budget Implications:

Nil effect.

Enclosures (following report)

Nil

Attachments (separate document)

- | | | |
|---|---|----------|
| 1 | Report on Viv Kable Collection and Blayney Local Family History Group resources | 71 Pages |
|---|---|----------|

11) MINUTES OF THE FINANCIAL ASSISTANCE COMMITTEE MEETING HELD 23 MARCH 2016

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 5.1 A diverse and sustainable population in our communities and villages.

File No: CR.SD.2

Recommendation:

1. That the minutes of the meeting held 23 March 2016 be received;
2. That the recommendations for 2015/16 - Round 2 of the Community Financial Assistance Program by the Financial Assistance Committee, in the amount of \$37,831, be endorsed;
3. That the consideration of proposed schedule of 2016/17 annual donations for inclusion into 2016/17 Council's Operational Plan be noted.
4. That the action of the General Manager to approve waste charges donation for the Mandurama School of Arts in the amount of \$370.00 be endorsed.
5. That the action of the General Manager to approve the rates and charges donation for the Lyndhurst Soldiers Memorial Hall in the amount of \$619.70 be endorsed.
6. That a report to Council be prepared proposing amendment of the Financial Assistance Policy to require funds approved by Council be claimed by 30 June of the following financial year of approval.
7. That Tony McPaul be recognised for his contribution towards operation of the Financial Assistance committee and to the wider Blayney Shire community.

Reason for Report:

For Council to endorse the minutes of the Financial Assistance committee meeting held 23 March 2016.

Report:

The second round of the Community Financial Assistance Program applications for 2015/16 was considered by the Financial Assistance Committee at its meeting held 23 March 2016.

An amount of \$42,427 in financial assistance was available for Round 2. There were 18 applications with a total value of \$564,466 in works or programs seeking \$95,301 in financial assistance.

The Financial Assistance Committee recommended \$37,831 be allocated to 11 projects. Recommendations are pursuant to the criteria stipulated in the Community Financial Assistance Program guidelines.

**MINUTES OF THE MEETING OF BLAYNEY SHIRE FINANCIAL
ASSISTANCE COMMITTEE
HELD ON WEDNESDAY 23 MARCH 2016
AT BLAYNEY SHIRE COMMUNITY CENTRE**

The meeting commenced at 5:30pm.

Present

G.Summerson D.Kennedy; Clr. Somerville;
A.Franze (Secretariat)

Foreshadowed

G Baker

1. Apologies

T.McPaul (Cadia) N. Burn(Cadia);

That the apologies tendered be noted and accepted.

2. Declarations of Interest

- All members a Non-Pecuniary interest for being members of Blayney Golf Club.
- David Kennedy and David Somerville Non-Pecuniary interest regarding Rotary.
- Anton Franze declared a conflict of interest in capacity as Treasurer of Rotary Club.

3. Consideration of Round 2: 2015/16 Community Financial Assistance Program

Anton Franze left the Cadia room for consideration of request from Blayney Rotary at 6.10pm.

Anton Franze returned to the Cadia room at 6.15pm.

The Committee Chair informed the Secretariat that the application by Blayney Rotary in the amount of \$3,000 was approved.

That the applications in the cumulative amount of \$37,831 be recommended for approval by Council as disclosed in the attached schedule.

4. Consideration of Schedule of Annual Donations for 2016/17 Operations Plan

That the consideration of proposed schedule of 2016/17 annual donations for inclusion into 2016/17 Council's Operational Plan be noted.

5. Endorsement of Waste Charges donation – Mandurama School of Arts \$370.00

That the action of the General Manager to waste charges donation for the Mandurama School of Arts in the amount of \$370.00 be endorsed.

6. Approval of Rates & Charges donation – Lyndhurst Soldiers Memorial Hall \$619.70 (\$480 approved in 2015/16 Operational Plan)

That the action of the General Manager to approve the rates and charges donation for the Lyndhurst Soldiers Memorial Hall in the amount of \$619.70 be endorsed.

7. General Business

- An amendment to policy regarding claiming of funds within a reasonable timeframe after approval.

Recommendation: That funds approved by the Financial Assistance Committee should be claimed by 30 June of the following financial year of approval.

- Acknowledgement of outgoing Cadia representative on Financial Assistance Committee.

Recommendation: That Tony McPaul be acknowledged and thanked for his contribution towards operation of this committee and to the wider Blayney Shire community.

8. Future Agenda Items

Nil.

9. Next Meeting

The next meeting is scheduled for 21 September 2016

There being no further business the meeting closed at 7.07pm.

BLAYNEY SHIRE COUNCIL

FINANCIAL ASSISTANCE GRANTS: ROUND 2 - 2015/16

No	Applicant	Project	total cost	grant sought	grant approved	Comments and feedback
1	Blayney A&P Association	Extension of R. Millner Cattle Pavilion	11,352	2,000	2,000	Skillion extension \$9,690. Most funds from Show society. Consent from Crown lands. Improved safety. Other users will benefit
2	Blayney Shire Community Men's Shed	Building of new Men's Shed in Oldham Place - waiver of council fees	150,000	5,000	5,000	DA fees estimated at \$5,000. Policy says waiver available if on council owned land (on crown land). No point in grant if large part paid back in fees.

3	Blayney Shire Community Men's Shed	Building of new Men's Shed in Oldham Place	150,000	10,000	-	Agree in principle, but grant should be for specific aspect (eg solar panels), once all other funding in place. Reapply next round.
4	Blayney Can Assist	Supper Dance - waiver of council fees		476	476	Waiver of community centre hire charges. Charitable fundraiser should be supported
5	Central Western Group - CWA	Public Speaking Competition	470	470	-	Donation sought. Much wider than just Blayney Shire. Declined in previous years.
6	Inner Wheel Club of Blayney	Fundraising Luncheon/Fashion Parade - waiver of council fees	3,993	993	493	Support charitable fundraiser. Claim for refundable deposit not considered.
7	Millthorpe Village Committee	Millfest - waiver of council fees	4,825	1,109	1,109	Waiver of street closure fees. Major event attracting tourists
8	Neville Showground & Recreational Reserve Trust	Reticulated Water System to supply water to troughs, taps and amenities at the Showground		6,753	6,753	Major improvement for showground. Grant is for costs of tank, pipes and troughs and pipe laying. In kind labour and donated pipes = \$4,600
9	Newbridge Progress Association	Publicity for Newbridge Winter Solstice Festival	2,000	2,000	-	Quote \$2,002.50. Excellent showcase event for Newbridge; attracts many visitors. Request is really a payment of overheads.
10	Phil Baldwin & Penny May	Central West Photographic Competition	5,500	3,000	-	An excellent concept. Really seed money for

							new venture. Applicants are individuals. Encouraged to form sub committee of BVA and develop in that context
11	Rotary Club of Blayney	Blayney Multi-Purpose Service Palliative Care Suite	107,500	3,000	3,000		A major community project with other government grants (\$40,000). Substantial community fundraising. Small shortfall remaining.
12	Presbyterian Church - Blayney Parish	Beautifying St. Andrews Church Mandurama	10,000	10,000	-		Quote for \$8,180 for repainting. A beautification project with no co-contributed funds. Less benefit to wider community.
13	Mandurama Public Hall Reserve Trust	Sanding floor of main hall to ensure longevity	4,950	3,000	3,000		Major community asset and meeting place. Quote for \$4,950. Funds available of \$1,950 + 30 volunteer hours
14	Millthorpe Bowling Club	Installation of Solar Panel system at Millthorpe Bowling Club	15,000	7,500	3,000		Reducing operating costs enhances LT viability. Matching funds (50/50) from Clubs own cash resources. Not a special project so reduce grant to maximum.
15	Blayney Golf Club	Bi Fold Door upgrade; projector/screen installation		8,000	3,000		Enhances viability of golf club - enable wider range of events to be attracted. Quotes total \$5,028. Volunteer

						labour to install. Not a special project, so reduce to \$3,000 (more matching club funds will be required)
16	Blayney Junior & Senior Cricket Club	Dakers Oval Picket Fence	24,000	12,000	-	Applicant not a legal entity? Total cost \$24,000 seems low compared to Redmond Oval pricing. Other funding of \$12K from cricket bodies (\$5k) and Clubs (\$7k). However need to consider as part of overall plan for Dakers Oval. A major project for council. This user funding very important to accelerate the project.
17	Country Womens Association - Carcoar Mandurama Branch	Replacement of asbestos sheet roofing with colourbond iron roofing	30,000	10,000	-	A well used building (Early childhood service; playgroup). Also needs \$10,000 x 2 from State and Federal govts. No quote yet nor confirmation from other funders? Defer until others confirmed.
18	Central Western Dressage Group	Erection of two sand dressage areas at Blayney Showground	44,876	10,000	10,000	Part of plan for Blayney to be the premier equestrian facility in the Central West. Opens opportunity to host regional and State events. Total cost \$45,000 of which \$38,000

			provided by Applicant. However need to see evidence of firm support from other equestrian and pony club users before confirming funding available from this round
	564,466	95,301	37,831

SUMMARY:	
Annual FAP budget 2015/16	100,000
Less 2015/16 Round 1 Approvals (including determined by Council)	- 10,566
Less 2015/16 Operational Plan Approved Donations (Rates, insurance and events)	- 47,007
Available Budget 2015/16 Round 2	42,427

Issues:

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

Budget Implications:

Council has an amount of \$100,000 allocated in 2015/16 for this purpose.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

12) DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT

Department: Infrastructure Services

Author: Director Infrastructure Services

CSP Link: 4.1 Adequate provision of transport, roads, rail, information and communication technologies and community social assets.

File No: GO.ME.1

Recommendation:

That the Director of Infrastructure Services Monthly Report for April 2016 be received and noted.

Reason for Report:

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

Report:

Topical Issues

Adelaide/Martha Street Intersection

In 2015, Council was advised by Roads and Maritime Services (RMS), that RMS had been unsuccessful in its bid for project funding to develop a full design for the intersection. RMS staff indicated a desire to progress the project and would continue to seek project funding from their funding provider.

Council subsequently raised the matter with the Member for Bathurst, the Hon Paul Toole MP, who sought advice from the Minister for Roads, Maritime and Freight, The Hon Duncan Gay MLC.

Minister Gay, has advised in writing that RMS have applied for funding to the NSW Safer Roads Program, for 2016/17 and 2017/18 to continue the detailed design and community consultation for this project.

Since the installation of upgraded signage, funded under the Black Spot Program, crash data indicates there have been no recorded crashes.

Future Energy Efficiency Works

Following a meeting between Council and Skillset staff, Skillset is finalising an energy efficiency report for Council. The underlying audit, undertaken earlier this year has identified multiple opportunities to reduce Councils energy consumption.

Pay back periods vary depending upon the facility and the asset being replaced.

- Short payback opportunities that exist include the replacement of existing high bay lights in the workshop and standard fluorescent light

fittings across various facilities with LED's that provide superior lighting quality, longer life, and significantly reduced energy consumption.

- Longer payback period investments, will include the consideration of Solar PV and possible storage to offset network demand.

The final report is anticipated to be received in coming weeks. Following from this it is proposed to prepare advice to Council seeking establishment of what is commonly known as a revolving energy fund.

The concept is that an upfront capital allocation is committed to establish the Revolving Energy Fund, which is a financial mechanism whereby a proportion of the savings made as a result of energy saving projects is diverted into a designated fund to allow funding of future energy saving initiatives.

Such funds are becoming common place across Local Government in Australia and overseas.

Floodplain Risk Management

The data capture of floor levels has been completed, with no resident concerns being provided to Council. Council's Consultant is now preparing the flood damage assessment based upon this data.

The Consultant has submitted a contract variation request to Council for consideration, referencing additional work being requested, and costs incurred with delays to the project. The request, remains within the current budget and grant allocation.

Errowanbang Road

Negotiations with land holders in the vicinity of the Dirt Hole Creek Bridge have been completed, with all parties reaching agreeance. Separate reports will be provided to Council for approval in May.

Funding Applications

NSW Resources for Regions

An application with full Business Case and Cost Benefit Analysis has been submitted to bring forward the completion of works along the Cadia southern Access Route (Errowanbang, Panuara, Cadia Roads). Works include the construction of the Dirt Hole Creek Bridge, realignment, rehabilitation, sealing and associated works along the route. Council is seeking approximately \$5 million in order to complete the project by December 2019.

NSW Government Fixing Country Roads - Round 2

Following from its Expression of Interest (EOI) being shortlisted for the rehabilitation of Browns Creek Road from the Millthorpe Road to the Australian Native Landscapes (ANL) entrance at Browns Creek. Council staff have attended a workshop facilitated by Transport for NSW and have been advised that the project appears to very closely meet the requirements of the program. Staff are now preparing a full application to the NSW Government, with the final date of submission being 2 May 2016.

NSW Government Floodplain Management Program

Council has submitted an application for preparation of a floodplain risk management plan for the Village of Carcoar, and awaits further advice on the matter from the NSW Office of Environment and Heritage.

Public Reserves Management Fund

Council is finalising two applications for funding from this program:-

- Blayney Showground - Provide a concrete slab to the undercover area, and concrete path with new bench seating to replace the existing timber slat benches.
- Redmond Oval – Install a water bore to irrigate the playing field and reduce potable water demand.

Major Works

Major road construction and notes on current works are as follows:

- Hobbys Yards Road – REPAIR Program; Sealing works were completed on 17 March for the first section of the project, and the heavy patching works within Barry.
- Wet crossing works have been completed on Snake Creek Road, and the existing bridge has been removed. These works have been completed in compliance with NSW Fisheries requirements, and made use of material that was obtained during the construction works on Forest Reefs Road.
- Works are planned for a similar crossing on Carcoar Road over Cowriga Creek, however it has become apparent that part of the access is over Crown Land. Council Officers are working with Crown Lands to negotiate access to this parcel.
- Gravel resheeting works have been completed on Village Road, Carbine Road, Dicksons Lane, Fairford Lane, and Kentucky Road. Maintenance grading has been completed on Carbine Road, Errowanbang Road, Spring Hill Road, Beneree Road, and Bugs Ridge Road. Further, maintenance of mitre drains has been completed along Neville - Trunkey Road.
- Blayney Bridge Program - Geotechnical investigations have been completed for the bridges on Dowsetts Lane, Errowanbang Road, Felltimber Road, Gallymont Road, and Newbridge Road. Reports have been received for these bridges for inclusion in the design and construct tender. Drilling works have also been undertaken on Coombing Street, with further investigations recommended on this site to better map the prevailing ground conditions.
- Kerb and gutter renewal works have been completed in Water Street, and are currently underway on Queen Street. These works are to repair failing sections of kerb and gutter from tree roots and garbage truck impacts.
- Some minor footpath connections have been completed in Mandurama to fix some missing links that have been identified by the community.

Major Contracts

Redmond Oval Canteen

- Budget \$144,536.36 (ex GST)
- Work continues on schedule, with internal works progressing well.
- A minor variation has been approved to convert the door locks to Councils Parks and Recreation Master System.
- Council has received an enquiry about the possibility of undertaking bagging or other alternate finishes to the face brickwork, and investigations of options and costs is being undertaken.

Redmond Oval Upgrade

- Budget \$700,000 (ex GST)
- The construction works of the oval are nearing completion with seeding to commence the week of the 18th of April.
- Contract timeframe over the course of the project has been impacted by 9 rain days resulting in extension of time to completion of Milestone 2 (construction works) to the 20th of April.
- A minimum 10 week maintenance period will commence after completion of the construction works. The contractor is required to meet certain technical criteria prior to handover to Council.

Showground Irrigation

- Budget \$112,000 (ex GST)
- Additional works on No.1 field have been undertaken to include bleavating and levelling. This work will assist with the establishment of a solid foundation for the irrigation and grass to be well established and ready for the next senior soccer season.
- Construction of the irrigation system is well advanced and is due for commissioning, week of the 12th of April. Completion of works will be prior to soccer season commencing and nil disruption is expected.
- Blayney Harness Club have been in consultation with Council in relation to connection of the standpipe and a power point to be installed whilst the works are being undertaken on the irrigation. Council agreed to undertake these works during the irrigation construction to realise cost saving to undertake these works at the same time. Blayney Harness Club will provide funding towards the costs of these additional works however could not provide full cost recovery. Council saw this as a positive strategic decision to provide a more sustainable approach. This will also provide an option to remove the storage tanks located in the high point of the showground and add to the aesthetic nature of the area.

Active Movement Strategy

- Budget \$59,000 (ex GST)
- Council has reviewed the draft Active Movement Strategy and provided feedback to the Consultants. The Consultants are in the process of finalising the ATP for presentation to Council in May.
- The project timeline has been delayed as detailed work and consideration of proposals was undertaken.

- It is expected that this document will provide invaluable support to Council in seeking RMS and other grant funding for the improvement of the Active Movement Networks of Blayney township and villages.

Building Maintenance Works

- Works on the Carrington Park Rotunda are almost complete. Replacement of the damaged air vents and other specialty items are on order and work shall be completed upon delivery of parts.

Wastewater

Manhole Rehabilitation

- Budget \$105,063 (ex GST)
- Council sewer staff are undertaking inspection of manholes to identify repairs / rehabilitation requirements of the manholes within Blayney. This program will also assist with the sewer revaluation which is due to be undertaken in 2016/17.
- Manholes 1 and 2 on the Millthorpe rising main have been relined.
- Consultation with contractors who can undertake the replacement of the pipeline from Manhole 1 which causes issues with flow rates have commenced.

Trade Waste

- Council is currently in consultation with DPI in relation to the issue of conditions of approval for a manufacturing business Trade Waste application. It is expected the approval will be provided in the next 2 weeks.
- Council intends to begin another round of inspections on trade waste compliance and education over coming months.

Recreation and Environment

King George Oval

- Works in the canteen have been completed, following many meetings with user groups to determine the optimal layout and fitout. Staff are currently working with Nestle Purina and the sporting associations to arrange an appropriate launch and official opening.

Asset Management

- Council Asset staff continue to work with AssetFinda to resolve issues with Road Centre Line data, after providing a cleansed set of road data.
- Mobile Tablet setup, Culvert data and finalisation of the roads data are the only outstanding issues.

Infrastructure Services Personnel

- The Graduate Engineer role is currently advertised.

Heavy Plant and Fleet

- Council has taken delivery of the third flail mower purchased this financial year.

- The Volvo truck is expected to leave the production line by mid April and then onto the body builders prior to delivery to Council in late May or early June.
- Two front deck mowers are expected to be delivered in the next fortnight.
- Council has taken delivery of one item of light fleet in the current program, and anticipates finalising requirements for the workshop utility in coming weeks.

Issues:

Nil.

Budget Implications:

Nil.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

13) PROPOSED ROAD NAMING - DAVIS ROAD, BROWNS CREEK

Department: Infrastructure Services

Author: Director Infrastructure Services

CSP Link: 4.1 Adequate provision of transport, roads, rail, information and communication technologies and community social assets.

File No: RD.MT.1

Recommendation:

That Council formally adopt the name Davis Road for the unnamed road at 580 Browns Creek Road.

Reason for Report:

To seek Council approval to the proposed naming of the unnamed public road at 580 Browns Creek Road to Davis Road.

Report:

Councillors will recall the report presented to the Ordinary meeting of Council on 15 February 2016, where the following resolution was adopted:-

1. *That Council note the report on the proposed naming of the unnamed road at 580 Browns Creek Road and:*
 - a. *That it be included on Council's asset register as a Council Public Road with a length of 1,050m, and;*
 - b. *That the recommended name, Davis Road be placed on public exhibition for a period of not less than 28 days and the public and relevant authorities be invited to make submissions.*

In accordance with Council's, Road and Street Name Policy - 25f, Public consultation was invited by:-

1. Placement of an advertisement in the Blayney Chronicle on 18 and 25 February, and 3 March.
2. Concurrent notification to the following authorities of the proposed road name and invite submissions during the public exhibition period
 - Australia Post
 - The Registrar General
 - Department of Lands
 - NSW Ambulance
 - NSW Police
 - NSW Fire Brigade
 - NSW Rural Fire Service
 - State Emergency Services
 - Local Emergency Management Committee
 - NSW Volunteer Rescue Association

At the conclusion of the Public Exhibition period, there were no submissions from either local residents or the Government and Community Agencies that Council is required to seek comment from.

It is therefore recommended that the unnamed road at 580 Browns Creek Road be named Davis Road (**map attached**), and the required notifications be made in accordance with Council's Road and Street Name Policy.

Issues:

Nil.

Budget Implications:

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

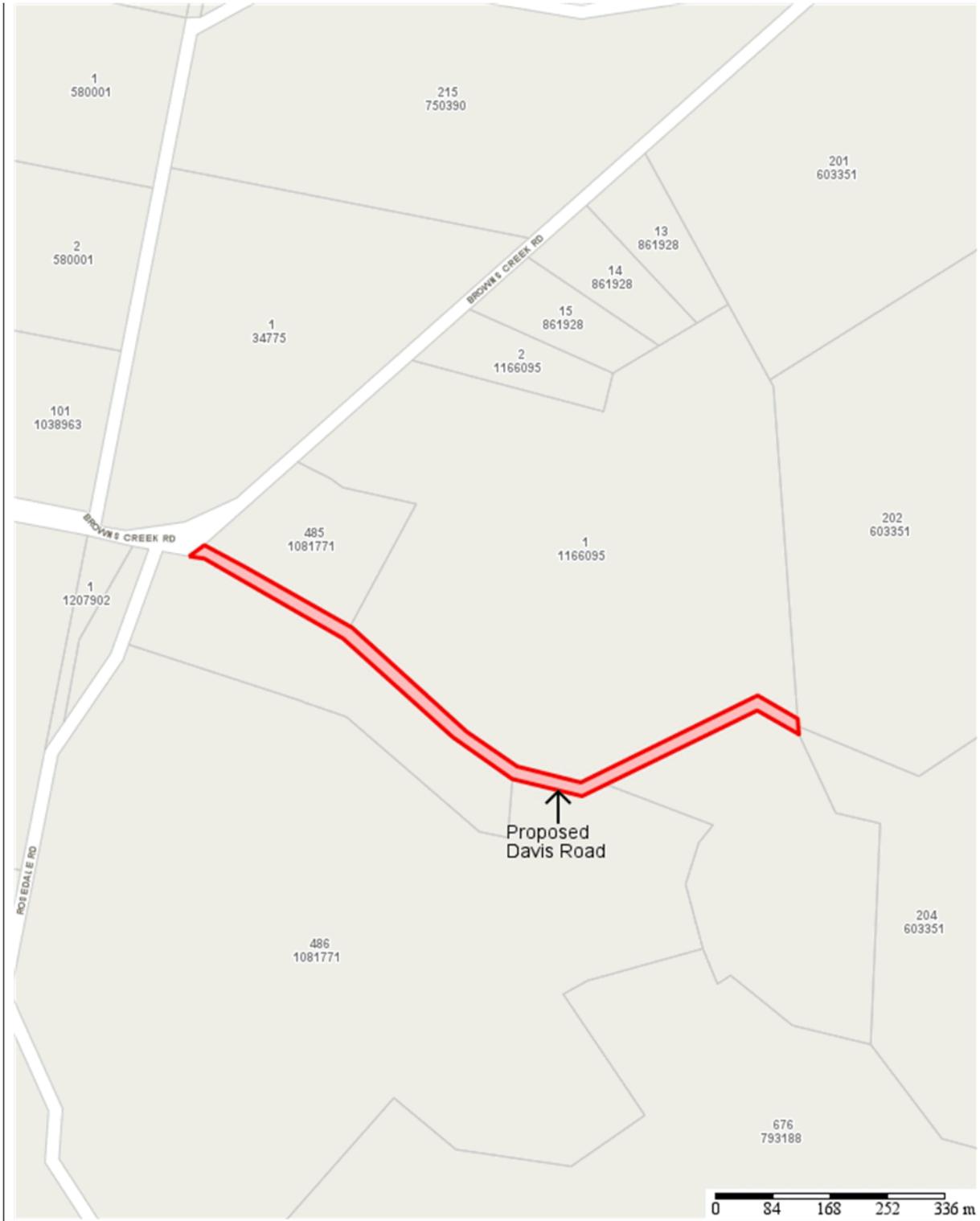
Enclosures (following report)

1 DavisRd_Locality Plan

1 Page

Attachments (separate document)

Nil



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<p>Blayney Shire Council PO Box 62 BLAYNEY NSW 2799 Ph: (03) 6368 3104 Fax: (03) 6368 3200 Web: www.blayney.nsw.gov.au</p>	<h2>Proposed Road Naming Davis Road</h2>			

14) CENTRAL WEST COUNCIL'S ENVIRONMENT AND WATERWAYS ALLIANCE

Department: Infrastructure Services

Author: Director Infrastructure Services

CSP Link: 1.5 Sustainable water, energy and transport sectors to support future growth.

File No: GR.LR.2

Recommendation:

That the Central West Councils Environment and Waterways Alliance report be received and noted.

Reason for Report:

To provide Council with an update on the activities of the Central West Councils Environment & Waterways Alliance.

Report:

The Central West Councils Environment & Waterways Alliance (Alliance) was originally the Water Quality & Salinity Alliance, set up as part of the Local Government Reference Group of the Catchment Management Authorities (CMA). The CMA's have been integrated into the Local Land Services.

The Central West Councils Environment & Waterways Alliance is a partnership of 19 Councils across the Central West of NSW, encompassing both the Central Tablelands and Central West Local Land Services regions. The Alliance exists to improve environmental outcomes across the region. Blayney Shire Council is an existing member of the Alliance.

To facilitate the operation of the Alliance a Project Support Officer is employed to assist Councils with on-ground works, grant funding opportunities, project development and management and the organisation of Alliance meetings and capacity building events. This role is supported and complimented by relevant staff from both participating Local Land Services regions.

In 2015 the Alliance experienced a significant period of change and growth. The name of the Alliance was changed to the Environment & Waterways Alliance (formerly the Salinity & Waterways Alliance) to better represent the priorities and outcomes of the partnership. This recognises that much of the focus of the group surrounds issues along waterways and rivers – Belubula, Coxes, Fish, Macquarie, Castlereagh, Bogan, Lachlan, Cudgegong Rivers and their many tributaries as well as the surrounding catchments.

As well as a new name the Alliance has adopted a new 5 Year Plan **(attached)** to guide works into the future. This 5 Year Plan was developed in consultation with member Councils and took into account priorities and objectives from each member Councils Community Strategic Plan and Operational Plan as well as the Local Land Services State Strategic Plan. The 5 Year Plan features a range of Strategies and Actions designed to deliver on the six Priorities identified within the plan being:-

- Land
- Biodiversity
- Water & Waterways
- People & Communities
- Towards Sustainability; and
- Council Capacity.

These 6 strategies align with the existing Regional State of the Environment Reporting of which Blayney Shire Council is also involved in.

To improve communications within the Alliance as well as with external parties, a new Alliance website and associated Facebook page were developed during 2015. The website is an important resource for Council staff as it is a repository for many documents and materials, news, case studies and grant funding and award information. Both the website and Facebook pages are available to be utilised by Councils to promote relevant environmental events or achievements, news items and employment opportunities. The website is: www.cwcewa.com.au

A major benefit of Alliance membership for Council is the capacity building events held across the year to upskill Council staff. In 2015 registered training in the form of Sediment and Erosion Control training was held at various locations across the region at no cost to member Councils. Additionally, the Alliance partnered with the Central West and Orana branches of the Institute of Public Works Engineering Australasia to host a Stormwater Best Management Practice Conference in Dubbo. These training and capacity building events are funded by Local Land Services as a means of investing in positive, long-term environmental outcomes for the region.

Grant funding specifically for Alliance Member Councils is awarded on a competitive basis by both the Central Tablelands and Central West Local Land Services regions with a total of \$90,000 being distributed to Local Government in this manner in the 2015/16 financial year. This funding is contributing towards various projects including the development of management plans, river restoration works, community events, litter capture projects and training events.

In 2016, the Alliance continues to deliver for its member Councils through the delivery of registered training and capacity building events within our region. Three Council staff recently attended, Manage a Local Government Project training which was hosted in partnership with the Institute of Public Works Engineers (IPWEA) in March at a heavily subsidised rate for Alliance Member Councils. Additionally, the Alliance is planning to host a Hollows for Habitat

seminar in April to upskill participants as well as to provide exposure to industry experts and best management practice habitat augmentation for native fauna.

In order to fund the operational costs of the Alliance, financial contributions are made by each member Council representing 50% of the total Alliance funding. The remaining 50% of funding is contributed equally by Central Tablelands and Central West Local Land Services who utilise the existing and functional Alliance format as their primary means of engagement with Local Government across their respective regions.

Additionally, Local Land Services continue to invest heavily in the Alliance through the aforementioned grant funding and training opportunities made available to Alliance member Councils.

Renewal of the Alliance Membership is due at the end of the financial year. However at the Local Government Reference Group meeting in February, it was agreed that due to the uncertainties that remain as a result of the proposed amalgamations across the region, the current membership would be extended for one year to the June 2017. Following which new three year memberships would be reviewed.

Issues:

Nil.

Budget Implications:

Nil.

Enclosures (following report)

Nil

Attachments (separate document)

1 5 YR Plan CWCnls Enviro & Water

25 Pages

15) ORANGE CITY COUNCIL - AIRPORT PLANNING PROPOSAL

Department: Planning and Environmental Services

Author: Director Planning and Environmental Services

CSP Link: 3.4 Sustainable land use practices across the Shire.

File No: IL/22513

Recommendation:

That Council advise Orange City Council and NSW Department of Planning and Environment;

1. Council does not support the Orange City Council Planning Proposal including proposed addendum to the 2008 Blayney Cabonne Orange Sub-Regional Rural and Industrial Land Use Strategy for the rezoning of land from rural land surrounding the Orange Airport at Spring Hill to accommodate future industrial development,
2. Council supports a joint review to be undertaken by Blayney, Cabonne and Orange Councils of the 2008 Blayney Cabonne Orange Sub-Regional Rural and Industrial Land Use Strategy in its entirety.

Reason for Report:

Council received correspondence from Orange City Council on 29 February 2016 (see attachment 1) seeking formal comments and support from Blayney Shire Council for a Planning Proposal including draft addendum to the 2008 Blayney Cabonne Orange Sub-Regional Rural and Industrial Land Use Strategy.

The Planning Proposal is for the rezoning of rural land surrounding the Orange Airport at Spring Hill to accommodate future industrial development.

Council has been aware of this potential Planning Proposal over the past 12 months as the Planning Proposal has received significant media exposure and residents of Spring Hill presented to Council at its 16 November 2015 Ordinary meeting.

Staff of Blayney Shire Council (BSC) and Orange City Council (OCC) undertook an informal meeting on 20 August 2015. This is the first formal correspondence Council has received on the proposed Planning Proposal.

Report:

OCC receiving a conditional Gateway Determination from the NSW Department of Planning and Environment (DoPE) on 18 December 2015 (see attachment 2).

The documentation associated with the Planning Proposal is extensive and can be viewed in full at the NSW Department of Planning and Environment

(DoPE) website

<http://leptracking.planning.nsw.gov.au/PublicDetails.aspx?Id=2038>.

Attached to this report are; OCC cover letter, DoPE Gateway Determination, proposed addendum to the 2008 Blayney Cabonne Orange Sub-Regional Rural and Industrial Land Use Strategy and proposed structure plan and zoning layout.

The DoPE website provides the following summary of the Planning Proposal;

“In May 2015 Council originally proposed to rezone approximately 300ha of land zoned E3 Environmental Management and SP2 around the Orange Airport to facilitate industrial and business uses. A small amount of land zoned RU1 was also involved, by virtue of the location of the contour line that delineates the E3 Environmental Management zone (water catchment) and RU1 Primary Production land.

On 20 May 2015 The Department requested Council provide additional information and justification in terms of strategic, environmental, social and operational issues. The proposal has been held in abeyance until Council provided the further information, received 6 November 2015.

The site is situated approximately 15km south east of Orange CBD on the Cabonne-Orange LGA boundary, and is bounded by Huntley, Forest and Beasley Roads around the Orange Airport. The village of Spring Hill (Cabonne LGA) is located to the south east of the site. The locality of Huntley directly adjoins the northern boundary. The general locality supports a combination of small lot agricultural holdings and lifestyle development. The soils in this locality are highly productive and the area has a history of intensive horticulture and livestock grazing enterprises, although is now also used for rural lifestyle purposes.

The site is located in the Orange drinking water catchment and zoned E3 Environmental Management, RU1 Primary Production and SP2 Infrastructure (Airport). The E3 zone is the roll-over Standard Instrument equivalent of the 7 Environmental Protection zone under the former Orange LEP 2000 and generally refers to rural land at a certain contour that is identified as drinking water catchment.

Orange City Council rezoned additional land around the airport in 2014 as part of Orange LEP 2011 Amendment 1 to facilitate an extension to the runway.

On 6 November 2015 Council submitted a body of work being addendum following the Department's advice of 20 May 2015.

The most significant change to the planning proposal compared to the May 2015 version is the reduction of the area under investigation to 200ha, from the previous 300 ha. The anticipated yield is approximately 160 ha of employment generating land (IN1 and B7), to be released in three stages.

The Stage 1 release is located around the southern side of the Airport near the Terminal and results in approximately 55 ha of E3/RU1 zoned land being rezoned, with 26 ha of IN1 General Industrial zone, and 33 ha of SP2 land rezoned to B7, and the residue of 27 ha to RE1 Public Recreation.

Stage 2 comprises approximately 50 ha of SP2 and 23 ha of E3 land north of the runway to be zoned B7, and 46ha of E3 land to be rezoned to RE1.

Stage 3 involves 77 ha of SP2 land being rezoned IN1, and 8 ha of E3 land included to complete the layout.

The figures provided in the Master Plan regarding the amounts of land being rezoned are indicative; Council has suggested the amount of land to be rezoned is 200ha, with 160ha of employment generating land. However, from the mapping provided in the Master Plan, it is evident that over 210 ha of employment generating land, in three stages, is proposed. It is also indicated that a railway siding will be developed adjoining the Main Western Railway to the east of the site. However, there is no proposed change to the land use zoning maps at this stage as the proposal is long term.

The planning proposal now has the following supporting documents:

- Draft Master Plan including staging program.*
- Update to the Blayney Cabonne Orange Rural and Industrial Lands Strategy (BCO Strategy) concerning alternative industrial land.*
- Economic study of industrial land in Orange and justification for the land at the airport*
- Detailed environmental assessment of the site, including servicing requirements (traffic, water, sewer etc), constraints assessment, contamination assessment, development and construction summary, emissions mitigation measures.*

The proposal affects land that is identified as BSAL, or Biophysical Strategic Agricultural Land. Most of the 'rural' land in the locality is zoned E3 due to the Orange water catchment.

Council has provided advice on informal consultation with agencies and neighbouring Cabonne and Blayney Councils, as well as landholders in the Spring Hill locality.”

The proposed addendum by OCC is predominantly focused on OCC lands. Supply and demand within Blayney and Cabonne LGA's has not been taken into account or consideration.

Deviations from the endorsed Strategy, in particular one of this scale has the potential to significantly impact and alter the industrial landscape of the entire region. The 2008 Blayney Cabonne Orange Sub-Regional Rural and Industrial Land Strategy should be wholly reviewed across all three LGA's not in a singular fashion focusing only on OCC LGA.

It is agreed the 2008 Blayney Cabonne Orange Sub-Regional Rural and Industrial Land Strategy is 8 years old and requires review and update for the benefit of the entire region. Singular, individual ad hoc reviews and addendums are not supported, particularly ones of this scale.

Issues:

Blayney still has significant capacity for employment generating development, north of the main railway line in Blayney. Should a Planning Proposal of this scale be approved without consideration of the Blayney Employment lands it would leave the Blayney Employment Lands in a significantly compromised position without critical strategic direction.

Budget Implications:

Should a review of the 2008 Blayney Cabonne Orange Sub-Regional Rural and Industrial Land Strategy proceed, Blayney would likely be required to contribute funds to any subsequent review.

Enclosures (following report)

Nil

Attachments (separate document)

1	OCC letter	1 Page
2	DoPE Gateway Determination	4 Pages
3	Proposed addendum to the 2008 Blayney Cabonne Orange Sub-Regional Rural and Industrial Land Use Strategy	44 Pages
4	Proposed structure plan and zoning layout	2 Pages

16) EMPLOYMENT LANDS STUDY - NORTH BLAYNEY INDUSTRIAL LANDS

Department: Planning and Environmental Services

Author: Director Planning and Environmental Services

CSP Link: 3.4 Sustainable land use practices across the Shire.

File No: LP.ME.5

Recommendation:

That Council;

1. Adopt the Employment Lands Study – North Blayney Industrial Lands,
2. Retains the study area as a priority for employment and supporting industry (in preference to rezoning for residential growth) for the next 5-7 years.

Reason for Report:

For Council to formally adopt the Employment Lands Study – North Blayney Industrial Lands.

For Council to resolve its position regarding the approach to rezone Zone B5 (and land to the south in Zone IN2) to R5 Large Lot Residential.

Report:

In August 2015, Council engaged iPLAN PROJECTS to undertake a review of the Blayney Employment Lands precinct in response to a number of key triggers and/or issues including;

- a) Orange Airport Proposed Rezoning for Industrial / Business Park – Orange City Council has submitted a Planning Proposal to the Department of Planning & Environment (DPE) to rezone up to 210 hectares of land around the airport for business and industrial uses;
- b) Approach by owners of the Trade Centre to rezone all of the Zone B5 land (and land to the south in Zone IN2) for residential uses on the basis that they have only been able to sell 4-5 lots in the last 5 years;
- c) Possible demand for alternative sites for a second shopping centre;
- d) Reduced operations of FCL/Linfox intermodal terminal;
- e) Proposed new Cadia Dewatering Plant potentially replacing old plant in 2016;
- f) Preparation of the Regional (Growth) Plans and ramifications for Blayney;
- g) The GHD (2008) Subregional Rural & Industrial Land Use Strategy' is outdated and needs review – particularly in terms of supply and demand sub-regionally of different industrial and business lands;
- h) The *Blayney Local Environmental Plan 2012* and the need for a regular review of planning controls with potential to inform the new Development Control Plan.

The project was broken down into four stages as follows:

- a) **Stage One** was to briefly summarise the known issues and opportunities that could affect economic growth and development of the North Blayney Industrial Area.
- b) **Stage Two** was to prepare some preliminary mapping of constraints and opportunities and recommendations for key sites in the North Blayney Industrial Area.
- c) **Stage Three** involved the preparation of an Indicative Structure (Concept) Plan Options for the North Blayney Industrial Area and further testing of key sites including a presentation to the Councillors and key staff.
- d) **Stage Four** involved a stakeholder workshop and consultation with key industrial stakeholders to test the key options and support for changes to planning controls. This has allowed us to finalise this report to be adopted by Council and guide future decision making.

The full iPLAN PROJECTS report is attached for Councillors reference with sections 1.1 Vision/Land Use Recommendations and 1.2 Key Site Recommendations pages 3 to 5 being the imperative sections.

Sections 1.1 and 1.2 have been extracted from the iPLAN report and included in the body of this report as follows;

“1.1 Vision / Land Use Recommendations

1.1.1 Aligning the ‘Vision’ & Reality

There are a number of local, subregional and regional opportunities and challenges facing industrial and business growth in the North Blayney Area and across the Shire. The immediately pressing issue is a submission seeking to rezone part of the industrial land (the ‘Trade Centre’ and south) for residential purposes.

As this report highlights – there is no simple answer to the challenges that face Council and the community relating to the North Blayney Employment Lands (‘Study Area’). The key issue or guiding factor should be the Council and Community ‘Vision’ for the industrial area north of Blayney.

It is appropriate that regular ideas or proposals are put forward that challenge this ‘Vision’ and test it to ensure that the ‘Vision’ is still the desired land use strategy. However, we suggest that any departure from the historic long-held employment vision for North Blayney should only occur as part of a strong and detailed strategy, renewed ‘Vision’, with key stakeholder and community support, and over a time period that takes into account economic cycles and is not ‘reactionary’ to 4-5 year downturns.

Based on the outcomes of the stakeholder engagement there were good arguments put forward for both sides of the residential v’s industrial ‘visions’ for key sites.

The submission by the owners of the Trade Centre provided an important insight into the difficulties faced in attracting local and non-local business to new industrial/business parks and we do not dispute their findings that the Trade Centre land has not been sufficiently attractive in the last 5-7 years.

However, there was no majority opinion supported by the key stakeholders for a change from the current vision for the area as an industrial centre to a new vision that would prioritise residential growth. In fact there were strong opinions presented to protect existing and potential industry not just in the Trade Centre but throughout the Study Area and these land owners must also be respected.

The planning system should not be inflexible if it is to keep up with changing employment and development demands. However, if the long-term strategic planning is sound then planning controls that support that strategic vision should only be changed where there is a strong case for long term benefits through a revision of this Study.

1.1.2 Potential Land Use Conflicts

The danger with modifying the zoning of the Study Area and permitting an increase in residential land uses is that it would not only compromise existing industrial uses but it would compromise future potential for industrial and employment growth. Blayney can ill afford to impact on the potential existing operations and future growth of its existing businesses – yet alone create additional disincentives for new industrial investors looking for sites that are not constrained by residential uses and buffers.

It is recognised that the existing interface between industrial uses and existing residential areas is already an issue though to-date the industrial operators have maintained reasonable relations with residential owners in the area and heavier industrial types have generally located towards the north of the Study Area with potential growth into future investigations areas along Marshalls Lane and north of Church Hill.

1.1.3 Timing & Supply of Zoned/Serviced Land

It is important to note that the rezoning and provision of new serviced industrial lands can take 4-5 years and often by this time the key opportunities have passed or found equally suitable land elsewhere. One key to success is having suitably zoned, appropriate land with services available when the demand arises and with sufficient flexibility to adapt to changing market demands.

The core advantage that Blayney has is that the Orange Airport lands may take 5-10 years to be rezoned, serviced and made available whilst Blayney is available now. (We note that there are other industrial lands in and around Orange and Bathurst that are also available now and compete directly with Blayney). However, Blayney cannot afford to wait around for McPhillamys or other major projects and needs to attract new investment now to get ahead.

1.1.4 Sustainable Development & the Long Term View

The recommendations of this report are based around the principle of 'sustainable development' which includes economic, environmental and social balance. Diversity or a robust economy is an essential ingredient to sustainability and the ability to manage change. The provision of a sufficient supply of suitable and adequately serviced employment lands with flexibility in zoning and appropriate mitigation of land use conflicts is essential. To compete with other areas the industrial sites need to be able to operate 24 hours a day / 7 days a week unaffected by sensitive land uses and with mitigation measures already in place to manage environmental impacts.

It all comes down to whether Council and the community have a clear vision for the desired outcomes and the will and resources to implement or facilitate those outcomes aligned with positive economic and social conditions. If stakeholders believe they have done everything within their power to activate the Study Area and attract new investment and it is not expected to change then perhaps a change in direction is warranted. But residential rezoning of industrial lands should be a 'last course of action' because it is irreversible and may necessitate a great deal of expense for Council/community/land owners to identify/investigate/rezone/develop new industrial lands.

Submissions by the owners of the Trade Centre have highlighted that their previous investments in industrial estates (e.g. Bathurst) have taken 10 years to gain any momentum and after 15-20 years they are nearly fully developed. Now that the Trade Centre is only 6-7 years old – we suggest it is too early to determine that it will not succeed and should be rezoned as a result.

Key Recommendation

On this basis our key recommendation is that the 'Vision' for the Study Area remains as a priority for employment and supporting local industry (in preference to residential growth) for the next 5-7 years (see the VISION Statements in the next Section).

Council should continue to seek ways for the area to grow into a subregional industrial centre and attract new business. As a result, we do not propose any changes in key planning controls at this time.

However, this recommendation comes with some key provisos:

- Should there continue to be low take-up of land in the Trade Centre area and further south for industrial purposes in the next 5-7 years (2021-2023) then this Study should be revisited and potentially a staged approach to conversion to residential adopted in line with the Residential Option in this Study.*
- Council should continue to investigate amendments to planning controls that could facilitate or attract more growth in industrial and business uses (either through the Local Environmental Plan,*

Development Control Plan, or other Council policies and incentive schemes).

- *Council should continue to investigate future growth areas for industrial uses that are further removed from existing urban and residential areas to the north of Church Hill and understand the relative benefits of this land over existing land and potential costs to make this land available.*
- *Council should continue to investigate alternative residential growth areas in and around the Town of Blayney to address the current shortage in available urban and large lot residential land to see if there are more favourable sites than rezoning existing industrial land (part of a separate study).*

The best method to achieve these outcomes may be the update of the Subregional Rural & Industrial Land Use Strategy that is now 8-10 years old. This would provide the mechanism to address these issues at a sub-regional level whilst testing local opportunities and constraints.

1.2 Key Site Recommendations

1.2.1 Trade Centre (Zone B5)

We do not dispute the research of the Trade Centre owners that they have tried to attract industrial and business operators without success for several years. However, we do query whether the economic situation since 2008 and the Global Financial Crisis has had a significant impact on economic growth and investor confidence and should not necessarily be taken as determinative of the potential of this area for industrial/business growth. This does not mean that we don't understand the risk and economic challenge to the land owner.

Some of the people who have purchased land in the Trade Centre for business expansion have not proceeded because of the current economic climate. Also, the business owners themselves state in their 2nd submission that it took 10 years to get the Bathurst Trade Centre started and another 20 years to make it a vibrant commercial centre.

Therefore, our recommendation does not state that Council should never consider rezoning of the site for residential purposes. Instead, it suggests a testing period of another 5-7 years to see what macro and micro economic changes may occur and re-evaluate if the vision for the North Blayney Area has changed.

In addition, as the Residential Concept Section below states, we have suggested a staged approach to rezoning of industrial land to residential starting with land to the south of the Trade Centre and this could potentially test the market before the Trade Centre land is rezoned.

1.2.3 Hill Street (Zone B6)

No change is currently recommended to Zone B6. There is a low probability that the existing uses will move out of the area in the short to medium term (5-10 years). The existing uses are entitled to remain in Zone B6 with 'existing

use rights’. Whilst some land owners suggested that the area should be rezoned for residential uses – many of the existing owners appeared tolerant of the surrounding industrial area as long as their existing amenity was retained. This may become more of an issue as land owners change and new owners move into the area.

Please refer to Option 2 above the Residential Strategy Section below for more information on how future consideration of residential zoning could be staged – potentially extending from Hill Street north. We suggest there is a regular review to see if any changes to Zone B5 in the future make it so similar to Zone B6 that it is not worth retaining the two separate zones.

1.2.3 Second Shopping Centre Site – Hill St (Zone B6)

We have approached the proposed developer and, at this time, they have decided not to proceed with the development of a second supermarket site in Blayney. Until a firmer proposal is put on the table then we cannot recommend the rezoning of land north of the rail line for retail uses / ‘shops’ considering the preliminary opposition from the community and the potential impacts it could have on the main shopping street (Zone B2).

However, on the KEY SITE DIAGRAM we have indicated what this could potentially look like for further investigation. Assuming that preferred site(s) at the southern end of the town centre along Adelaide Street (Zone B2) could not be made available and that a second shopping centre is viable in Blayney then from a land use conflict point of view there is no major issue from having a shopping centre in an industrial area and providing some competition in the town.

A second shopping centre may also have the potential to act as a catalyst for further development in the Study Area including potential ancillary businesses such as a Service Station or Hardware/building supplies centre (as these are often owned by the shopping centre majors). Further study is required of the economic viability of all of these options.

1.2.4 Linfox/FCL Site (Zone IN2)

No change is currently recommended to Zone IN2 for the FCL/Linfox site. This is a vital strategic infrastructure site with significant potential subject to market conditions. This site should be protected for at least 5-10 years in case either FCL/Linfox or another future operator can create a viable operational intermodal facility. In the interim its ongoing use as a truck logistics area and standby Cadia dewatering plant is a good utilisation of this flood prone site. Further consultation should occur with any operators to understand how to facilitate growth whilst managing the interface with the urban area and residential amenity.

1.2.5 Former Abattoir (Zone IN2 / RU2)

No change is currently recommended to the two zones across the former Abattoir site and other rural lands held by Langway Pty Ltd. Whilst there have been previous submissions from the owners for both an industrial zoning and

residential zoning there are a number of constraints that may make this difficult or more expensive to develop.

The Future Investigation Area Section below suggests it could potentially be considered as a longer term industrial expansion area particularly if it is developed in combination with any possible expansion of the existing intermodal terminal site with a longer rail siding (low likelihood in the short to medium term). However, there are other sites that are likely to be more suitable in the shorter term if additional land is required. A residential option would not generally be considered until its impacts on future industrial expansion to the north and the contamination and remediation costs were further assessed.

Council should continue to work with the landowner to get a better understanding of the site potential and considering the above comments may wish to consider it for either future industrial or residential use.”

As seen in the report before with Orange City Council seeking a Planning Proposal including draft addendum to the 2008 Blayney Cabonne Orange Sub-Regional Rural and Industrial Land Use Strategy around the Orange Airport, it would be a suitable time to review the entire strategy for industrial land across the region.

Issues:

The risk with changing the zoning of the Study Area and permitting an increase in residential land uses is that it would not only compromise existing industrial uses but it would compromise future potential for industrial and employment growth. Blayney can ill afford to impact on the potential existing operations and future growth of its existing businesses – yet alone create additional disincentives for new industrial investors looking for sites that are not constrained by residential uses and buffers.

Should Council resolve to support the rezoning of Trade Centre Land from Zone B5 land (and land to the south in Zone IN2) to Residential it would be a significant variation to the 2008 Blayney Cabonne Orange Sub-Regional Rural and Industrial Land Use Strategy.

Should Council resolve to support the rezoning of Trade Centre Land from Zone B5 land (and land to the south in Zone IN2) to Residential it would add significant support for the Orange City Council Planning Proposal including proposed addendum to the 2008 Blayney Cabonne Orange Sub-Regional Rural and Industrial Land Use Strategy for the rezoning of land from rural land surrounding the Orange Airport at Spring Hill to accommodate future industrial development.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

- 1 Employment Lands Study – North Blayney Industrial
Lands 76 Pages

17) NEVILLE LANDFILL**Department:** Planning and Environmental Services**Author:** Director Planning and Environmental Services**CSP Link:** 4.5 Sustainable Waste Management.**File No:** WM.PL.3

Recommendation:

That Council undertake the community consultation detailed within this report regarding the recommended closure of Neville Landfill.

Reason for Report:

Council was successful in obtaining grant funding from the NSW Environmental Trust for the potential closure of the Neville Landfill.

Upon undertaking the community consultation a further report will be prepared for the 20 June 2016 Council meeting for Council to resolve on the future of Neville Landfill.

Report:

In 2015 the NSW Environmental Trust advised of available grant funding for Landfill Consolidation under the Waste Less Recycle More Initiative. Council subsequently lodged an application for the potential closure of Neville Landfill.

In February 2016 Council was advised by the Minister for the Environment, the Hon Mark Speakman it was successful in obtaining a grant of \$55,175 for the closure of Neville Landfill (see enclosure 1). The funding is contingent on Council contributing a minimum \$28,000 (\$13,000 cash and \$15,000 in kind) if the closure proceeds.

The grant application was made on the basis that if successful an educated and informed decision is then required to be made by Council after undertaking community consultation.

The closure of Neville Landfill would appear warranted, after considering the following;

1. Neville Landfill only has a maximum estimated lifespan of 4 years,
2. If Council do not close the Landfill now utilising the awarded grant funding it will have to undertake the closure in 4 years' time and fund the entire closure.
3. Waste in trenches at Neville Landfill can no longer be burnt to increase longevity of the facility.

A fire at a Landfill is considered a pollution incident by the Environmental Protection Authority (EPA) under the Protection of the Environment and Operations Act 1997.

Pollution incidents can result in a significant fines and also be recorded as a pollution incident against Blayney Shire Council.

If a pollution incident is recorded against Blayney Shire it could be considered as a previous offence during the prosecution of any future pollution incidents at EPA licensed facilities Council manages such as the Sewerage Treatment Works or Blayney Waste Facility.

4. Neville Landfill poses a significant risk for Council in that the contractor only opens and supervisors the facility on weekends.
Should any person make their way into the facility outside the official opening hours (which we believe often happens) and injures themselves they may not be found for several days.
5. Premises that receive the Domestic Waste Collection Service including the village of Neville are provided with a weekly waste collection and fortnightly recycling collection service.
6. Premises that receive the Domestic Waste Collection Service including the village of Neville are currently provided with a one (1) annual Bulky Waste Collection Service coordinated by JR Richards where each premise can dispose of 2m³.
7. Residents outside Neville who do not receive the Domestic Waste Collection Service, could opt in to receive the Domestic Waste Service including weekly waste and fortnightly recycling service.
This would be contingent on the resident paying the Domestic Waste Charge and transporting the bin/s themselves to a central location in Neville for JR Richards to collect from.
8. Waste can be taken to the Blayney Waste Facility seven (7) days a week which is located just 23 kilometres from Neville.
9. There were only an average of 8.6 visits per weekend to the facility between 3 January 2015 and 28 February 2016.
10. The current contract for the management of the Blayney and Neville Waste Facilities ceases on 31 December 2018, by closing Neville Landfill prior to this date will mean management of Neville can be removed from the next contract.

Community Consultation

Community consultation is proposed to consist of;

1. In May 2016 place the closure on a 28 day public notification.
Advertisement would occur in Councils weekly column of the Blayney Chronicle and website seeking community comment on the proposed closure of Neville Landfill,
2. In May 2016, a direct letter will be sent to all residents within 7km of the Neville Landfill seeking their comment on the proposed closure of Neville Landfill,
3. Report back to Council at the 20 June 2016 meeting on the findings of the community consultation and seek Council resolution on the future of Neville Landfill.

Issues:

The main issues for Council to consider, are;

1. If Council do not close the Landfill now utilising the awarded grant funding it will have to undertake the closure in 4 years' time and fund the entire closure.
2. Waste in trenches at Neville Landfill can no longer be burnt to increase longevity of the facility.
A fire at a Landfill is considered a pollution incident by the Environmental Protection Authority (EPA) under the Protection of the Environment and Operations Act 1997.
Pollution incidents can result in a significant fines and also be recorded as a pollution incident against Blayney Shire Council.
If a pollution incident is recorded against Blayney Shire it could be considered as a previous offence during the prosecution of any future pollution incidents at EPA licensed facilities Council manages such as the Sewerage Treatment Works or Blayney Waste Facility.
3. Neville Landfill poses a significant risk for Council in that the contractor only opens and supervises the facility on weekends.
Should any person make their way into the facility outside the official opening hours (which we believe often happens) and injures themselves they may not be found for several days.

Budget Implications:

Council is awaiting a confirmed cost estimate from Hadlow Earthmoving on the Closure Plan Design. Hadlow Earthmoving hold the contract for the management of Blayney and Neville Landfills and the closure is considered in accordance with the specifications of the contract.

At a minimum Council will be required to contribute \$28,000 (\$13,000 cash and \$15,000 in kind) of which this and any additional funds can be funded from the Domestic Waste Reserve.

Enclosures (following report)

1 Minister for the Environment Letter

1 Page

Attachments (separate document)

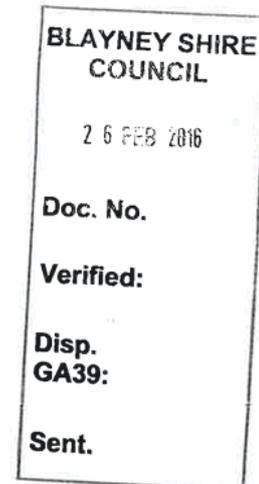
Nil



Mark Speakman
Minister for the Environment
Minister for Heritage
Assistant Minister for Planning

DOC16/17478

Mr Mark Dicker
Director, Planning and Environmental Services
Blayney Shire Council
PO Box 62
BLAYNEY NSW 2799



Dear Mr Dicker

NSW Environmental Trust – Waste Less, Recycle More Grant

I am pleased to advise that the NSW Environmental Trust has approved a grant of \$55,175 for your project *Neville Landfill Closure* under its Landfill Consolidation and Environmental Improvements program, subject to certain conditions.

Following an assessment of 40 proposals, on the recommendation of the independent Technical Review Committee, the Trust approved funding for 26 projects worth a total of \$2,997,830. Grant recipients will be listed on the Trust's website at www.environmentaltrust.nsw.gov.au.

A Trust representative will contact you shortly to make arrangements for the uptake of your grant. If you have any questions about your grant in the interim, Trust Administration can be contacted on 8837 6093.

Congratulations on your successful application, and I wish you well with your project.

Yours sincerely

19 FEB 2016

Mark Speakman
Minister for the Environment

18) WBC ALLIANCE EXECUTIVE OFFICER REPORT

Department: Executive Services

Author: General Manager

CSP Link: 6.2 Meaningful communication between the Shires communities and Council.

File No: CM.ME.3

Recommendation:

That the report from the WBC Alliance Executive Officer to April 2016 meeting be received.

Report:

Attached is a report from the WBC Alliance Officer, that notes the activities and actions of the WBC Alliance for the previous month.

Enclosures (following report)

1 WBC Alliance Officer Executive Officer Report 2 Pages

Attachments (separate document)

Nil



WBC EXECUTIVE MANAGER'S REPORT –April 2016 Council meeting

Business Continuity Planning (Blayney Council)

I am now finalising the first draft of the Business Continuity plan and processes developed in consultation with the staff of Blayney Council. Council will participate in the Statewide desk top audit of the plans to be held in Blayney on 30 March.

Update of Policies and Procedures: (Central Tablelands Water)

I have recently commenced a major review and update process of the Policies for CTW. This work will be completed by end of April and will result in a new resolutions register, policy site and may also produce work instructions for some processes. (to be determined)

Award nominations:

Recently I assisted with three award nominations for Blayney and Cabonne.

- LG Excellence Awards – Blayney in the category of Excellence in Leadership and Management – for community engagement initiatives
- LG Excellence Awards – Cabonne in the category of Special Project for their strategies around organisational capability and business excellence
- LG Excellence Awards – Cabonne in the category of Workforce Management for their project on Workforce Capability and Development

All three nominations have been shortlisted finalists which is fantastic recognition. The Awards are being announced at the Awards dinner in Sydney on 7th April.

Reform Process:

I recently coordinated a webinar presentation of new software modules developed by LG Professionals to support Councils through merger transition. The modules focus on the collection of data of current profile which will be critically important for analysis and determination of new service levels and workforce profile if the merger proceeds. I invited Orange City Council Manager HR Services to the webinar which was a good step to understanding and agreeing on the data collection and analysis tools. **No collective decision** has been made by any of the three Councils about whether this work should commence or not, and if so what tools should be used. However, it is good to have some understanding of the options should the merger proceed.

I have been working with the General Manager Cabonne to develop a **Change Readiness Program** for Cabonne which is a multifaceted program to both **support staff** to be change ready and confident in their capabilities and the contributions they can make. Training will be provided in change management, change readiness, and resume writing and interview techniques. Additionally, we will be completing a detailed **organisational profile** – a summary of the dimensions of all the services

provided as well as detailed workforce analysis and data which will be critically important should the merger proceed.

Other:

I attended Consultative Committee training being held in Blayney on 1 March at the invitation of Blayney GM.

I was a member of the interview panel for Blayney in recent recruitment for Centrepoint Manager

I was a scribe and supported of the "Building a Better Blayney" workshop in Blayney on 8 March. I will be providing assistance to the General Manager to finalise the format and content of the Village plans.

Participated in meeting at Blayney regarding development of service level documentation

Assisted Cabonne Tourism Officer to develop a Request for Quotation document for engagement of contractor to complete a Village Promotion package and then also participated in the selection panel for this.